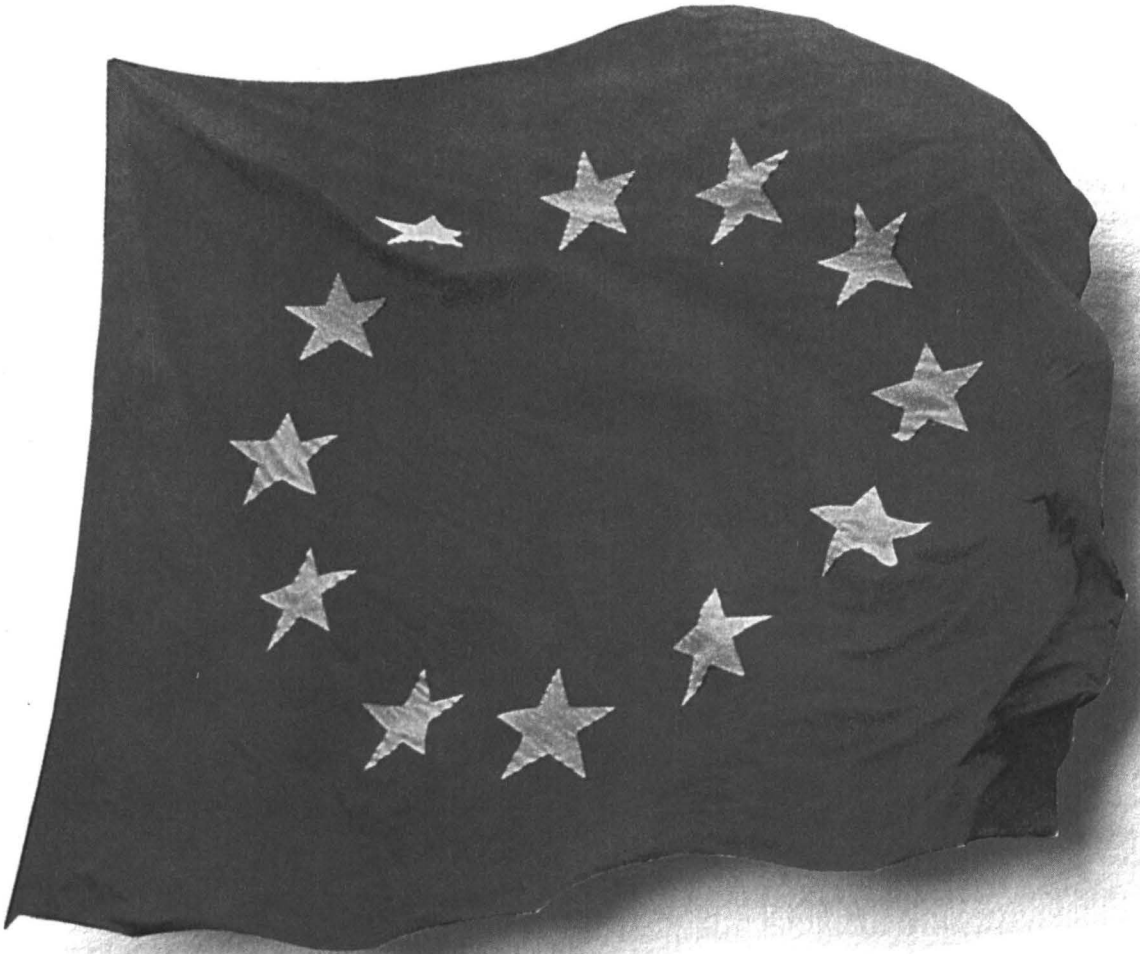


European Commission

# **Bulletin** **of the European Union**



10 • 1995

The *Bulletin of the European Union* reports on the activities of the Commission and the other Community institutions. It is produced by the Secretariat-General of the European Commission and published 10 times a year in the official European languages.

The following reference system is used: the first digit indicates the part number, the second digit the chapter number and the subsequent digit or digits the point number. Citations should therefore read as follows: Bull 1/2-1994, point 1.1.1 or 2.2.3.

*Supplements to the Bulletin are published in a separate series at irregular intervals. They contain official Commission material (e.g. communications to the Council, programmes, reports and proposals).*

European Commission  
Secretariat-General  
Editorial team: rue de la Loi 200 — B-1049 Brussels — Tel. 295 79 30

*Sent to press in January 1995*

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*Printed in France*

European Commission

# **Bulletin of the European Union**

**10 • 1995**

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

BFR	= Belgische frank / Franc belge
DKR	= Dansk krone
DM	= Deutsche Mark
DR	= Greek drachma
ESC	= Escudo
FF	= Franc français
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

# **PART ONE**

## **ACTIVITIES IN OCTOBER 1995**

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# News in brief

## **The Community economic and social area**

### *Internal market*

- Novel foods and novel food ingredients: the Council adopts a common position on the proposal for a Regulation (→ point 1.3.31).
- Supplementary supervision of insurance undertakings in an insurance group: the Commission adopts a proposal for a Directive (→ point 1.3.44).
- Protection of individuals with regard to the processing of personal data: Parliament and the Council sign a Directive (→ point 1.3.51).

### *Enterprise policy*

- Feasibility of the creation of a European capital market for smaller entrepreneurially-managed growing companies: the Commission adopts a communication (→ point 1.3.86).
- The craft industry and small enterprises, keys to growth and employment in Europe: the Commission adopts a communication (→ point 1.3.87).

### *Research and technology*

- International cooperation in R & TD: the Commission adopts a communication (→ point 1.3.96).

### *Economic and social cohesion*

- Allocation of the reserve for Community initiatives: the Commission adopts a draft Decision (→ point 1.3.117).

### *Energy*

- Gas supply and prospects: the Commission adopts a communication (→ point 1.3.130).

### *Information society, telecommunications*

- Abolition of the restrictions on the use of cable television networks for the provision of telecommunications services: the Commission adopts a Directive amending Directive 90/388/EEC (→ point 1.3.143).

### *Agriculture*

- Reform of the common organization of the markets in fruit and vegetables: the Commission adopts proposals for Council Regulations (→ point 1.3.176).



*Fisheries*

- Control system applicable to the common fisheries policy: the Council agrees a proposal for a Regulation (→ point 1.3.198).

*Employment and social policy*

- European employment strategy: the Commission adopts a communication on trends and developments in employment systems in the European Union (→ point 1.3.211).
- Social protection in Europe: the Commission adopts a report and a communication (→ points 1.3.218 and 1.3.219).

*Public health*

- Community action programme on health monitoring: the Commission adopts a proposal for a Parliament and Council Decision and a communication (→ point 1.3.228).

*Consumers*

- Priorities for consumer policy (1996-98): the Commission adopts a communication (→ point 1.3.231).

**Role of the Union in the world***Central and Eastern Europe, Baltic States*

- Latvia presents a formal request for accession to the European Union (→ point 1.4.60).

*Mediterranean and Middle East*

- Guidelines for European Union action in former Yugoslavia: the Council adopts conclusions (→ points 1.4.78 and 2.2.1).
- Lebanon: the Council adopts negotiating directives for a new agreement (→ point 1.4.82).
- Middle East peace process: the Council adopts conclusions and the Commission adopts a communication on European Union assistance to the West Bank and the Gaza Strip (→ points 1.4.84 and 1.4.85).

*Latin America*

- Strengthening relations with Latin America: the Commission adopts a communication (→ point 1.4.102).
- Draft agreement with Mexico: the Commission adopts a recommendation for a Decision (→ point 1.4.109).

*ACP countries, South Africa and OCTs*

- Angola: the Council adopts a Common Position on the basis of Article J.2 of the Treaty on European Union (→ point 1.4.121).

# 1. Union citizenship

## **Freedom of movement and right of residence**

### *Non-Community nationals*

*1.1.1.* Parliament resolution on policy on visas for citizens of Central and East European countries.

**Reference:** 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: OJ L 234, 3.10.1995; Bull. 9-1995, point 1.1.1

*Adopted on 26 October.* In the belief that the States which have signed Association Agreements with the European Union with a view to accession should be treated equally with regard to visas, Parliament called on the Council and the Commission to indicate why Bulgaria and Romania were included in the list of countries whose nationals require visas and to review their inclusion.

OJ C 308, 20.11.1995

## 2. Human rights

### European Union countries

#### *Racism and xenophobia*

##### **References:**

Conclusions of the Corfu European Council: Bull. 6-1994, points I.23 and I.29

Conclusions of the Essen European Council: Bull. 12-1994, point I.33

Council report on the fight against racism and xenophobia: Bull. 3-1995, point 1.5.9

Parliament resolution on racism, xenophobia and anti-Semitism: OJ C 126, 22.5.1995; Bull. 4-1995, point 1.2.1

Council conclusions on an overall strategy to combat racism and xenophobia: Bull. 6-1995, point 1.2.2

Conclusions of the Cannes European Council: Bull. 6-1995, point 1.23

*1.2.1. Council Resolution on the fight against racism and xenophobia in the fields of employment and social affairs.*

*Adopted by the Council on 5 October.* The Council and the representatives of the governments of the Member States condemned in the strongest terms racism, xenophobia and anti-Semitism, flagrant breaches of individual rights and religious intolerance, particularly in the fields of employment and social affairs. They noted the concern expressed by Parliament at the rise in acts of racist violence in several European countries and the increase in propaganda inciting xenophobia for electoral purposes, while at the same time recognizing the importance of implementing, in the field of social policy, policies based on the principles of non-discrimination and equal opportunities at Union and Member State level, within the framework of their respective powers. They called upon the Member States to make progress towards the promotion of employment and vocational training as means of integrating persons legally resident in the Member States, fighting labour discrimination against such persons and promoting equal opportunities for the groups most vulnerable to discrimination. The Council and the representatives of the governments of the Mem-

ber States further called upon the Member States to adopt various measures such as the incorporation of respect for diversity and tolerance in teaching and vocational training programmes, the ratification of the international instruments concerning the fight against all forms of racial discrimination, support for organizations actively involved in the fight against racism and xenophobia or the promotion of instruments of self-regulation, such as codes of good conduct for media professionals. Lastly, they invited the social partners to take part in the achievement of those objectives.

OJ C 296, 10.11.1995

*1.2.2. Council Resolution on the response of educational systems to the problems of racism and xenophobia*

**Reference:** Decision 95/819/EC of the European Parliament and of the Council establishing the Community action programme Socrates: OJ L 87, 20.4.1995; Bull. 3-1995, point 1.3.69

*Adopted by the Council on 23 October.* The Council and representatives of the governments of the Member States considered that education and training had a role of great importance in combating racism and xenophobia and that European educational systems should continue and enhance their efforts at promoting education in values which encouraged attitudes of solidarity, tolerance and respect for democracy and human rights. In this respect they found that teacher training was an important area for cooperation between the Member States.

They therefore invited the Member States to promote plurality in the curricula by including such concepts as peace, democracy, respect and equality between cultures, and tolerance and to encourage initiatives to foster cooperation between schools and their local communities. They invited the Commission to ensure coherence among all Community programmes which promote education and training aspects of the struggle against racism and xenophobia, to exploit fully the parts of the Socrates programme involved with the problems concerned, to assist

in the exchange of experience by collecting and disseminating information about the contribution of European educational systems in these areas and to ensure that, in the field of education, appropriate cooperation is achieved with international organizations, especially the Council of Europe.

OJ C 312, 23.11.1995

1.2.3. Parliament resolution on racism, xenophobia and anti-Semitism.

**Reference:** Interim report by the chairman of the Reflection Group on the Intergovernmental Conference: Bull. 9-1995, point 1.9.1

*Adopted by Parliament on 26 October.* Parliament welcomed the final report of the Consultative Commission on Racism and Xenophobia, but regretted that the European Council in Cannes had not adopted an overall strategy against racism, xenophobia and anti-Semitism. It urged the Council presidency to do its utmost to ensure that the Justice and Home Affairs Council in November adopted a joint action in this area. After welcoming the progress report from the chairman of the Reflection Group on the 1996 Intergovernmental Conference, it stressed the need to ensure full observance of fundamental rights in the Union and supported the idea of incorporating in the Union Treaty provisions concerning condemnation of racism, xenophobia and anti-Semitism and the extension of Article 6 of the EC Treaty to prohibit all forms of discrimination. It also called on the Commission to submit a proposal for an anti-discrimination directive. Parliament considered that incitement to racism and the production and distribution of and support for racist, xenophobic or anti-Semitic material or theses as well as any revisionist claims denying the reality of the Holocaust should be treated as criminal offences throughout the European Union and therefore requested all the Member States to adapt their legislation accordingly. It also called on them to ratify all international instruments concerning the fight against all forms of racial discrimination, protect persons against any such discrimination and promote equal opportunities for the most vulnerable groups. It supported the idea of creating an EU Observatory on Racism and Xenophobia which would cooperate with the Council of Europe.

OJ C 308, 20.11.1995

## Human rights outside the European Union

### *Belarus*

1.2.4. Parliament resolution on Belarus.

*Adopted by Parliament on 12 October.* Parliament expressed its regret and dismay at the infringements of trade union rights in the Republic of Belarus. It called on the President of Belarus to withdraw Decree 336 of 21 August 1995 which suspended the activities of the Union of Minsk Subway Workers and prohibited on pain of prosecution the activities of political parties, organizations and trade unions taking part in strikes affecting enterprises mentioned in a list approved by the Council of Ministers.

OJ C 287, 30.10.1995

### *Brazil*

1.2.5. Parliament resolution on the situation of the indigenous peoples of Brazil.

*Adopted by Parliament on 12 October.* Parliament urged the Brazilian authorities to adhere firmly to their commitment to protect the indigenous peoples, combat incursions into their territories and violence against them, and ensure that perpetrators of such acts were tried justly and impartially.

OJ C 287, 30.10.1995

### *Burundi*

1.2.6. Parliament resolution on the murder of two missionaries and a volunteer in Burundi.

*Adopted by Parliament on 12 October.* Parliament condemned the murders of two Xavierian missionaries and a lay volunteer on 30 September and invited the Government to launch a thorough investigation. It called on the Council to ensure that its efforts to promote preventive action to put an end to violence throughout the region took account of the need to protect and support in an appropriate way all those who were working to alleviate the suffering of the population by their humanitarian activities. It further called on the European Union to step up its cooperation with Burundi in the field of justice.

OJ C 287, 30.10.1995

## Cuba

1.2.7. Parliament resolution on Francisco Chaviano Gonzalez.

*Adopted by Parliament on 12 October.* Parliament called on the Cuban authorities to review the case of the President of the Cuban Council for Civil Rights, Mr Chaviano Gonzalez, who had been condemned to 15 years in prison and had begun a hunger strike on 12 September. It called on the Commission and Council to convey to the Cuban authorities their deep concern regarding the detention of political prisoners in Cuba.

OJ C 287, 30.10.1995

## Guatemala

1.2.8. Parliament resolution on the murder of peasant farmers in Guatemala.

*Adopted by Parliament on 12 October.* Parliament condemned the murder of 11 members of the 'Aurora 8 de Octubre' community by a Guatemalan army patrol and called for those responsible to be brought to justice. It welcomed the decision by the President of Guatemala to dismiss the commander of the military zone of Cobán and to accept the resignation of the Minister of Defence, as evidence of his determination to ensure that those responsible were punished.

OJ C 287, 30.10.1995

## Equatorial Guinea

1.2.9. Parliament resolution on the situation in Equatorial Guinea.

*Adopted by Parliament on 12 October.* Although it welcomed the massive turn-out by the citizens of Equatorial Guinea in the municipal elections, Parliament condemned the irregularities committed by the Government and denounced by the opposition and the obstacles put in the way of the presence of international observers. It noted that the initial electoral results pointed to the Plata-Forma Oposición Conjunta (POC) having secured a majority of votes. It stressed the need for the Government of Equatorial Guinea to ensure respect for human rights and democratic principles and called on the Commission and Council to urge it to take action to this end and to ensure that aid granted to this country by the European Union was channelled solely into projects aimed at improving the living conditions of the most deprived sectors of society.

OJ C 287, 30.10.1995

## Nigeria

1.2.10. Parliament resolution on Nigeria.

**Reference:** European Union declaration on Nigeria: point 1.4.7 of this Bulletin

*Adopted by Parliament on 12 October.* While noting General Abacha's decision to commute the death sentences on 13 of the 40 opposition members convicted of alleged treason, Parliament regretted that none of the 40 had been released and urged the release of all prisoners of conscience and political prisoners. It considered disappointing General Abacha's announcement of possible presidential and legislative elections in 1998, given without any convincing assurance. It expected the Nigerian government to restore the democratic process by respecting the outcome of the 1993 presidential election, re-establish a system of government which respected the clear distinction between the executive, the legislature and the judiciary, implement freedom of the media and of association, including political parties, and withdraw the military from the Ogoni region. It called on the Commission and Council to suspend the application of the Lomé Convention to Nigeria and requested the establishment of an international and impartial body to examine the killings and extrajudicial executions.

OJ C 287, 30.10.1995

## Financing

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

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

Purpose	Amount (ECU)
Conference on the OSCE and human rights in the Mediterranean countries (Rome, 13 and 14 October)	20 000
Tri-continental conference of institutions for the promotion of human rights (Tenerife, 7 to 9 November)	93 670
Fifteen projects for the promotion and defence of human rights in Latin America	2 286 000
Eleven projects to support rehabilitation centres for torture victims and organizations which help victims of human rights violations	638 500
Mission of human rights observers to Burundi	405 860
Five projects to support organizations working for human rights	340 000

### 3. The Community economic and social area

#### Implementation of the White Paper on growth, competitiveness and employment

##### Competitiveness

1.3.1. Proposal for a Council Decision on the implementation of a Community action programme to strengthen the competitiveness of European industry (→ point 1.3.84).

1.3.2. Economic and Social Committee own-initiative opinion on the coordination of research policies (→ point 1.3.88).

##### Employment

1.3.3. Commission communication entitled 'The craft industry and small enterprises, keys to growth and employment in Europe' (→ point 1.3.87).

1.3.4. Commission communication on trends and developments in employment systems in the European Union (→ point 1.3.211).

1.3.5. Proposal for a Council Decision on the Commission's activities of analysis, research, cooperation and action in the field of employment (→ point 1.3.212).

1.3.6. Economic and Social Committee own-initiative opinion on the economic situation in 1995 and employment (→ point 1.3.213).

1.3.7. Economic and Social Committee own-initiative opinion on working hours (→ point 1.3.214).

1.3.8. Economic and Social Committee own-initiative opinion on youth unemployment (→ point 1.3.215).

1.3.9. Report on social protection in Europe (→ point 1.3.218).

1.3.10. Commission communication on the future of social protection: a framework for a European debate (→ point 1.3.219).

1.3.11. Social dialogue summit (→ point 1.3.220).

##### Trans-European networks

1.3.12. Proposal for a European Parliament and Council Decision laying down a series of guidelines on trans-European energy networks (→ point 1.3.123).

1.3.13. Proposal for a Council Decision laying down a series of measures aimed at creating a more favourable context for the development of trans-European networks in the energy sector (→ point 1.3.124).

1.3.14. Proposal for a European Parliament and Council Decision on a series of guidelines for the development of ISDN as a trans-European network (→ point 1.3.125).

##### Economic growth and the environment

1.3.15. Parliament resolution on the Commission communication to Parliament and the Council entitled 'Economic growth and the environment: some implications for economic policy-making' (→ point 1.3.150).

##### Economic and monetary policy

##### Economic and monetary union

##### *Coordination of economic policies*

1.3.16. Council conclusions on the Finnish convergence programme.

*Adopted on 23 October.*

'The Council welcomed the presentation of the convergence programme for Finland, which shows how the Finnish Government expects to meet its objective of fulfilling the EMU convergence criteria and sets out the measures being taken. The programme is based on reasonable underlying macroeconomic assumptions. The format and content of the programme respect the code of conduct adopted by the Council in February 1994. The objectives and measures in the programme have received wide support in the Finnish Parliament.

The Council noted that the Finnish Government expects to bring the general government deficit well below the 3% of GNP reference value already in 1996 and to achieve surpluses in subsequent years when the general government gross debt ratio should be declining. It welcomed this adjustment path and also the additional measures (equivalent to 3.5% of GNP) decided this year by the Finnish Government, especially in view of their front-loaded nature and their reliance on expenditure restraint. It noted also that the specific structure of the public finances in Finland makes it appropriate to focus on the more demanding objective of reversing the upward trend in the central government debt ratio, as the Finnish Government is doing.

The Council acknowledged the present low inflation rate in Finland, the full support of the Finnish Government for the inflation objective of the Bank of Finland and the contribution to keeping inflation low to be expected from the recent national wage agreement which extends to early 1998. Interest rate differentials have already narrowed and further gains are likely as the improvement in the public finances is confirmed. The appreciation of the Finnish markka since 1993 has restored it to a more appropriate level and the prospects for exchange-rate stability are now good.

The Council supported the approach of the Finnish Government which considers the re-establishment of durable stability as a necessary precondition for sustained growth of output and employment. The Council took note that the Finnish Government had just adopted a multiannual employment programme to achieve a faster decline in the still very high unemployment rate mainly through the implementation of structural reforms to make the labour market function better.'

## *European Monetary System*

1.3.17. Commission communication to the European Council on the impact of currency fluctuations on the internal market.

**Reference:** Cannes European Council: Bull. 6-1995, point I.11

*Adopted on 31 October.* In this communication — drafted in response to a request from the

European Council in Cannes — the Commission assesses the impact of intra-Community currency fluctuations on economic growth and the internal market and concludes that the single currency is the essential complement to the single market.

After pointing out the constraints inherent in this type of study and emphasizing that it is too early to draw definitive conclusions as to the ultimate consequences of these fluctuations, the Commission identifies the following phenomena:

- a slowdown in growth of the order of 0.25 to 0.5 of a percentage point, despite the fact that growth is an essential precondition for reducing excessive unemployment;
- a variable effect on the cost-competitiveness of the countries whose currencies have depreciated (Italy and Sweden having recorded significant gains, Spain losses and the United Kingdom no change) and on that of the countries whose currencies have appreciated (Germany having recorded a reduction in cost-competitiveness, while France has remained stable);
- a secondary effect on trade balances in that exporters have adopted profit-margin behaviour; such variations in profitability may have an impact on corporate investment and development;
- a more marked impact at sectoral and regional levels.

The Commission therefore notes that currency fluctuations are creating certain difficulties for the Union economy, although these are not attributable to the elimination of trade barriers or to the internal market rules. These difficulties are linked mainly to the uncertainty which is having a negative effect on economic operators and curbing investment and growth. In those countries whose currencies have remained stable, the Commission notes difficult adjustment problems; in those whose currencies have depreciated, the fluctuations are causing a resurgence of inflation and a rise in interest rates.

The Commission therefore suggests that the very causes of the fluctuations be tackled, namely the insufficient progress made towards convergence, particularly as regards government deficits. It argues that a sound economic framework is one of the key points of the European strategy for employment and that convergence

will establish the foundations for reinforced monetary solidarity. In conclusion, the Commission takes the view that the single currency is the essential complement to the single market.

COM(95) 503

### *Arrangements for the introduction of the single currency*

**Reference:** Commission Green Paper on the practical arrangements for the introduction of the single currency: COM(95) 333; Bull. 5-1995, point 1.3.7

1.3.18. Parliament resolution on the Commission Green Paper on the practical arrangements for the introduction of the single currency.

*Adopted on 25 October.* Parliament welcomes the Commission's presentation of its Green Paper and emphasizes the need for a comprehensive and clear decision to be taken at the European Council meeting in Madrid regarding the time-scale and key elements of the transition to the third stage and the name of the single currency, which will have to be the same in all the languages. It rejects any attempts by Member States to alter the timetable set out in the EC Treaty and points out that transparency regarding the preparations is essential in order to promote acceptance by the public and the markets. It calls on the Commission to take account of the need for democratic accountability during the transition to the third stage and of Parliament's role in this process.

Like the Commission, Parliament recognizes the need for the single currency to be introduced in three phases, but calls for a swift transition. It thus argues that phase A should begin on 1 January 1998, so that the European System of Central Banks can begin to operate from 1 January 1999 at the latest, and calls for phase B to be reduced to no more than two years and for phase C to be limited to the minimum period necessary for the actual changeover between denominations, i.e. no more than a few weeks. It also calls for measures to be taken to prevent any risk of speculation during the various phases and for all the requisite legal and technical steps to be taken in good time for the introduction of the single currency. Finally, Parliament considers it necessary, in the general political and economic interests of the countries not participating in EMU from the outset, for a system to be maintained

which uses the single currency as an anchor point for currencies not participating in EMU.

OJ C 308, 20.11.1995

1.3.19. Economic and Social Committee opinion on the Green Paper on the practical arrangements for the introduction of the single currency.

*Adopted on 26 October.* The Committee supports the scenario proposed by the Commission as regards the arrangements for the changeover to the single currency. It recommends a rapid changeover in stages fixed well in advance, pointing to the need to avoid creating an unbridgeable gulf between those countries participating in the system and those granted a derogation and arguing that appropriate measures will have to be taken by the competent authorities to prevent possible disruption of the financial markets and to protect consumer interests.

### *Wider use of the ecu*

1.3.20. Council Regulation on harmonized consumer price indices (→ point 1.7.1).

## **Growth initiative**

1.3.21. Second Commission report on the implementation of the Decision regarding the provision of Community interest subsidies on loans for small and medium-sized enterprises extended by the EIB under its temporary lending facility (SME facility).

**Reference:** Council Decision 94/217/EC on the provision of Community interest subsidies on loans for small and medium-sized enterprises extended by the European Investment Bank: OJ L 107, 28.4.1994; Bull. 4-1994, point 1.2.9

**Previous report:** COM(94) 434; Bull. 10-1994, point 1.2.5 *Adopted on 30 October.* In this report, which constitutes an update of the preceding report on the SME facility, the Commission notes that the objective set for the facility — the creation of 30 000 jobs — has already been exceeded as 42 000 new jobs have been created. It also points out that 95% of the total resources available for the SME facility has already been spent.

COM(95) 485

## **International monetary and financial matters**

1.3.22. Interim Committee of the Board of Governors of the International Monetary Fund (IMF).



*Forty-fifth meeting held in Washington on 7 and 8 October.* At this meeting, which was attended by Mr Yves-Thibault de Silguy, Member of the Commission, and Mr Pedro Solbes Mira, Spanish Minister for Economic and Financial Affairs and President-in-Office of the Council, the Interim Committee noted that, while world economic trends were encouraging in many respects, a number of difficulties remained. Under these circumstances, it approved proposals designed to reinforce monitoring procedures within the IMF as part of an early warning system. It also examined ways of speeding up the disbursement of aid in cases where a financial crisis threatened to affect the entire system. In this connection, the Committee looked at the possibility of increasing the Fund's resources and welcomed the agreement reached within the G10 and with other countries to double the amount currently available under the general borrowing agreements.

## Internal market

### General

*1.3.23.* Commission communication to the Council and Parliament on the broader use of standardization in Community policy.

**Reference:** Commission communication entitled: 'Making the most of the internal market: Strategic programme': COM(93) 632; Bull. 12-1993, point 1.2.1

*Adopted on 30 October.* In this communication, which was planned as part of the strategic programme for the internal market, the Commission gives an overview of the existing position regarding the use of standards in the context of the policies of the European Union, indicates possible future lines of development for the broader use of standards in the short and medium term, and discusses both classical and newly developed applications of standardization.

COM(95) 412

*1.3.24.* Proposal for a Parliament and Council Decision establishing a procedure for the ex-

change of information on national measures derogating from the principle of the free movement of goods within the Community.

**Commission proposal:** OJ C 18, 21.1.1994; COM(93) 670; Bull. 12-1993, point 1.2.5

**Parliament opinion (first reading):** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.13

**Economic and Social Committee opinion:** OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.13

**Amended Commission proposal:** OJ C 200, 22.7.1994; COM(94) 250; Bull. 6-1994, point 1.2.17

**Council agreement on a common position:** Bull. 6-1995, point 1.3.18

**Council common position:** OJ C 216, 21.8.1995; Bull. 6-1995, point 1.3.18

*Endorsed by Parliament (second reading) on 26 October.*

OJ C 308, 20.11.1995

*1.3.25.* Commission communication to the European Council on the impact of monetary fluctuations on the internal market (→ points 1.3.17 and 2.2.1).

## Free movement of goods

### Technical aspects

#### Motor vehicles

*1.3.26.* Parliament and Council Directive 95/28/EC relating to the burning behaviour of materials used in the interior construction of certain categories of motor vehicle.

**Commission proposal:** OJ C 154, 19.6.1992; COM(92) 201; Bull. 5-1992, point 1.1.15

**Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. 10-1992, point 1.3.27

**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. 10-1992, point 1.3.27

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

**Council common position:** OJ C 384, 31.12.1994; Bull. 12-1994, point 1.2.9

**Parliament approval (second reading):** OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.20

**Council approval:** Bull. 7/8-1995, point 1.3.11

*Signed by Parliament and the Council on 24 October.* The aim of the Directive is to increase the safety of the occupants of buses and coaches carrying more than 22 passengers, except for

those designed for standing passengers or for urban use. It lays down minimum requirements for materials used in the interior construction of vehicles in order to avoid, or at least retard, the spread of flames, thus making it easier for occupants to evacuate the vehicle in the event of fire.

OJ L 281, 23.11.1995

1.3.27. 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

**Parliament opinion (first reading):** OJ C 269, 16.10.1995; Bull. 9-1995, point 1.3.5

*Amended proposal adopted by the Commission on 3 October.*

COM(95) 461

*Common position agreed by the Council on 6 October.* The proposal seeks to derogate from existing legislation, which fixes a limit of 0.16 g/kwh for emissions of particulate pollutants from 15 October 1995, so as to allow a limit of 0.25 g/kwh until 30 September 1997 for small diesel engines for use in light commercial vehicles.

1.3.28. Proposal for a Parliament and Council Directive relating to the side-impact resistance of motor vehicles and amending Directive 70/156/EEC relating to the type-approval of motor vehicles and their trailers.

**Commission proposal:** OJ C 396, 31.12.1994; COM(94) 519; Bull. 12-1994, point 1.2.10

**Economic and Social Committee opinion:** OJ C 256, 2.10.1995; Bull. 7/8-1995, point 1.3.12

**Parliament opinion (first reading):** OJ C 249, 25.9.1995; Bull. 7/8-1995, point 1.3.12

*Amended proposal adopted by the Commission on 2 October.*

COM(95) 454

## Medical devices

1.3.29. Proposal for a Parliament and Council Directive on *in vitro* diagnostic medical devices.

**Commission proposal:** OJ C 172, 7.7.1995; COM(95) 130; Bull. 4-1995, point 1.3.10

*Economic and Social Committee opinion delivered on 25 October.* The Committee takes the view that the Directive should cover all control materials, whether or not they are used in medical laboratories, and should require, in particular for self-testing devices, instructions to be provided in the language of the country of use.

## Dangerous substances

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

**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

**Parliament opinion:** OJ C 269, 16.10.1995; Bull. 9-1995, point 1.3.6

*Amended proposal adopted by the Commission on 27 October.*

COM(95) 531

## Foodstuffs

1.3.31. Proposal for a Parliament and Council Regulation on novel foods and novel food ingredients.

**Commission proposal:** OJ C 190, 29.7.1992; COM(92) 295; Bull. 7/8-1992, point 1.3.15

**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. 1/2-1993, point 1.2.13

**Parliament opinion (first reading):** OJ C 315, 22.11.1993; Bull. 10-1993, point 1.2.13

**Amended Commission proposal:** OJ C 16, 19.1.1994; COM(93) 631; Bull. 12-1993, point 1.2.10

*Common position (EC) No 25/95 adopted by the Council on 23 October.* Under the common position, the Regulation would establish a partly decentralized Community procedure for carrying out scientific assessments and authorizing the placing on the market of novel foods and food ingredients which have so far not been subject to legislation (in particular products which have been chemically modified or which are derived from synthetic substances, genetically modified products or products derived from biotechnology, and products using exotic raw materials) in order to ensure a high level of consumer protection while not hampering innovation. The Regulation also stipulates that novel foods and

novel food ingredients must not constitute a danger to or mislead consumers, nor differ from the foods or food ingredients which they are intended to replace to such an extent that their normal consumption would be nutritionally disadvantageous for the consumer.

With regard to labelling, the Regulation makes provision for the consumer to be informed of:

- any characteristic or food property which renders a novel food or food ingredient significantly different from an existing food or food ingredient. In this case, the labelling must mention the characteristics or properties that have been modified (composition, nutritional value, intended use of the food, etc.) and indicate the method by which that characteristic or property was obtained;
- the presence in the product of material which is not present in an existing equivalent foodstuff and which may have implications for the health of certain sections of the population, e.g. allergens;
- the presence in the product of materials which are not present in the existing equivalent foodstuff and which may give rise to ethical concerns (specific groups of people with well-defined dietary habits);
- the presence of a genetically-modified organism where it does not correspond solely to modification of its agricultural characteristics.

OJ C 320, 30.11.1995

**1.3.32.** Proposal for a Parliament and Council Directive amending Directive 79/112/EEC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs.

**Commission proposal:** OJ C 122, 14.5.1992; COM(91) 536; Bull. 4-1992, point 1.3.8

**Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. 10-1992, point 1.3.34

**Parliament opinion (first reading):** OJ C 315, 22.11.1993; Bull. 10-1993, point 1.2.14

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

**Amended Commission proposal:** OJ C 118, 29.4.1994; COM(94) 24; Bull. 4-1994, point 1.2.24

**Council agreement on a common position:** Bull. 3-1995, point 1.3.10

**Council common position:** Bull. 6-1995, point 1.3.22

*Endorsed by Parliament (second reading) on 25 October*, subject to technical amendments.

OJ C 308, 20.11.1995

**1.3.33.** Proposal for a Parliament and Council Directive amending Council Directive 80/777/EEC on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters.

**Commission proposal:** OJ C 314, 11.11.1994; COM(94) 423; Bull. 10-1994, point 1.2.10

**Economic and Social Committee opinion:** OJ C 110, 2.5.1995; Bull. 1/2-1995, point 1.3.9

*Endorsed by Parliament (first reading) on 11 October*, subject to amendments aimed *inter alia* at limiting the duration of the validity of certification to five years for mineral water from third countries and laying down conditions for treating mineral water with ozone-enriched air.

OJ C 287, 30.10.1995

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

**Reference:** Commission Directive 91/321/EEC on infant formulae and follow-on formulae: OJ L 175, 4.7.1991; Bull. 5-1991, point 1.2.18

**Commission proposal:** OJ C 108, 16.4.1994; COM(94) 97; Bull. 3-1994, point 1.2.23

**Economic and Social Committee opinion:** OJ C 388, 31.12.1994; Bull. 7/8-1994, point 1.2.6

*Endorsed by Parliament (first reading) on 11 October*, subject to a number of amendments. In particular, Parliament wishes to see gluten-free foods and foods for diabetics covered by specific directives and a special set of rules adopted for labelling those foods and low-sodium foods. It also calls for an amendment to the Directive on infant formulae and follow-on formulae to require the use of innocuous organically produced foodstuffs and processing methods which preserve the quality of such products during the manufacture of baby food.

OJ C 287, 30.10.1995

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

**Commission proposal:** OJ C 389, 31.12.1994; COM(94) 600; Bull. 12-1994, point 1.2.20

**Economic and Social Committee opinion:** OJ C 256, 2.10.1995; Bull. 7/8-1995, point 1.3.16

*Endorsed by Parliament (first reading) on 11 October*, subject to amendments concerning

*inter alia* the Commission's implementing powers.

OJ C 287, 30.10.1995

1.3.36. Proposal for a Parliament and Council Directive amending Directive 95/2/EC on food additives other than colours and sweeteners.

**Commission proposal:** OJ C 163, 29.6.1995; COM(95) 177; Bull. 5-1995, point 1.3.15

*Endorsed by the Economic and Social Committee on 25 October.*

However, the Committee would like to see a clearer description of the additive in question and the use of numbering to distinguish it from carrageenan.

1.3.37. Proposal for a Parliament and Council Directive amending Parliament and Council Directive 94/35/EC on sweeteners for use in foodstuffs.

**Directive to be amended:** Parliament and Council Directive 94/35/EC: OJ L 237, 10.9.1994; Bull. 6-1994, point 1.2.28

**References:**

Parliament and Council Directive 94/36/EC on sweeteners for use in foodstuffs: OJ L 237, 10.9.1994; Bull. 6-1994, point 1.2.27

Parliament and Council Directive 95/2/EC on food additives other than colours and sweeteners: OJ L 61, 18.3.1995; Bull. 1/2-1995, point 1.3.8

*Adopted by the Commission on 18 October.* The proposed Directive adapts Parliament and Council Directive 94/35/EC to technical progress and harmonizes its provisions with Parliament and Council Directives 94/36/EC and 95/2/EC on sweeteners and food additives other than colours and sweeteners.

COM(95) 482

### Cultural goods

1.3.38. Proposal for a Council Regulation amending the Annex to Council Regulation (EEC) No 3911/92 of 9 December 1992 on the export of cultural goods.

**Regulation to be amended:** Council Regulation (EEC) No 3911/92: OJ L 395, 31.12.1992; Bull. 12-1992, point 1.3.27

*Adopted by the Commission on 19 October.* The objective is to create a separate category of cultural goods comprising only watercolours,

pastels and gouaches, with a threshold of ECU 30 000 so that these works are treated and protected in the same way throughout the Community if they are exported.

COM(95) 479

1.3.39. Proposal for a Parliament and Council Directive amending the Annex to Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State.

**Directive to be amended:** Council Directive 93/7/EEC: OJ L 74, 27.3.1993; Bull. 3-1993, point 1.2.6

*Adopted by the Commission on 19 October.* The objective is to create a separate category of cultural objects comprising only watercolours, pastels and gouaches, with a threshold of ECU 30 000 so that these works are treated and protected in the same way throughout the Community where they are to be returned.

COM(95) 479

### Animal and plant health

#### Animal health

1.3.40. Council Directive 95/52/EC amending Council Directive 90/675/EEC laying down the principles governing the organization of veterinary checks on products entering the Community from third countries.

**Reference:** Commission Decision 92/571/EEC relating to new transitional measures which are necessary to facilitate the move to the system of veterinary checks provided for in Council Directive 90/675/EEC (OJ L 367, 16.12.1992), as last amended by Decision 95/55/EC: OJ L 53, 9.3.1995

**Directive amended:** Council Directive 90/675/EEC (Bull. 12-1990, point 1.3.178; OJ L 373, 31.12.1990), as last amended by the 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

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

**Economic and Social Committee opinion:** Bull. 9-1995, point 1.3.8

**Parliament opinion:** OJ C 269, 16.10.1995; Bull. 9-1995, point 1.3.8

*Adopted by the Council on 25 October.* The Directive extends until 31 December 1996 the

transitional measures in force in order to complete the process of harmonizing the import conditions for animal products originating in third countries.

OJ L 265, 8.11.1995

**1.3.41.** Proposal for a Council Directive amending Directive 92/117/EEC concerning measures for protection against specified zoonoses and specified zoonotic agents in animals and products of animal origin in order to prevent outbreaks of food-borne infections and intoxications.

**Directive to be amended:** Council Directive 92/117/EEC (OJ L 62, 15.3.1993; Bull. 12-1992, point 1.3.202), as last amended by the 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

*Adopted by the Commission on 23 October.* The amendment extends the time-limits for implementing the provisions of Council Directive 92/117/EEC concerning the new rules for the reporting system for zoonoses, the establishment of methods for collecting samples and for carrying out examinations, the implementation and approval of certain national measures, and the presentation and approval of plans from third countries.

The extension is proposed pending a wider review of the Directive, which will examine the necessary technical amendments and the inclusion of new measures needed at Community level to prevent zoonoses from posing a threat to human health.

COM(95) 491

## Animal feed

**1.3.42.** Council Directive 95/53/EC fixing the principles governing the organization of official inspections in the field of animal nutrition.

**Commission proposal:** OJ C 313, 19.11.1993; COM(93) 510; Bull. 10-1993, point 1.2.20

**Economic and Social Committee opinion:** OJ C 127, 7.5.1994; Bull. 1/2-1994, point 1.2.25

**Parliament opinion:** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.34

**Amended Commission proposal:** OJ C 242, 30.8.1994; COM(94) 371; Bull. 7/8-1994, point 1.2.13

*Adopted by the Council on 25 October.* The Directive lays down general principles (equiv-

alence, regularity and proportionality) concerning the organization of inspections at both external frontiers and within the Community on all products or substances used in animal feeding-stuffs. By 1 October 1998 at the latest, Member States must draw up programmes setting out the type and frequency of the inspections.

OJ L 265, 8.11.1995

## Plant health

**1.3.43.** Proposal for a Parliament and Council Regulation concerning the creation of a supplementary protection certificate for plant protection products.

**Commission proposal:** OJ C 390, 31.12.1994; COM(94) 579; Bull. 12-1994, point 1.2.28

**Economic and Social Committee opinion:** OJ C 155, 21.6.1995; Bull. 4-1995, point 1.3.16

**Parliament opinion (first reading):** OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.34

*Amended proposal adopted by the Commission on 5 October.* The amendments take account of the economic conditions in which the plant protection industry operates within the Community and reflect the specific characteristics of this sector in relation to its objectives and its international competitors.

COM(95) 456

## Freedom to provide services

### Financial services

**1.3.44.** Proposal for a Directive on the supplementary supervision of insurance undertakings in an insurance group.

#### References:

Council Directive 92/49/EEC (Third Non-Life Insurance Directive): OJ L 228, 11.8.1992; Bull. 6-1992, point 1.3.13

Council Directive 92/96/EEC (Third Life Assurance Directive): OJ L 360, 9.12.1992; Bull. 11-1992, point 1.3.19

*Adopted by the Commission on 4 October.* The proposed Directive supplements existing Community insurance Directives, in particular the Third Life Assurance and Non-Life Insurance Directives dating from 1992, which require the

competent authorities to monitor the solvency of insurance companies on an individual basis ('solo' supervision). Its principal objective is to require the authorities to verify that an insurance company's solvency is not affected by belonging to a group of insurance undertakings. It guarantees efficient and permanent supervision of the actual financial situation of insurance companies and a high degree of protection of policyholders throughout the Union.

The proposal also requires all Community insurance companies belonging to a group to comply with equivalent capital requirements. It would thus put an end to the serious distortion of competition caused by the practice known as 'double gearing', whereby a number of insurance companies in the same group count the same capital several times for the purposes of meeting solvency requirements.

The proposal addresses three key issues:

- information on insurance companies in a group would have to be more easily available, accessible and, if necessary, exchanged between supervisory authorities;
- intra-group transactions between companies in an insurance group would have to be monitored by the authorities and reported to them at least once a year. In principle, such transactions would have to be concluded on normal market terms, as if the companies were not part of the same group ('arm's length principle');
- double gearing between insurance companies would have to be eliminated by supervisory authorities, who would be given a choice between three methods currently used in a number of Member States.

The Commission proposes that national laws should be brought into line with the Directive by 1 January 1997 and that the new provisions should come into effect six months later. A transitional period of four years would be granted to Member States with no laws on the supervision of insurance groups.

COM(95) 406

*1.3.45.* Proposal for a Parliament and Council Directive on investor compensation schemes.

**Commission proposal:** OJ C 321, 27.11.1993; COM(93) 381; Bull. 9-1993, point 1.2.17

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

**Economic and Social Committee opinion:** OJ C 127, 7.5.1994; Bull. 1/2-1994, point 1.2.27

**Parliament opinion (first reading):** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.36

**Amended Commission proposal:** OJ C 382, 31.12.1994; COM(94) 585; Bull. 12-1994, point 1.2.32

**Council agreement on a common position:** Bull. 5-1995, point 1.3.16

*Common position (EC) No 26/95 formally adopted by the Council on 23 October.*

OJ C 320, 30.11.1995

*1.3.46.* Draft Commission communication on freedom to provide services and the interest of the general good in the Second Banking Directive.

**Reference:** Directive 89/646/EEC of 15 December 1989 (Second Banking Directive); OJ L 386, 30.12.1989; Bull. 12-1989, point 2.1.15

*Adopted by the Commission on 31 October.* In the draft communication, the Commission outlines its interpretation of the Second Banking Directive with a view to ensuring that the machinery it has set up is fully effective and achieves its objectives. It dispels the uncertainties surrounding the exact scope of the freedom to provide services and maps out the legal framework in which a Member State may invoke the concept of the general good in order to prevent a credit institution lawfully established and authorized in another Member State from providing services.

The draft communication will form the basis of a broad debate with interested parties and the Member States and will be finalized in the light of the outcome.

OJ C 291, 4.11.1995

*1.3.47.* Own-initiative Economic and Social Committee opinion on derivatives.

*Adopted on 25 October.* The Committee takes the view that the costs of imprudent or speculative use of derivatives must be reduced and monitoring procedures set in place.

*1.3.48.* Parliament resolution on the settlement of claims arising from traffic accidents occurring outside the claimant's country of origin.

*Adopted on 26 October.* In view of the difficulties frequently experienced by accident victims in obtaining settlement of claims arising from

traffic accidents outside their country of origin, Parliament calls on the Commission to present a proposal for a Parliament and Council Directive. The Directive should allow accident victims in all Member States to apply directly to the other party's liability insurer and, if necessary, take legal proceedings against him. Every motor vehicle liability insurer operating in the territory of a Member State should also be required to appoint in each of the other Member States a representative authorized to settle any claims on its behalf. The Directive should also establish an information centre to make it easier for policyholders to contact representatives.

*1.3.49.* Commission communication on the creation of a pan-European capital market for fast-growing small and medium-sized enterprises (→ point 1.3.86).

## Intellectual property

*1.3.50.* Proposal for a Parliament and Council Directive on the legal protection of designs.

**Commission proposal:** OJ C 345, 23.12.1993; COM(93) 344; Bull. 12-1993, point 1.2.39

**Economic and Social Committee opinion:** OJ C 388, 31.12.1994; Bull. 7/8-1994, point 1.2.18

**Additional Economic and Social Committee opinion:** OJ C 110, 2.5.1995; Bull. 1/2-1995, point 1.3.19

*Endorsed by Parliament (first reading) on 12 October*, subject to a number of amendments concerning, *inter alia*, the 'repair clause', which now applies as soon as the product is first made available to the public and is subject to a system of remuneration.

OJ C 287, 30.10.1995

## Data protection

*1.3.51.* Parliament and Council Directive 95/46/EC on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

**Commission proposal:** OJ C 277, 5.11.1990; COM(90) 314; Bull. 7/8-1990, point 1.3.310

**Economic and Social Committee opinion:** OJ C 159, 17.6.1991; Bull. 4-1991, point 1.2.140

**Parliament opinion (first reading):** OJ C 94, 13.4.1992; Bull. 3-1992, point 1.2.214

**Amended Commission proposal:** OJ C 311, 27.11.1992; COM(92) 422; Bull. 10-1992, point 1.3.177

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

**Council agreement on a common position:** Bull. 12-1994, point 1.1.3

**Council common position:** OJ C 93, 13.4.1995; Bull. 1/2-1995, point 1.3.20

**Parliament amendments (second reading):** OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.44

**Commission opinion incorporating an amended proposal:** COM(95) 375; Bull. 7/8-1995, point 1.3.26

**Council approval:** Bull. 7/8-1995, point 1.3.26

*Signed by Parliament and the Council on 23 October.* The main objective is to ensure the free movement of personal data in the Union by creating a clear and stable legal framework that will facilitate the development of the information society and the service sector, while guaranteeing individuals a high level of protection with regard to the processing of personal data. Accordingly, the Directive imposes obligations on data controllers such as public authorities, companies and associations, and establishes rights for data subjects, such as the right to be informed of processing carried out, the right of access to data and the right to ask for data to be corrected.

The Directive prohibits the processing of sensitive data, such as data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or state of health, except in certain circumstances that are exhaustively listed, in particular where the data subject has given his explicit consent or where a substantial public interest requires such processing (e.g. medical or scientific research). In such cases, the Member States must provide suitable safeguards.

In the special case of the processing of personal data carried out solely for journalistic, artistic or literary purposes, the Directive requires the Member States to provide for appropriate exemptions and derogations so that a balance is maintained between guaranteed freedom of expression and protection of the right to privacy.

In the case of transfers of data to third countries, the basic principle is that the third country must ensure an adequate level of protection. A system of exemptions and special conditions applies to transfers of data to third countries which do not ensure an adequate level of protection.

OJ L 281, 23.11.1995

# Competition

## General

### *Telecommunications*

1.3.52. Commission Directive 95/51/EC amending Directive 90/388/EEC with regard to the abolition of the restrictions on the use of cable television networks for the provision of already liberalized telecommunications services (→ point 1.3.143).

## Rules applying to businesses

### *General rules*

1.3.53. Draft Commission Regulation amending Regulation (EEC) No 1617/93 on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices concerning joint planning and coordination of schedules, joint operations, consultations on passenger and cargo tariffs on scheduled air services and slot allocation at airports.

**Regulation to be amended:** Commission Regulation (EEC) No 1617/93: OJ L 155, 26.6.1993; Bull. 6-1993, point 1.2.47

*Adopted on 3 October (first reading).* The draft Regulation amending Regulation (EEC) No 1617/93 abolishes the exemption for tariff consultations on freight transport and gives companies nine months in which to comply with the new legislation.

1.3.54. Economic and Social Committee opinion on the review of the Community Merger Regulation.

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

*Adopted on 25 October.* The Committee underlined the advantages of the 'one-stop shop' system and argued in favour of extending the scope of European merger control. It also asked the Commission to make a detailed assessment of the actual competitive situation on non-Community markets.

## *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.

### *KNP BT/Société générale*

1.3.55. *Adopted on 3 October.* The decision approves the creation of a joint venture by KNP BT and Société générale in the field of distribution, maintenance, engineering and training in the professional PC (personal computer) market.

The operation has its main impact in France and the analysis was therefore focused on the effects on the French market, where the combined market shares of the parties are low and where there are numerous competitors. The Commission has concluded that the joint venture will not lead to the creation or strengthening of a dominant position.

### *ABB/Daimler-Benz*

1.3.56. *Adopted on 18 October.* The decision authorizes the creation of a rail transportation joint venture between ABB and Daimler-Benz.

**Previous decision:** Bull. 6-1995, point 1.3.53

In the light of the divestiture, the two parties have proposed with a view to remedying competition problems it identified, the Commission has declared the proposed joint venture between ABB and Daimler-Benz compatible with the common market. The scheme is aimed at combining in the joint venture the worldwide rail transportation activities of the two businesses and will lead to the creation of the world's largest firm in that field. In Europe, Daimler and ABB's activities will almost complement one another geographically, with a major overlap occurring in Germany only.

As a result of the merger there will be two 'full-line' suppliers in that country: the joint venture and Siemens. In several product markets, the



two suppliers will, together, have two thirds of the total market. The Commission accordingly considered whether the merger would create or strengthen a duopoly.

A far-reaching investigation conducted in Germany showed that for most of the product markets there was no threat of creating or strengthening a dominant duopoly. Concerns remained, however, in two markets, namely trams and metro systems. Other than the parties and Siemens, the major suppliers in Germany were primarily active in the production of the mechanical part of rail vehicles. Consequently they needed to cooperate either with the parties or with Siemens for the electrical part. The recent market entry of foreign suppliers would therefore have been impeded.

In order to meet the Commission's concerns, the parties agreed to sell Kiepe Elektrik GmbH, a firm specializing in electrical systems for local trains. Kiepe thus becomes a competent electrical supplier, independent of the parties, and remains free to cooperate with other mechanical suppliers of rail equipment in the German market. The divestiture is also a clear sign that the German market is opening up and becoming European.

#### *Henkel/Schwarzkopf*

*1.3.57. Adopted on 18 October.* The decision approves Henkel's acquisition of 77% of the shares in Schwarzkopf GmbH.

Henkel manufactures and distributes detergents, cosmetics, adhesives and other chemicals for industrial use. Schwarzkopf produces and distributes mainly haircare and personal hygiene products.

The merger notified does not result in substantial additional market share, except in the case of a few national markets for haircare products. Closer examination has revealed that the merger does not create or strengthen a dominant position, for the following reasons: strong competitors with equally large market shares remain on those markets; advertising plays a leading role; there is relatively little brand loyalty among consumers towards the products concerned; there is strong concentration in the retail trade; and there are real possibilities of market entry.

The Commission has also examined the question of oligopolistic market dominance since the parties, together with their two largest competitors, have market shares of up to 70% on the markets concerned.

The Commission takes the view that there is no oligopolistic market dominance: other strong actual and potential competitors such as Unilever, Wella, Colgate-Palmolive, Procter & Gamble and Revlon are present on the market, the trend of market shares points to the existence of real competition, and retail firms are not experiencing any supply problems.

The Commission accordingly decided not to oppose the takeover.

#### *CGER-Banque/SNCI*

*1.3.58. Adopted on 23 October.* The decision authorizes the acquisition of SNCI by CGER-Banque.

The Commission has decided not to oppose the acquisition of the Société nationale de crédit à l'industrie — previously under Belgian State control — by the Caisse générale d'épargne et de retraite-Banque.

The impact of the operation does not extend beyond the Belgian market in credit to private persons and industry. In view of the number and size of the other commercial banks operating in Belgium, the Commission takes the view that the operation will neither create nor strengthen a dominant position.

#### *Rhône-Poulenc/Engelhard*

*1.3.59. Adopted on 23 October.* The decision authorizes the creation of Cycléon, a joint venture between Rhône-Poulenc Chimie (RPC) and Engelhard SA (Engelhard).

Cycléon is to collect and reprocess precious metals from spent car catalytic converters or from other used products.

The operation will not result in increased market shares. RPC is not present on the market for the collection of spent catalytic exhausts, on that for the crushing and separation of catalysts from the converters, or on that for the extraction of pre-

cious metals from the catalysts. RPC will grant Cycléon an exclusive licence for its precious metals extraction technology and will sell to it its pilot plant — currently under construction — for the extraction of those metals. RPC's patented extraction process will thus, through Cycléon, enable a new competitor to enter the market.

The Commission has accordingly decided not to oppose the joint venture.

#### *Swiss Life/INCA*

*1.3.60. Adopted on 25 October.* The decision authorizes the acquisition by Swiss Life of an interest in the capital of INCA.

Swiss Life has acquired at 37.5% stake in the share capital of the Belgian credit institution Institut national de crédit agricole SA (INCA) by purchasing the shares held by the Belgian State through the holding company Société fédérale de participation (SFP).

As a result of this operation, INCA, an institution specializing in loans to farmers in Belgium, will be controlled jointly by Swiss Life and two Belgian mutual credit institutions Agricaïsse and Lanbokas. The State will still have a minority holding (25%), but this will no longer entitle it to a right of veto over INCA's dealings. The operation notified concerns Belgium only, and does not give rise to any competition problems, since there is almost no overlap of activities between Swiss Life on the one hand and the agricultural mutual credit institutions and INCA on the other.

#### *Chase Manhattan/Chemical Banking*

*1.3.61. Adopted on 26 October.* The decision approves the merger between Chemical Banking Corporation and Chase Manhattan Corporation.

Chemical Banking and Chase Manhattan are ranked as the fourth and sixth largest banks in the United States and their activities are concentrated mainly in that country. The planned merger will have repercussions on the US and international markets.

The two companies are active in the European Union in the investment and commercial bank-

ing sectors and are present on financial markets. Their combined market share does not, however, restrict competition on the domestic or the international market. The Commission has accordingly decided not to oppose the merger.

#### *Repola/Kymmene*

*1.3.62. Adopted on 30 October.* The decision authorizes the merger between Repola Corporation and Kymmene Corporation. Repola and Kymmene are large international companies active in the printing paper and packaging materials fields. The operation concerns the following product markets: newsprint, magazine paper, industrial packaging, paper for paper bags, paper sacks, papermaking pulp and containers.

The Commission's investigations concerning paper sacks have led it to conclude that there is a separate Finnish market and that the merger would create a dominant position on that market. The new firm would be the sole producer in Finland. The undertakings given by the parties regarding the divestiture of part of their paper sack production capacity have, however, removed the serious doubts expressed by the Commission as to the operation's compatibility with the Common market.

The new company will be biggest player on the European market in newsprint and magazine paper. Its market share will not, however, be more than about 20% in either market, and several other competitors have strong positions on those markets.

Repola is, together with five other Finnish paper producers, a member of Finnmap Marketing Association. This is a joint sales organization which markets the paper products of its members on a worldwide basis. Kymmene has its own sales network and is not a member of Finnmap. The parties have undertaken not to sell paper through Finnmap after a given date.

## **State aid**

### *General rules*

*1.3.63.* Commission decisions and other measures in respect of State aid in transport and agriculture are dealt with under the relevant sub-

ject headings (→ points 1.3.140 to 1.3.142 and 1.3.183 to 1.3.196).

**1.3.64.** Commission notice on cooperation between the Commission and national courts in the State aid field.

*Adopted on 31 October.* In line with its policy of openness and transparency and in order to ensure proper application of competition policy in the internal market, the Commission explains in the notice how it intends to assist national courts by instituting closer cooperation in the application of Article 93(3) of the EC Treaty.

### *Decisions to raise no objection*

#### **Steel**

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

#### *United Kingdom*

**1.3.65.** Commission decision on aid to Sterling Tubes Ltd.

*Adopted on 31 October.* The Commission authorized the granting of aid totalling UKL 95 000 for investment by Sterling Tubes Ltd at its plant in Walsall (in an assisted region), which employs 224 people. The firm produces seamless tubes and belongs to the Swedish group Sandvik. The firm's production capacity will not be increased as a result of the assisted investment.

#### **Shipbuilding**

**Reference:** Seventh Council Directive 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 and Netherlands*

**1.3.66.** Commission decisions on aid to German and Dutch shipyards.

*Adopted on 18 and 31 October.* The Commission has approved several development aid projects under the provisions of Article 4(7) of the

Seventh Directive on aid to shipbuilding, having concluded that all requirements related to that type of aid were met, including those concerning the beneficiary country, the country of flagship and the OECD grant equivalent.

In Germany, aid in the form of a subsidized loan (OECD grant equivalent: 30.03%) was approved for the purchase, from the Volkswerft and Kröger-Werft shipyards, of six multipurpose freighters by the Chinese Government. The ships, which will fly the Chinese flag, will transport staple products and industrial goods along the Chinese coast and on the Yangtze, a river that constitutes a vital link between the inland province of Sichuan and the coastal region. The freighters will not be used in international traffic.

In the Netherlands, aid was approved for the purchase by the Dredging Company of India (DCI) from the IHC Sliedrecht shipyard, of a dredger intended to improve dredging at Indian ports, and for the purchase, from the Damen Gorkum shipyard by the Tunisian port authorities, of three tugboats to be used for towing operations in Tunisian ports.

#### *United Kingdom*

**1.3.67.** Commission decision on a security bond for the McTay Marine shipyard near Liverpool.

*Adopted on 4 October.* Caledonian MacBrayne, a ferry operator in Scotland, has placed an order with McTay Marine, a small independent shipyard, for a 33-metre vehicle/passenger ferry, delivery being scheduled for April 1996.

Since the shipyard needed UKL 200 000 in order to provide the buyer with a 10% security bond in accordance with normal ship-purchasing practice, the local authority, Wirral Borough Council, offered to provide a bond of that amount. In exchange for the bond, which would be invoked only if the shipyard were to cease trading permanently, McTay will pay a premium of 1.5% per annum.

The Commission took the view that the provision of such a bond did not constitute State aid since the premium corresponded to the commercial cost of such a facility. In the event of the se-

curity bond being executed, i.e. following the yard's closure, the granting of the security bond would then have to be regarded as closure aid and would have to be assessed accordingly.

#### Sweden

1.3.68. Commission decision on a State guarantee scheme for shipbuilding.

*Adopted on 4 October.* The Commission decided not to oppose the implementation of a State guarantee scheme for shipbuilding. Under the scheme, purchasers will be entitled to a guarantee of up to 80% of the contract value, while the shipyard will be given a guarantee in respect of the loan contracted for building the vessel. In either case, a premium of at least 1.5% of the amount of the guarantee will be payable.

The Commission is of the opinion that, in view of the premium charged, the scheme operates under terms that were very similar to those applicable on the market and does not, therefore, involve any State aid.

#### Other sectors

#### Germany

1.3.69. Commission decision on aid to the civil engineering firm Brandenburger Tiefbau in Brandenburg.

##### References:

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

Commission decision on the 23rd framework plan for the joint Federal Government/Länder scheme for improving regional economic structures: Bull. 7/8-1994, point 1.2.59

*Adopted on 18 October.* In addition to development assistance it has been allocated, the civil engineering firm Brandenburger Tiefbau GmbH may be granted aid in the form of a subsidized participating loan towards the cost of land and plant. In authorizing the aid, the Commission has taken account of the fact that the combined intensity of all the aid granted, at 14.7%, is well below the 35% ceiling which applies to the new Länder, and that the building industry is continuing to grow in those areas.

#### Portugal

1.3.70. Commission decision on the privatization of Companhia Nacional Petroquímica.

*Adopted on 4 October.* The Commission has decided to raise no objection to the privatization of the petrochemicals producer Companhia Nacional Petroquímica (CNP), which is to be sold to the Danish company Borealis; Borealis has been managing CNP's industrial sites since 1989. The Commission has concluded that there will not be any financial loss to the Portuguese Government or any undue benefit to Borealis, and that the sale of CNP is the best course of action economically.

#### 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

1.3.71. Commission decisions on aid towards Eureka projects.

*Adopted on 4 and 18 October.* The decisions authorize planned aid towards several Eureka projects: Matra Datavision's 'CAS.CAD-Engineering' is a software house which is to produce computer-aided design and manufacture (CAD-CAM) tools; 'Générale des eaux-Intec' is a waste management project; and 'SOLID' is a project for the study of a high-power solid laser, involving Quantel, BMI, Verre et Quartz, Cheval Frères, Chrismatic, Telsa Informatique and seven publicly-owned laboratories.

The Commission has also authorized aid towards a Eureka research project entitled 'EU 676 — Eurolang', which is concerned with computer-assisted translation and is to involve a number of companies and laboratories: Sonovision Itep Technologies, Matra, Sligos, Cap Gemini, LADL, CNET, GETA and Asstril.

The Commission has taken these decisions after establishing that the rates and mechanisms to be applied satisfy the requirements of the Community framework on State aid for research and development.

*Decision to raise no objection to some aspects of a measure and to initiate proceedings under Article 93(2) of the EC Treaty in respect of others*

**Austria**

1.3.72. Commission decision on ERP aid for the internationalization of Austrian businesses (*ERP Internationalisierungsprogramm*).

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

*Adopted on 31 October.* The ERP is the European recovery programme, originally the Marshall Plan; the Austrian ERP programme for the internationalization of businesses provides for aid towards productive investment either by SMEs investing in the setting up of new sites or joint ventures in EEA countries, or by businesses of any size investing in new production sites, joint ventures, takeovers or new stakes in existing enterprises, in developing countries, newly industrialized countries, or OECD countries with the exception of the EEA.

The Commission takes the view that the aid is caught by Article 92 of the EC Treaty. It is being given towards investment which may directly increase domestic production in the countries concerned, and consequently reduce imports, including imports from Member States of the European Union. The recipient firms may be competing directly with businesses in other Member States in the identification and follow-through of investments in non-Community countries.

The Commission has established that the aid to SMEs complies with the limits and conditions laid down in the Community guidelines on State aid to SMEs. It has accordingly decided to authorize these measures.

The Commission doubts, however, whether the aid to other businesses is compatible with the common market. It does not satisfy the tests of Article 92(2) of the EC Treaty, and does not appear to qualify for any of the exemptions in Article 92(3), as it is not intended to help the development of SMEs or of assisted areas. The decision accordingly initiates proceedings under Article 93(2) of the Treaty in respect of this aid.

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

**Germany and Austria**

1.3.73. Commission decisions on planned aid to be given by the *Land* of Brandenburg in Germany to investment in Poland, and on planned aid to be given by Austria under the ERP programme for investment in Eastern Europe (*ERP-Osteuropa-Programm*).

*Adopted on 31 October.* The Commission has decided to initiate Article 93(2) proceedings in respect of a German plan under which the *Land* of Brandenburg is to assist investment in the setting up of new enterprises or joint ventures in Poland.

The Commission has also initiated proceedings in respect of an Austrian ERP programme providing for aid in the form of low-interest loans towards productive investment in Eastern Europe, in new production sites, joint ventures, takeovers, new stakes in existing enterprises, or participation in environmental projects.

In both cases, the Commission takes the view that the aid is caught by Article 92. It is being given towards investment which may directly increase domestic production in the countries concerned, and consequently reduce imports, including imports from Member States of the European Union. The recipient firms may be competing directly with businesses in other Member States in the identification and follow-through of investments in non-Community countries. The Commission doubts whether the aid can nevertheless be considered compatible with the common market: it does not satisfy the tests of Article 92(2) of the EC Treaty, and does not appear to qualify for any of the exemptions in Article 92(3) for aid to help the development of SMEs, or of assisted areas, or of particular economic activities.

*Interim decision*

**Germany**

1.3.74. Commission decision on aid to Volkswagen for investment in the new *Länder*.

**Initiation of proceedings:** OJ C 68, 19.3.1992

**Previous decision:** Bull. 7/8-1994, point 1.2.72

**Reference:** Community framework on State aid to the motor vehicle industry: OJ C 123, 18.5.1989; OJ C 81, 26.3.1991; OJ C 36, 10.2.1993

*Adopted on 31 October.* Despite repeated reminders, the German authorities have failed to supply the Commission with all the information it needs in order to establish whether planned aid towards fresh investment by the Volkswagen Group at the Mosel II and Chemnitz II works in Saxony is compatible with the common market. The Commission has accordingly taken an interim decision requiring the German authorities to supply all the necessary information within six weeks, failing which the Commission may adopt a decision finding that the aid is prohibited.

### *Decisions to terminate proceedings*

#### **Positive final decisions**

##### *Germany*

1.3.75. Commission decision on aid to methyl-ester producer Raiffeisen Hauptgenossenschaft Nord in Kiel.

**Initiation of proceedings:** Bull. 7/8-1994, point 1.2.66

**References:**

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

Research and technological development and demonstration programme for the EEC in the field of agriculture and agro-industry (AIR): OJ L 265, 29.9.1991

*Adopted on 18 October.* The German authorities proposed to assist the construction of a pilot plant for the production of methylester from rape seed oil, to be built and operated by Raiffeisen Hauptgenossenschaft Nord AG; they have now agreed to make a substantial cut in the planned aid, reducing it to DM 4.5 million (ECU 2.4 million), and the Commission has decided to authorize it. The plant is part of a European demonstration project for the production and use of biodiesel, and Community assistance of 30% of the cost has been granted under the AIR programme.

##### *Spain*

1.3.76. Commission decision on aid to SEAT and Volkswagen.

**Initiation of proceedings:** Bull. 6-1995, point 1.3.72; Bull. 7/8-1995, point 1.3.70

**References:**

Community framework on State aid to the motor vehicle industry: OJ C 123, 18.5.1989; OJ C 81, 26.3.1991; OJ C 36, 10.2.1993

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 31 October.* The decision grants authorization, on stated conditions, for PTA 46 billion (ECU 283 million) in aid which has been awarded towards a restructuring plan announced by SEAT AG. The Commission has concluded that the aid satisfies the tests laid down in the Community guidelines on State aid for rescuing and restructuring firms in difficulty and the Community framework on State aid to the motor vehicle industry, always provided that the content and timing of the restructuring plan are in fact complied with, that no further aid is given to SEAT, and that the Volkswagen Group meets its commitment to achieve a 5% reduction in its car production capacity in the EEA.

The Commission is satisfied that the restructuring plan will enable the company to return to viability in a reasonable time, and that the amount of aid, at 10.4%, is proportionate to the scale of the restructuring operation. It also takes the view that the production and sales targets imposed on SEAT and the net reduction of 29% in its production capacities, together with the 5% reduction in the Volkswagen Group's overall production capacities will not allow SEAT to increase its market share at the expense of its competitors.

##### **Greece**

1.3.77. Commission decision on aid to Neorion Shipyards of Syros.

**Initiation of proceedings:** Bull. 1/2-1994, point 1.2.67

**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

*Adopted on 31 October.* Under Article 10 of the Seventh Directive, Neorion Shipyards of Syros received aid in the form of a debt write-off of DR 16.5 billion subject to the condition that the yard be privatized. Privatization took place in the summer of 1994, when the yard was sold to a private shipowner, and the Commission has now decided to terminate the proceedings.

### *Partly negative final decision*

#### **Belgium and Netherlands**

1.3.78. Commission decision on aid to the truck producer DAF.

**Initiation of proceedings:** Bull. 10-1993, point 1.2.59

**References:**

Community framework on State aid to the motor vehicle industry: OJ C 123, 18.5.1989; OJ C 81, 26.3.1991; and OJ C 36, 10.2.1993

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

*Adopted on 4 October.* The Commission has taken a final decision on the compatibility with the common market of measures taken by two Member States, Belgium and the Netherlands, in respect of the former DAF NV, which went into liquidation in 1993, and the new DAF Trucks NV, which bought up the old company's assets.

As far as the old DAF is concerned, the Commission has come to the conclusion that three financial measures taken by the Dutch Government constitute State aid, and that two of them are incompatible with the common market. An advance of HFL 1.55 million given in 1992 under a measure to assist research and development does satisfy the requirements of the Community framework for State aid for research and development, and is compatible with the common market. But the rescheduling in December 1990 of a loan awarded in 1983 under the technical development credit scheme (*technisch ontwikkelingskrediet* — 'TOK') constitutes rescue and restructuring aid which can be valued at HFL 17.7 million (ECU 8.4 million), and is not compatible with the Community framework on State aid to the motor vehicle industry, because it is not accompanied by a restructuring plan providing for reductions in excess capacity. The last TOK loan, awarded in 1991 and 1992, is

likewise incompatible with the same guidelines, because it was granted towards the development and pre-industrial stages of a new but not innovative range of trucks: as a general rule no aid can be granted for such operations, which are part of the ordinary course of the firm's business. DAF is currently repaying that loan to the Dutch authorities, and the additional aid element can be estimated at HFL 0.4 million (ECU 0.2 million). The decision accordingly requires the Dutch Government to recover the incompatible aid of HFL 18.1 million from DAF NV.

Turning to the new company DAF Trucks NV and its subsidiary DAF Trucks Vlaanderen NV, the Commission takes the view that since the Member States contributed to the capital of the new company on the same terms as the private shareholders, here there is in this instance no element of State aid within the meaning of Article 92. However, it has concluded that the Belgian authorities aided the company unlawfully when they did not charge the normal risk premium of 1.5% on State guarantees given to the old DAF and later transferred to the new DAF Trucks Vlaanderen. The decision accordingly requires the Belgian authorities to recover the unlawful aid, which can be estimated at BFR 9.3 million (ECU 0.2 million) on the date of the transfer of the guarantee, plus interest calculated from that date.

### *Negative final decisions*

#### **Germany**

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

1.3.79. Commission decision on aid to the steelmaker Neue Maxhütte Stahlwerke.

**Initiation of proceedings:** Bull. 11-1994, point 1.2.51

*Adopted on 18 October.* The decision finds that loans given to Neue Maxhütte Stahlwerke GmbH by the *Land* of Bavaria between March 1993 and August 1994, amounting to a total of DM 489.895 million (ECU 261.8 million) constituted State aid which was incompatible with the ECSC Treaty and the Steel Aid Code, and that the company will have to repay them.

1.3.80. Commission decision on aid to the steelmaker Hamburger Stahlwerke.

**Initiation of proceedings:** Bull. 7/8-1994, point 1.2.71

**Reference:** Commission Decision No 3855/91/ECSC of 21 November 1991 establishing Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. 11-91 point 1.2.26

*Adopted on 31 October.* The Commission has taken a final decision on aid Hamburger Stahlwerke GmbH received since it was set up in 1984 to refloat an insolvent company of the same name. The decision finds that loans under a credit line which was granted by the City of Hamburg from December 1992 until the company was sold to the Indonesian group Ispat at the end of 1994 constituted State aid which was incompatible with the ECSC Treaty and the Steel Aid Code, and must be repaid by the recipient company.

*Decision to propose appropriate measures under Article 93(1) of the EC Treaty*

## Spain

1.3.81. Commission decision on aid provided for in the national programme for the development of renewable energy sources.

### References:

Community guidelines on State aid for environmental purposes: OJ C 72, 10.3.1994; Bull. 12-1993, point 1.2.73

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

*Adopted on 4 October.* The Commission has decided to propose 'appropriate measures' to the Spanish Government which are aimed at amending the rules of the national programme for the development of renewable energy sources; the programme has existed since 1980, and the Commission authorized its continuance in 1986, when Spain acceded to the European Communities. The proposed changes are intended to bring the programme into line with the requirements of the Community guidelines on aid for environmental purposes and for research and development.

*Exemption from Community policy on aid to the steel industry (Article 95 of the ECSC Treaty)*

## Ireland

1.3.82. Draft Commission decision on aid to Irish Steel.

*Adopted on 11 October.* The Commission has decided to seek the Council's assent to an exemption from Community policy on aid to the steel industry so that it can allow, by way of exception, aid amounting to IRL 31.098 million (ECU 38.4 million) to be given to Irish Steel in connection with the sale of the company to the private group Ispat International. The proposal is motivated by the good prospects for the viability of the new company, which is to be taken over by an experienced private steelmaker; the company's limited market presence; and the fact that it is Ireland's only steelmaking and rolling plant, situated in an area of very high unemployment.

*ECSC Consultative Committee consulted on 25 October.*

## Austria

1.3.83. Draft Commission decision on aid to the iron-mining company Voest Alpine Erzberg.

*Adopted on 4 October.* The Commission has decided to seek the Council's assent to a proposed exemption from Community policy on aid to the steel industry, so that it can allow the grant of aid to the iron-mining company Voest Alpine Erzberg GmbH, enabling it to run down its iron mining business gradually; final closure is to take place by 31 December 2002, and the region is to be converted to tourism. The aid may not exceed a total of OS 272 million (ECU 20.65 million); The proposal is motivated in particular by the need to avoid a sudden closure, which would have serious social and environmental consequences. It also takes account of the fact that there is almost no competition between European iron ore producers.

*ECSC Consultative Committee consulted on 25 October.*



## Industrial policy

### Competitiveness

1.3.84. Proposal for a Council Decision on implementation of a Community action programme to strengthen the competitiveness of European industry.

**Commission proposal:** COM(95) 87; Bull. 3-1995, point 1.3.59

*Endorsed by Parliament on 27 October*, subject to amendments designed to supplement the programme with a document identifying the priorities of action taken, the financial impact and likely results, to add a number of measures and to clarify the objectives.

OJ C 308, 20.11.1995

### Individual industries

#### *Textiles and clothing*

1.3.85. Commission communication to the Council, Parliament, the Economic and Social Committee and the Committee of the Regions on the impact of international developments on the Community's textile and clothing sector.

#### **References:**

Final Act of the Uruguay Round multilateral trade negotiations: Bull. 4-1994, point 1.3.61

Council conclusions on improving the competitiveness of European industry: Bull. 4-1994, point 1.2.63

*Adopted on 11 October.* In its communication, which is based on an expert study on the impact of the Uruguay Round on the textile and clothing industry, the Commission analyses all the factors which will determine future developments in the industry. Among the most important factors to be considered in addition to the results of the Uruguay Round, it identifies the European Union's economic growth, labour, environmental and energy costs, monetary developments, new technologies and new preferential agreements signed with neighbouring countries. According to the Commission, the impact of the Uruguay Round integration process, as far as it can be determined separately, will not lead to

any change in the overall trend in the industry and will in any case reflect the achievement of improved access to third countries' markets. Combined with the effects of the other factors, however, the impact will vary according to products and European Union regions.

Reiterating the Council's conclusions on the improvement of industrial competitiveness, the Commission emphasizes the need to improve access to third countries' markets and to ensure the balanced integration of the sector into the World Trade Organization system, taking particular account of the employment situation in the Union. Industrial policy measures relating to exports to third countries, industrial cooperation, training and the fight against fraud must be reinforced. Finally, the strategies and adjustment measures applied by enterprises in the European regions most affected by the results of the Uruguay Round and other relevant factors should, where appropriate, continue to be supported by accompanying measures.

COM(95) 447

## Enterprise policy

### Small and medium-sized businesses

1.3.86. Commission communication reporting on the feasibility of the creation of a European capital market for smaller entrepreneurially-managed growing companies.

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

*Adopted by the Commission on 25 October.* In this communication, drawn up in the context of the multiannual programme for SMEs and addressed to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, the Commission points out a serious weakness in Europe's current financial structure: the lack of a European

equivalent to the electronic stock market offered by the National Association of Securities Dealers Automatic Quotation system (Nasdaq) in the United States. It assesses the initiatives taken to test the feasibility of setting up a similar European capital market which would give small, fast-growing companies easier access to external sources of long-term capital. The Commission notes that once the European legislation on securities comes into effect it should enable such a market to be set up, but draws attention to a series of legal, regulatory and fiscal obstacles to such a market, some of which fall within the responsibilities of the Member States. The Commission states its intention to intensify its cooperation with the Member States in order to assess ways of alleviating or removing these barriers.

COM(95) 498

1.3.87. Commission communication entitled 'The craft industry and small enterprises, keys to growth and employment in Europe'.

**References:**

European Conference on the Craft Industry and Small Enterprises: Bull. 9-1994, point 1.2.71

Council resolution on giving full scope to the dynamism and innovatory potential of small and medium-sized enterprises, including the craft sector and micro-enterprises: OJ C 294, 22.10.1994; Bull. 10-1994, point 1.2.56

*Adopted by the Commission on 26 October.* This communication to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, drawn up by the Commission in response to an invitation by the Council to report on the results of the second European Conference on the Craft Industry and Small Enterprises held in Berlin on 26 and 27 September 1994, is intended as a discussion document from which to select a number of priority initiatives for implementation under the third multiannual programme in support of SMEs and the craft sector. It sets out the conclusions of the Berlin conference, which were addressed to the Commission, the other European institutions and the Member States, and, in response to the Council's request, gives an initial progress report on the action taken since that conference. It lists 10 initiatives: simplifying administration, integrating small enterprises into the single market, support for the provision of cross-border services, transnational cooperation, improving the international competitiveness of

craft enterprises, vocational training for those not covered by other Community programmes, joint drafting of qualifications, integration of craft and small enterprises into the information society, improved access for craft and small enterprises to sources of finance, and raising the profile of craft and small enterprises. The Commission goes on to identify the following five topics which might form the basis of recommendations to the Member States: greater involvement of bodies representing small and craft enterprises when national positions are adopted in connection with Community programmes, encouragement for apprenticeships and vocational training, promoting a business start-up ethos, better consultancy facilities and taking greater account of the interests of craft and small enterprises where technical standardization is concerned.

COM(95) 502

## Research and technology

### General

#### *Coordination of research policies*

1.3.88. Economic and Social Committee own-initiative opinion on the coordination of research policies.

**Reference:** Commission communication to the Council and Parliament on research and technological development entitled 'Achieving coordination through cooperation': COM(94) 438; Bull. 10-1994, point 1.2.57

*Adopted by the Economic and Social Committee on 25 October.*

Referring in particular to the Commission communication on cooperation in the research field, the Committee recommended establishing a network for the systematic exchange of information, developing combined industrial projects, developing monitoring charts to give an overview of the measures adopted by the Member States and by the European Union, and promoting the free movement of and trade in tech-

nologies and cooperation between firms, especially small businesses, to ensure better access to world markets.

## Framework programme 1994-98

*1.3.89.* Following the accession of the three new Member States, the Council agreed on a common position on the adaptation of the fourth EC research framework programme (→ point 1.3.90) and agreed to the adaptation of the Euratom research and training programme (→ point 1.3.91). The agreement involves an increase in the budget allocations of 6.87% across the board for research activities proper, and an amount not exceeding an average of 4% for management and staff costs. This will increase by about ECU 800 million the maximum overall amount which was originally set at ECU 12.3 billion.

*1.3.90.* Proposal for a Parliament and Council Decision adapting Decision No 94/1110/CE concerning the fourth framework programme of European Community activities in the field of research, technological development and demonstration (1994-98) following the accession to the European Union of Austria, Finland and Sweden.

**Commission proposal:** OJ C 142, 8.6.1995; COM(95) 145; Bull. 4-1995, point 1.3.63

**Economic and Social Committee opinion:** Bull. 7/8-1995, point 1.3.76

**Parliament opinion (first reading):** OJ C 249, 25.9.1995; Bull. 7/8-1995, point 1.3.76

*Common position agreed by the Council on 30 October.*

*1.3.91.* Proposal for a Council Decision adapting Decision 94/268/Euratom concerning the framework programme of Community activities in the field of research and training for the European Atomic Energy Community following the accession to the European Union of Austria, Finland and Sweden.

**Commission proposal:** OJ C 142, 8.6.1995; COM(95) 145; Bull. 4-1995, point 1.3.63

**Economic and Social Committee opinion:** Bull. 7/8-1995, point 1.3.77

**Parliament opinion:** OJ C 249, 25.9.1995; Bull. 7/8-1995, point 1.3.77

*Agreed by the Council on 30 October.*

*1.3.92.* Guidelines for possible supplementary funding for the framework programmes for themes connected with the Task Forces.

**Reference:** Parliament and Council Decision No 1110/94/EC concerning the fourth framework programme of European Community activities in the field of research, technological demonstration and development (1994-98): OJ L 126, 18.5.1994; Bull. 4-1994, point 1.2.69

*Approved by the Commission on 18 October.* The Commission approved guidelines concerning the supplementary funding totalling ECU 700 million held in reserve when the fourth R & TD framework programme was adopted and on which a decision has to be taken for mid-1996. The guidelines indicate that there is an urgent need to stimulate research and its industrial application in six key areas connected with the task forces set up by the Commission which represent promising markets for European industry and are a source of public concern, namely new-generation aircraft, multimedia educational software, car of tomorrow, train of the future, transport intermodality, and vaccines and viral diseases.

## Accompanying, promotion and support activities and other activities

### *Controlled thermonuclear fusion*

*1.3.93.* Proposal for a Council Decision amending the statutes of the Joint European Torus (JET) Joint Undertaking.

**Commission proposal:** COM(95) 234; Bull. 6-1995, point 1.3.83

*Endorsed by the Economic and Social Committee on 25 October.*

### *1.3.94. Council conclusions on ITER*

**Reference:** Council Decision 94/799/Euratom adopting a specific programme for research and training in the field of controlled thermonuclear fusion (1994-98): OJ L 331, 21.12.1994; Bull. 12-1994, point 1.2.101

*Adopted by the Council on 30 October.* The Council advocated that the positions to be adopted by the Commission in the ITER (International Thermonuclear Experimental Reactor) Council and its various bodies should be guided

by the specific technical and organizational recommendations on the issues, including safety and environmental studies, which are referred to in the opinions of the CCPF (Consultative Committee for the Fusion Programme) and the STC (Scientific and Technical Committee). Recalling that more detailed information is necessary on tritium supply, operational waste issues, and decommissioning, it also thought it desirable for the Commission to take part in the examination of siting issues. The Council noted that, pursuant to Article 4 of the Council Decision adopting a specific programme in the field of fusion, the Commission will have an external assessment undertaken concerning the activities carried out in this context.

### *Technical coal research*

1.3.95. Draft Commission Decision granting aid to coal research projects

**Commission draft:** Bull. 6-1995, point 1.3.85

**Consultation of the ECSC Consultative Committee:** Bull. 7/8-1995, point 1.3.78

*Assent given by the Council on 23 October.*

OJ C 310, 22.11.1995

## **International cooperation**

### *General*

1.3.96. Commission communication entitled 'Perspectives for international cooperation in research and technological development'.

#### **References:**

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

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

Proposal for a Council Regulation on financial and technical measures to support the reform of economic and social structures in Mediterranean non-member countries (MEDA Regulation): OJ C 232, 6.9.1995; COM(95) 204, Bull 6-1995, point 1.4.69; Supplement 2/95 — Bull.

*Adopted by the Commission on 18 October.* In this communication to the Council and the European Parliament the Commission sets out objectives and priorities with a view to adapting the European Union's scientific cooperation policy to the radical changes in the international context and the resources made available for international cooperation under the fourth research and technological development framework programme.

The Commission identifies five objectives for action by the European Union in the field of scientific cooperation, namely to strengthen Europe's competitiveness through greater scientific and technological cooperation, to develop scientific and technological partnership with the EU's neighbours, in particular with the Central and East European countries, the new independent States of the former Soviet Union, and Mediterranean third countries in order to raise their level of competitiveness, to share the burden of research efforts in order to address the major challenges of the decades to come, to facilitate the access of developing countries to European R&TD and the results thereof, and to develop contacts and exchanges with third-country scientists.

To achieve these objectives, the Commission sets out eight priority lines of action:

- increasing industrial involvement in international R&TD cooperation;
- strengthening the external dimension of European R&TD policy by improving mutual access to research programmes and launching projects of common interest, and including research provisions as a matter of course in bilateral cooperation agreements with third countries, or concluding specific R&TD agreements;
- promoting cooperation with third countries on specific projects;
- strengthening the research potential in the less-advanced countries and supporting agricultural research in order to develop farming in those countries;
- achieving a better awareness of scientific achievements in third countries by developing technology watch;
- making use of other European funds to support R&TD, in particular the resources made available under the PHARE, TACIS, MEDA

and EDF programmes and the aid programmes for Asia and Latin America to provide financial support for the involvement of third countries in projects with a research and technological development component;

- launching calls for specific proposals for Mediterranean countries;
- supporting the pre-accession phase for the Central and East European countries and the associated Baltic Republics.

COM(95) 489

### *Independent States of the former Soviet Union*

1.3.97. Parliament resolution on the Commission communication on the prospects for cooperation in science and technology with the new independent States (NIS).

**Commission communication:** COM(95) 190; Bull. 5-1995, point 1.3.46

*Adopted by Parliament on 27 October.* Parliament called upon the Commission and the Council to continue their cooperation with the International Association for the Promotion of Cooperation with Scientists from the New Independent States (NIS) of the former Soviet Union (INTAS).

OJ C 308, 20.11.1995

1.3.98. Council conclusions on INTAS.

**Reference:** Council Decision No 94/807/EC adopting a specific programme for research, technological development and demonstration in the field of cooperation with third countries and international organizations (1994-98): OJ L 334, 22.12.1994; Bull. 11-1994, point 1.2.71

*Adopted by the Council on 30 October.* After stressing that the globalization of R&TD activities requires the European Community to develop an international R&TD cooperation strategy and welcoming the adoption by the Commission of a communication on prospects in this area (→ point 1.3.96), the Council recalled that the specific programme for R&TD in the field of cooperation with third countries and international organizations confirms Community participation in the pilot phase of INTAS until the end of 1995. Emphasizing the need for a substantial improvement in the efficiency and transparency of INTAS procedures and noting that Par-

liament had expressed its support for the continuation of Community participation in INTAS beyond 1995 (→ point 1.3.97), the Council considered that, in order not to compromise the ongoing research activities involving the new independent States, Community participation in INTAS will continue beyond 31 December 1995 and until the end of the period covered by the fourth framework programme (31 December 1998). Taking the view that the Association should continue to receive appropriate and stable Community funding, the Council underlined the importance of broadening the funding basis and exploring ways of strengthening the role of the Commission, as the representative of the Community, within INTAS in order better to reflect the level of Community financial involvement in INTAS.

## Education, vocational training and youth

### General

1.3.99. Parliament and Council Decision 2493/95/EC establishing 1996 as the 'European Year of Lifelong Learning'.

**Commission proposal:** OJ C 287, 15.10.1994; COM(94) 264; Bull. 9-1994, point 1.2.186

**Committee of the Regions opinion:** OJ C 210, 14.8.1995; Bull. 11-1994, point 1.2.202

**Economic and Social Committee opinion:** OJ C 397, 31.12.1994; Bull. 11-1994, point 1.2.202

**Parliament opinion (first reading):** OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.68

**Amended Commission proposal:** OJ C 134, 1.6.1995; COM(95) 124; Bull. 3-1995, point 1.3.68

**Council agreement on a common position:** Bull. 3-1995, point 1.3.68

**Council common position:** OJ C 130, 29.5.1995; Bull. 4-1995, point 1.3.65

**Parliament amendments (second reading):** OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.89

**Commission opinion incorporating an amended proposal:** COM(95) 316; Bull. 7/8-1995, point 1.3.81

**Council approval:** Bull. 7/8-1995, point 1.3.81

*Signed by Parliament and the Council on 23 October.* During the European Year, information,

awareness-raising and promotional actions will be undertaken on the theme of opportunities for lifelong learning, the aim being to foster the personal development and sense of initiative of individuals, their integration into working life and society, their participation in the democratic decision-making process and their ability to adjust to economic, technological and social change.

OJ L 256, 26.10.1995

## Cooperation in the field of education

*1.3.100.* Council Resolution on education systems' response to problems concerning racism and xenophobia (→ point 1.2.2).

*1.3.101.* Council conclusions on social participation as a factor for quality in education prior to university education.

**Reference:** Parliament and Council Decision 95/859/EC establishing the Community action programme Socrates: OJ L 87, 20.4.1995; Bull. 3-1995, point 1.3.69

*Adopted by the Council on 23 October.* The Council advocated encouraging the exchange of information and experience at Community level concerning the contribution made by the processes of social participation towards quality in education. This exchange could enable work on various aspects to begin at Community level, such as: greater knowledge of Member States' systems of participation; analysis of the impact that the various participatory sectors have on different education systems; study of initiatives taken in each country to encourage participation at the various levels of the education system; and initiation of studies with a view to assessing the results. The Council called on the Commission to encourage appropriate measures, as described in the Socrates programme.

OJ C 312, 23.11.1995

## Foreign language teaching

*1.3.102.* 1994 annual report on the Lingua programme.

**Reference:** Council Decision 89/489/EEC, establishing an action programme to promote foreign

language competence in the European Community (Lingua): OJ L 239, 16.8.1989; Bull. 7/8-1989, point 2.1.113

**Previous report:** COM(94) 280; Bull. 7/8-1994, point 1.2.170

*Adopted by the Commission on 9 October.* 1994, with an overall budget of ECU 44.2 million, was the final operational year of the Lingua programme, the purpose of which was to promote language learning in the Community; the various measures have now been incorporated in the Socrates and Leonardo programmes. The Lingua programme encompassed two types of action:

□ decentralized actions, viz. measures run by the Member States in conjunction with the Commission, enabling 6 802 teachers to undertake in-service training in a country whose language they taught, and 29 837 young people and 3 319 teachers to become involved in joint educational projects through 1 460 partnerships between schools in the 12 Member States;

□ centralized actions, run by the Commission and concerned principally with improving and promoting in-service training of language teachers and linguistic skills in economic and general life and the least widely used and least taught languages of the Union, resulting in 276 partnerships bringing together 1 357 different partners, along with 225 Inter-university Cooperation Projects bringing together 1 277 partners and facilitating mobility for 10 378 students.

COM(95) 458

## Cooperation with non-member countries

### *Cooperation in the youth field*

*1.3.103.* Council resolution on cooperation with third countries in regard to young people.

#### **References:**

Conclusions of the Council and the Ministers for Youth meeting within the Council on the promotion of voluntary service periods for young people: OJ C 348, 9.12.1994; Bull. 11-1994, point 1.2.209

Council resolution on cooperation in the field of youth information and studies concerning youth: Bull. 3-1995, point 1.3.72

Conclusions of the Cannes European Council: Bull. 6-1995, point I.52

*Adopted by the Council on 5 October.* Recalling its conclusions on periods of voluntary service in the field of youth, and its resolution on cooperation in the area of youth information and studies concerning youth, the Council resolved, in conformity with the conclusions of the Cannes European Council, to step up cooperation with third countries with which the Community had made association or cooperation agreements. The areas concerned are:

- improved cooperation between governmental and non-governmental youth structures, fostering exchanges of information and experience on youth programmes through study visits, internships and other activities;
- support for the training of youth leaders and those in charge of youth associations in third countries, and encouraging socio-educational instructors and persons in charge of youth associations to take the social and cultural situation of third countries into account in their work with young people, supporting in this way the efforts of the Member States to prevent intolerance, racism and xenophobia and to foster solidarity;
- facilitation of access by young people to clear, effective and full information in all areas that affect their everyday life, and encouraging the development of youth information and counselling structures;
- encouragement for exchanges between youth groups and associations in the Member States and third countries;
- encouragement for the participation of young people in voluntary service activities in third countries.

OJ C 296, 10.11.1995

### *Cooperation in the field of education and training*

#### **Canada**

*1.3.104.* Draft agreement between the European Community and Canada for cooperation in higher education and vocational training.

**Commission recommendation:** Bull. 9-1994, point 1.2.188

**Negotiating directives:** Bull. 11-1994, point 1.2.211

**Commission proposal concerning conclusion:** COM(95) 77; Bull. 7/8-1995, point 1.3.83

*Endorsed by Parliament on 13 October.*

OJ C 287, 30.10.1995

*Agreed by the Council on 23 October.* The draft agreement, which is scheduled to run for five years, makes provision for a Community contribution of ECU 3.24 million.

#### **United States**

*1.3.105.* Draft cooperation agreement between the European Community and the United States on training and higher education.

**Commission recommendation:** Bull. 9-1994, point 1.2.188

**Negotiating directives:** Bull. 11-1994, point 1.2.211

**Commission proposal concerning conclusion:** OJ C 231, 5.9.1995; COM(95) 120; Bull. 4-1995, point 1.3.66

*Endorsed by Parliament on 13 October.*

OJ C 287, 30.10.1995

*Decision 95/487/EC concerning the conclusion of an agreement adopted by the Council on 23 October.* The agreement is to run for five years, with Community funding for the eligible cooperation measures amounting to ECU 6.5 million.

OJ L 279, 22.11.1995

#### **Associated countries of Central and Eastern Europe and the Baltic States**

*1.3.106.* Joint ministerial meeting between the European Union, the associated countries of Central and Eastern Europe and the Baltic States (Education) (→ point 1.4.62).

## **Economic and social cohesion**

### **General**

*1.3.107.* Communication from the Commission to the Council and the European Parliament on the integrated management of coastal zones.

**References:**

Fifth Community programme of policy and action in relation to the environment and sustainable development entitled 'Towards sustainability': OJ L 138, 17.5.1993; COM(92) 23; Bull. 3-1992, point 1.2.115

Commission communication entitled 'Europe 2000+ — Cooperation for European territorial development': COM(94) 354; Bull. 7/8-1994, point 1.2.102

*Adopted on 31 October.* Referring to the fifth Community programme of policy and action in relation to the environment and sustainable development, and to its communication 'Europe 2000+ — Cooperation for European territorial development', the Commission stresses the need for action at European Union level in order to make faster progress towards sustainable development of the coastal zones, which are continuing to undergo environmental degradation in many parts of Europe. It suggests a demonstration programme on the integrated management of coastal zones, applying in practice the principles of integration of environmental objectives and subsidiarity in order to increase the effectiveness of existing instruments and ensure better coordination both between sectors of activity and between the various levels of territorial authority.

COM(95) 511

1.3.108. Own-initiative opinion of the Economic and Social Committee on local development initiatives and regional policy.

*Adopted on 25 October.* In the Committee's view, a judicious blend of growth and employment can be secured only by diversifying traditional development models. Local development is a determining factor in economic development, enabling jobs to be created through the stimulation of initiative. The Committee stresses that regional policy should integrate the various production sectors, include European spatial planning and encourage linkage to a network of local development areas.

## Structural action, regional policies

### *Planning and orientation*

#### **General**

1.3.109. Opinion of the Economic and Social Committee on the Commission's fifth annual report on the implementation of the Structural Funds 1993.

**Commission report:** COM(95) 30; Bull. 3-1995, point 1.3.74

*Adopted on 25 October.* The Committee regrets that the 1993 annual report has been published only now, in 1995, since it feels that such reports should play an important role in the further implementation of programmes and projects. The Committee also feels that it was not sufficiently involved in defining the structure and presentation of this annual report.

## **Structural action under Objective 2 (conversion of regions seriously affected by industrial decline)**

### *Single programming documents*

#### **Sweden**

1.3.110. Draft Commission decisions approving single programming documents for Community structural assistance under Objective 2 in the regions of Angermanlandskusten, Bergslagen, Blekinge, Fyrstad and Norra Norrlandskusten concerned, Sweden.

*Approved on 18 October.* The single programming documents, drawn up in partnership with the competent national authorities, are based on the following common objectives:

- modernization and diversification of the economy;
- promotion of enterprise and the reinforcement of small and medium-sized businesses in the manufacturing and services sectors;
- development of tourist and cultural activities;
- development of human resources.

The Community contribution will be allocated as follows: Angermanlandskusten: ECU 18 million; Bergslagen: ECU 67 million; Blekinge: ECU 15 million; Fyrstad: ECU 24 million; Norra Norrlandskusten: ECU 36 million.



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

### General

1.3.111. Commission Decisions approving assistance from the EAGGF Guidance Section with regard to the forecast expenditure for Community structural measures on the agricultural component of Objective 5a as referred to in Council Regulation (EEC) No 2328/91 which is not included in Objective 1 and 6 for Austria, Finland and Sweden.

**Reference:** Council Regulation (EEC) No 2328/91 on improving the efficiency of agricultural structures: OJ L 218, 6.8.1991; Bull. 7/8-1991, point 1.2.165

*Adopted on 11 October.* The Decisions establish the indicative breakdown of appropriations of ECU 678 million to be allocated to measures for the improvement of agricultural structures under Objective 5a in the new Member States: ECU 323 million for Austria, ECU 288 million for Finland and ECU 67 million for Sweden.

### Legislative aspects

1.3.112. Proposal for a Council Directive concerning the Community list of less-favoured farming areas within the meaning of Directive 75/268/EEC (Sweden).

**Reference:** Council Directive 75/268/EEC on mountain and hill farming and farming in certain less-favoured areas: OJ L 128, 19.5.1975

*Adopted by the Commission on 4 October.* The proposed Directive delimits the mountain and other less-favoured farming areas and areas suffering from specific handicaps, as defined in Directive 75/268/EEC, in Sweden.

COM(95) 453

### Single programming documents

#### Finland

1.3.113. Draft Commission Decision approving a single programming document for Community structural funding concerning the improvement of processing and marketing conditions for agricultural products in Finland (regions outside Objective 6), under Objective 5a, for the period 1995-99.

*Approved on 23 October.* The single programming document, drawn up in partnership with the national authorities concerned, involves joint action in the following sectors: meat, milk and milk products, eggs and poultry, oilseeds, potatoes and fruit and vegetables. The Community contribution to financing amounts to ECU 43.193 million.

#### Structural assistance under Objective 5a (adjustment of fisheries structures)

### Single programming documents

#### Sweden

1.3.114. Draft Commission Decision on the adoption of the Community programme for structural assistance in the fisheries and aquaculture sector and the processing and marketing of its products in Sweden (Objective 5a outside Objective 6 areas).

*Approved on 11 October.* The single programming document, drawn up in partnership with the national authorities concerned, is based on the following priorities:

- adjustment of fishing effort;
- renewal and modernization of the fishing fleet;
- aquaculture;
- protection of marine areas;
- fishing port facilities;
- product processing and promotion;
- technical assistance.

A Community contribution of ECU 40 million is planned for the period 1995-99.

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

### Single programming documents

#### Austria

1.3.115. Draft Commission Decisions approv-

ing single programming documents for structural measures in Austria (Carinthia, Lower Austria, Upper Austria, Salzburg, Styria, Tirol and Vorarlberg) under Objective 5b.

*Approved on 31 October.* The single programming documents, drawn up in partnership with the national authorities concerned, are based on the following priorities:

- diversification, reorientation and adjustment of the rural and agricultural structures;
- development and diversification of non-agricultural sectors (trade and industry);
- development of human resources, notably in relation to continuing training and for vocational guidance and counselling, and professional guidance and retraining;
- promotion of tourism.

The Community contribution to financing is to be allocated as follows: Carinthia: ECU 57.99 million; Lower Austria: ECU 119.6 million; Upper Austria: ECU 98.5 million; Salzburg: ECU 16 million; Styria: ECU 85.3 million; Tirol: ECU 34.4 million; Vorarlberg: ECU 7.2 million.

### **Structural action under Objective 6 (development and structural adjustment of regions with an extremely low population density)**

#### *Single programming documents*

#### **Sweden**

*1.3.116.* Draft Commission Decision on the approval of the single programming document for Community structural assistance in the regions of Jämtlands län and parts of Norrbottens, Västerbottens, Västernorrlands Gävleborgs, Kopparbergs, and Värmlands län, under Objective 6.

*Approved on 11 October.* The single programming document, drawn up in partnership with the national authorities concerned, is based on the following priorities:

- development of jobs, trade and industry, focused on small and medium-sized enterprises and the tourism sector;

- promoting know-how, by increasing the level of research and development in the region and promoting the use of information technology;
- development of agriculture, fisheries and natural resources;
- rural and community development, to build on local initiative in the fields of business, local tourism and specific actions in favour of women and young people;
- Sami development (with a global grant to be made direct to the Sami parliament).

A Community contribution of ECU 252 million is planned for the period 1995-99.

### **Community initiatives**

*1.3.117.* Draft Commission Decision allocating the reserve for Community initiatives.

#### **References:**

Commission communications and notices to the Member States laying down guidelines for operational programmes or global grants which Member States are invited to propose within the framework of Community initiatives Konver, SMEs, REGIS II, Rechar II, RETEX, Resider II, Interreg II, Leader II, PESCA, ADAPT, Employment and development of human resources, URBAN and the modernization of the Portuguese textile and clothing industry: OJ C 180, 1.7.1994; Bull. 6-1994, point 1.2.133

Commission Decision on financial allocation of Community initiative appropriations: Bull. 7/8-1994, point 1.2.127

Commission communication on the indicative financial allocation by Member State for the Community's Rechar, Resider and RETEX initiatives: Bull. 10-1994, point 1.2.78

Commission Decision on financial allocation between Member States of grants available under the Konver initiative: Bull. 12-1994, point 1.2.142

*Adopted on 4 October.* Approves the guidelines for using the reserves available for Community initiatives and the allocation of ECU 1 665 million between Member States for the period 1994-99. The final decision approving this allocation (shown in Table 2) and the guidelines will be adopted after consideration by the Management Committee for Community Initiatives and by Parliament, the Economic and Social Committee and the Committee of the Regions. The main purpose pursued by the Commission with this decision is to combat unemployment and strengthen the territorial dimension of structural policies along the following guidelines:

- extending to 1999 the initiatives for regions undergoing industrial conversion (Konver, Rechar, Resider, RETEX) and granting further financing totalling ECU 380 million;
- allocating ECU 30 million in the framework of the PESCA initiative, in view of the need for conversion in the fisheries sector and in particular the decline in stocks;
- supporting local development initiatives integrated into rural areas by allocating ECU 230 million to the Leader initiative;
- reinforcing the initiatives relating to human resources by granting ECU 300 million to the

- Employment initiative (comprising ECU 100 million for Youthstart, ECU 100 million for NOW and ECU 100 million for Inclusion, a new strand of this initiative) and ECU 170 million for the ADAPT initiative;
- allocating ECU 140 million to the URBAN initiative, with special attention being paid to the themes of equal opportunity, long-term unemployment and urban environment;
- introducing a new project under the Interreg initiative, with financing of ECU 415 million comprising ECU 165 million for flood control, ECU 150 million to combat drought and ECU 100 million for transnational cooperation.

Table 2 — *Indicative allocation between Member States of reserve available for Community initiatives*

<i>(million ECU)</i>									
Member State	Konver, Resider, RETEX and Rechar	Interreg (floods)	Interreg (drought)	Interreg (cooperation)	URBAN	Leader	PESCA	Employment + ADAPT	Total
Belgium	8.67	18.80		2.08	3.43	2.11		19.67	54.76
Denmark				1.23		1.78	3.12	7.22	13.36
Germany	159.77	24.92		19.32	16.89	30.41		63.69	315.00
Greece	15.69		22.80	2.20	5.31	14.88	3.31	7.72	71.91
Spain	29.39		106.05	10.06	26.93	47.90	3.56	86.44	310.33
France	34.70	6.28		12.34	14.79	40.97	5.25	71.82	186.14
Ireland				3.00	4.82	16.05		17.53	41.40
Italy	31.58	5.00	15.00	13.30	18.21	40.66	2.85	70.79	197.39
Luxembourg	1.00					0.22			1.22
Netherlands	20.00	110.00		5.00	13.00	3.00	2.00	30.00	183.00
Austria				6.14	3.50	3.17		4.72	17.53
Portugal	19.36		6.15	2.10	5.12	11.82	3.13	4.31	51.99
Finland				4.20	3.77	3.37	0.41	6.66	18.41
Sweden				7.08	1.50	1.93	0.48	4.36	15.35
United Kingdom	59.84			11.95	22.75	11.73	5.88	75.07	187.21
	380.00	165.00	150.00	100.00	140.00	230.00	30.00	470.00	1 665.00

### Specific measure for Spanish and Portuguese fishermen

1.3.118. Council Decision 95/451/EC on a specific measure for the grant of an indemnity to fishermen from certain Member States of the Community who have had to suspend their fishing activities in waters under the sovereignty or jurisdiction of Morocco

#### References:

EEC-Morocco Fisheries Agreement: OJ L 407, 31.12.1992; Bull. 12-1992, point 1.3.267

Regulation (EEC) No 2080/93 laying down provisions for implementing Council Regulation (EEC) No 2052/88 as regards the Financial Instrument for Fisheries Guidance (FIFG): OJ L 193, 31.7.1993; Bull. 7/8-1993, point 1.2.120

*Proposal adopted by the Commission on 10 October.*

COM(94) 469

*Endorsed by Parliament on 24 October, subject to some amendments introducing a permanent*

budget heading to allow rapid financial intervention in case of serious crisis in the fishing industry.

OJ C 308, 20.11.1995

*Adopted by the Council on 26 October.* Provides aid of ECU 24 million, on the basis of Council Regulation (EEC) No 2080/93, to fishermen who are nationals of a Member State and who are working on board a fishing vessel flying the flag of the Kingdom of Spain or the Portuguese Republic, because of the loss incurred as a result of the failure to renew the Fisheries Agreement between the European Union and the Kingdom of Morocco.

OJ L 264, 7.11.1995

### Community initiatives

1.3.119. Commission Decisions: see Table 3.

Table 3 — *Financing of Community initiatives*

<i>(million ECU)</i>			
Initiative	Country/region or area	Fund	Total assistance
Interreg II	<i>Belgium/Netherlands</i>		
	• Euregio-Middengebied	ERDF/ESF	32.41
Konver II	<i>Germany</i>		
	• Mecklenburg-Western Pomerania	ERDF	19.45
SMEs	<i>Netherlands</i>		
	• Areas covered by Objectives 1 and 2	ERDF/ESF	10.34
	<i>Belgium</i>		
	• Areas covered by Objectives 1, 2 and 5b	ERDF/ESF	9.41

## Other financing

1.3.120. Commission Decisions: see Table 4.

Table 4 — *Other financing*

<i>(million ECU)</i>			
Type	Purpose	Fund	Total assistance
Conference	Europartenariat Portugal 1995	ERDF	0.903

## Cohesion Fund

### Financing

1.3.121. Commission Decisions: see Table 5.

Table 5 — *Financing of Community initiatives*

<i>(million ECU)</i>	
Country/purpose	Total assistance
<i>Spain</i>	
• Technical assistance	0.182

## Outermost regions

1.3.122. Council Regulation (EC) No 2598/95 amending Regulation (EEC) No 3763/91 introducing specific measures in respect of certain agricultural products for the benefit of the overseas departments.

### References:

Council Decision 89/687/EEC, establishing a programme of options specific to the remote and insular nature of the French overseas departments (Poseidom): OJ L 399, 31.12.1989; Bull. 12-1989, point 2.1.142

Report for 1992-93 on progress made in implementing the programme of options specific to the remote and insular nature of the French overseas departments (Poseidom): COM(94) 200; Bull. 5-1994, point 1.2.98

**Regulation amended:** Council Regulation (EEC) No 3763/91, introducing specific measures in respect of certain agricultural products for the benefit of the overseas departments: OJ L 356, 24.12.1991; Bull. 12-1991, point 1.2.224

**Commission proposal:** OJ C 290, 18.10.1994; COM(94) 344; Bull. 9-1994, point 1.2.137

**Parliament opinion:** OJ C 43, 20.2.1995; Bull. 1/2-1995, point 1.3.82

*Agreed by the Council on 2 October.*

*Formally adopted on 30 October.* Amends Regulation (EEC) No 3763/91, on the basis of the assessment in the Commission report for 1992-93 on progress made in implementing Poseidom. The main effects of the amendments are to extend the period of application of the measures to meet the needs of the department of French Guiana as regards compound feeding-stuffs, to increase the volume of rice production in French Guiana, to extend the period of application of specific supply arrangements relating to bovine animals, to improve the conditions under which the local market is supplied with fresh milk products, and to provide aid for marketing fruit and vegetables for the exclusive supply of the market in the French overseas departments.

OJ L 267, 9.11.1995

## Trans-European networks

### Energy

1.3.123. Proposal for a Parliament and Council Decision laying down a series of guidelines on trans-European energy networks.

**Commission proposal:** OJ C 72, 10.3.1994; COM(93) 685; Bull. 1/2-1994, point 1.2.88

**Economic and Social Committee opinion:** OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.74

**Committee of the Regions opinion:** OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.70

**Parliament opinion (first reading):** OJ C 151, 19.6.1995; Bull. 5-1995, point 1.3.59

**Amended Commission proposal:** OJ C 205, 10.8.1995; COM(95) 226; Bull. 5-1995, point 1.3.59

**Agreement on a common position:** Bull. 6-1995, point 1.3.108  
**Council common position:** OJ C 216, 21.8.1995; Bull. 6-1995, point 1.3.108

*Amendments adopted by Parliament (second reading) on 25 October.* Parliament's amendments mainly concerned changes to the rules relating to the procedures for implementing the proposed Decision.

OJ C 308, 20.11.1995

*1.3.124.* Proposal for a Council Decision on a series of measures aimed at creating a more favourable context for the development of trans-European networks in the energy sector.

**Commission proposal:** OJ C 72, 10.3.1994; COM(93) 685; Bull. 1/2-1994, point 1.2.88  
**Economic and Social Committee opinion:** OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.74  
**Committee of the Regions opinion:** OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.70  
**Parliament opinion (first reading):** OJ C 151, 19.6.1995; Bull. 5-1995, point 1.3.60  
**Amended Commission proposal:** OJ C 205, 10.8.1995; COM(95) 226; Bull. 5-1995, point 1.3.60  
**Council agreement on a common position:** Bull. 6-1995, point 1.3.109  
**Council common position:** OJ C 216, 21.8.1995; Bull. 6-1995, point 1.3.109

*Endorsed by Parliament (second reading) on 26 October* subject to amendments aimed, among other things, at giving priority to trans-European energy projects which promote, in particular, the development of economic and social cohesion.

OJ C 308, 20.11.1995

## Telematics and telecommunications networks

*1.3.125.* Proposal for a Parliament and Council Decision on a series of guidelines for the development of ISDN 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

**Commission opinion:** COM(95) 417; Bull. 9-1995, point 1.3.63

*Approved by the Council on 19 October.*

## Energy

### General

#### *Review and simplification of legislation*

*1.3.126.* Economic and Social Committee opinion on the Commission communication concerning the repeal of several legislative texts together with related proposals.

**Commission communication:** COM(95) 391; Bull. 7/8-1995, point 1.3.102

*Adopted by the Economic and Social Committee on 26 October.* The Commission welcomed the Commission's legislative simplification initiative, but thought that the general context of this review exercise ought to be clarified. It also called for the choice of legislation to be repealed to be substantiated to a greater extent.

*1.3.127.* Proposal for a Council Regulation on notifying the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors.

**Commission proposal:** COM(95) 118; Bull. 7/8-1995, point 1.3.103

*Endorsed by the Economic and Social Committee on 26 October.* However, the Committee recommended rewording the conditions concerning the provision of information so as to leave no doubt whatsoever about compliance with the subsidiarity principle and the objective of administrative simplification.

## Green Paper

*1.3.128.* Parliament resolution on the Commission Green Paper 'For a European Union Energy Policy'.

### References:

Commission Green Paper: COM(94) 659; Bull. 1/2-1995, point 1.3.85

Council resolution: Bull. 6-1995, point 1.3.113  
ECSC Consultative Committee: Bull. 6-1995, point 1.3.114

Economic and Social Committee opinion: Bull. 7/8-1995, point 1.3.104

Committee of the Regions: Bull. 7/8-1995, point 1.3.105

*Adopted by Parliament on 10 October.* Taking the Commission Green Paper as a basis, Parliament held a wide-ranging debate concerning the framing of a European Union energy policy. It considered it essential to develop an internal energy market based on principles aimed at ensuring environmental compatibility, competition among electricity-generating companies, and respect for tasks of general economic interest. Parliament took the view that, as part of a coherent energy policy, the European Union should strengthen its policy of diversification in order to guarantee security of supply, intensify the Community and national efforts to develop renewable energy sources, and create a favourable climate for trans-European energy networks. It also called upon the Commission to promote research in order to increase the safety of nuclear energy by developing very safe 'new advanced nuclear reactors', through the safe processing of waste, by developing nuclear medical technology, and providing more aid for the Central and Eastern European countries.

OJ C 287, 30.10.1995

## Community energy strategy

### *Promotion of energy efficiency*

*1.3.129.* Proposal for a Parliament and Council Directive on energy efficiency requirements for household electric refrigerators, freezers and their combinations.

**Commission proposal:** OJ C 390, 31.12.1994; COM(94) 521; Bull. 12-1994, point 1.2.108

**Economic and Social Committee opinion:** OJ C 155, 21.6.1995; Bull. 4-1995, point 1.3.85

*Endorsed by Parliament (first reading) on 26 October* subject to amendments aimed at altering the timetable for the implementation of the energy efficiency standards provided for and the conditions regarding the application of the Directive by the Member States.

OJ C 308, 20.11.1995

## Individual sectors

### *Natural gas*

*1.3.130.* Commission communication entitled 'European Community Gas Supply and Prospects'.

**Reference:** Commission Green Paper 'For a European Union Energy Policy': COM(94) 659; Bull. 1/2-1995, point 1.3.85

*Adopted by the Commission on 18 October.* In this communication, which is part of the framework set out in the Green Paper, the Commission suggests launching a debate on the future direction of the gas sector in the Community and examining the issue of security of supply from the point of view of increased Community cooperation. It stresses the essential need to integrate the European Union's gas system and ensure that cooperation in the event of a major crisis is guaranteed in order to improve overall supply security. It recommends a cost-benefit analysis of the various possible ways of improving supply security and ensuring production flexibility, e.g. the creation of more underground storage capacities, an analysis of industrial and power generation interruptibility in the Member States, and an examination of possibilities as regards the mutual support of gas and electricity systems. It also stresses that diversification of gas supply sources will determine the long-term supply security of the European Union, and emphasizes the importance of good relations with third-country gas suppliers.

Taking into account the differences in the levels of security of supply in each Member State, the Commission also stresses the need to monitor and, if necessary, reinforce the flexibility of the Community gas system so that any interruption in supply can be met in the context of an integrated Community energy market.

COM(95) 478

## *Solid fuels*

*1.3.131.* Draft Commission report on the market for solid fuels in the Community in 1994 and the outlook for 1995.

**Commission draft:** Bull. 4-1995, point 1.3.86  
**Consultation of the ECSC Consultative Committee:** Bull. 7/8-1995, point 1.3.106

*Revised version adopted by the Commission on 3 October.* Purpose: to amend the draft report to take into account additional data supplied by the Member States in June 1995.

*Revised version endorsed by the ECSC Consultative Committee on 5 October.*

## **International cooperation**

### *European Energy Charter*

*1.3.132.* Economic and Social Committee own-initiative opinion on the Energy Charter Treaty.

**Reference:** European Energy Charter Treaty: OJ L 380, 31.12.1994; Bull. 12-1994, point 1.2.110

*Adopted by the Economic and Social Committee on 25 October.* The Committee considered it necessary to have a set of minimum internationally agreed safety standards for nuclear energy, and that there should be a reference to the need for good industrial relations practices to be followed in the enterprises and activities to which the Treaty applies.

## **Transport**

### **Transport and environment**

*1.3.133.* Proposal for a Council Directive on the appointment and vocational qualification of safety advisers for the transport of dangerous goods by road, rail and inland waterway.

**Commission proposal:** OJ C 185, 17.7.1991; COM(91) 4; Bull. 6-1991, point 1.2.86

**Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. 11-1991, point 1.2.68

**Parliament opinion:** OJ C 150, 15.6.1992; Bull. 5-1992, point 1.1.72

**Amended Commission proposal:** OJ C 233, 11.9.1992; COM(92) 327; Bull. 7/8-1992, point 1.3.94

**Council agreement on a common position:** Bull. 3-1995, point 1.3.93

*Common position formally adopted by the Council on 6 October.*

OJ C 297, 10.11.1995

## **Inland transport**

### *Road transport*

*1.3.134.* Council Directive 95/50/EC on uniform procedures for checks on the transport of dangerous goods by road.

**Reference:** Council Directive 94/55/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road: OJ L 319, 12.12.1994; Bull. 11-1994, point 1.2.99

**Commission proposal:** OJ C 26, 29.1.1994; COM (93) 665; Bull. 12-1993, point 1.2.131

**Economic and Social Committee opinion:** OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.89

**Parliament opinion (first reading):** OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.82

**Amended Commission proposal:** OJ C 238, 26.8.1994; COM(94) 340; Bull. 7/8-1994, point 1.2.90

**Council agreement on a common position:** Bull. 9-1994, point 1.2.113

**Council common position:** OJ C 354, 13.12.1994; Bull. 11-1994, point 1.2.100

**Parliament opinion (second reading):** OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.97

**Re-examined Commission proposal:** COM(95) 289; Bull. 7/8-1995, point 1.3.115

*Adopted by the Council on 6 October.* This Directive, which is designed to improve conditions governing the safe transport of dangerous goods, supplements Directive 94/55/EC on the approximation of the laws of the Member States in this field. It provides that the Member States should ensure that a representative proportion of consignments is subject to random checks, laid down in a Community list, not exceeding a reasonable length of time and covering an extensive portion of the road network.

OJ L 249, 17.10.1995



**1.3.135.** Commission Regulation (EC) No 2479/95 adapting to technical progress Council Regulation (EEC) No 3821/85 on recording equipment in road transport.

**Regulation amended:** Council Regulation (EEC) No 3821/85: OJ L 370, 31.12.1985 as last amended by Regulation (EEC) No 3688/92; OJ L 374, 22.12.1992; Bull. 12-1992, point 1.3.130

*Adopted by the Commission on 25 October.* Purpose: to protect recording equipment in road transport against misuse by means other than a continuous plastic-coated rust-protected steel sheet with crimped ends, by providing for the mandatory fitting of an electronic protection system as from 1 January 1996.

OJ L 256, 26.10.1995

**1.3.136.** Economic and Social Committee own-initiative opinion on the Commission communication on telematics applications for transport in Europe.

**References:**

Commission communication: COM(94) 469; Bull. 11-1994, point 1.2.95

Parliament resolution: OJ C 183, 7.7.1995; Bull. 6-1995, point 1.3.121

Council resolution: OJ C 264, 11.10.1995; Bull. 9-1995, point 1.3.74

*Adopted by the Economic and Social Committee on 25 October.* The Committee welcomed the Commission communication, and considered that the main objective of telematics applications should be to improve safety, reduce pollution and promote infrastructure use. It advocated creating an appropriate political framework and establishing the preconditions for the application of systems on a European scale. It also took the view that implementation of the systems can be left to private enterprise.

**1.3.137.** Economic and Social Committee own-initiative opinion on infrastructure costs in the road freight sector as a basis for comparison with other transport modes.

*Adopted by the Economic and Social Committee on 25 October.* The Committee took the view that road infrastructure costs should be charged to the road freight transport sector on the basis of the principle of territoriality, and that costs should therefore be charged to the individual infrastructure user. It stressed that when calculating infrastructure costs and external costs ac-

count had to be taken of the methodology used to determine the costs, the acquisition of the necessary data, the need for agreement on the constituent elements of the costs, and the need for countries to operate a compensation system as long as the direct charging of costs to the individual user is not technically possible.

### *Inland waterway transport*

**1.3.138.** Proposal for a Council Directive on the harmonization of the conditions for obtaining national boatmasters' certificates for the carriage of goods and passengers by inland waterway in the Community.

**Commission proposal:** OJ C 280, 6.10.1994; COM(94) 359; Bull. 9-1994, point 1.2.117

**Economic and Social Committee opinion:** OJ C 102, 24.4.1995; Bull. 1/2-1995, point 1.3.91

**Parliament opinion (first reading):** OJ C 68, 20.3.1995; Bull. 3-1995, point 1.3.99

**Council agreement on a common position:** Bull. 3-1995, point 1.3.99

*Amended proposal adopted by the Commission on 18 October.*

COM(95) 474

**1.3.139.** 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

**Economic and Social Committee opinion:** Bull. 9-1995, point 1.3.75

*Adopted by Parliament (first reading) on 10 October.*

OJ C 287, 30.10.1995

### **State aid**

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

#### **Italy**

**1.3.140.** Commission Decision concerning a scheme for road hauliers.

*Adopted by the Commission on 4 October.* The

scheme in question covers 1993 and 1994 and provides for a system of tax credits for Italian road hauliers operating for hire or reward and for a system of compensation for non-Italian EU hauliers. The amount of aid corresponds to a percentage of the actual cost and totalled ECU 260 million in 1993 and ECU 230 million in 1994. As the aid scheme may not be compatible with the rules of the EC Treaty, the Commission decided to open an investigation pursuant to Article 93(2) of the Treaty. It also called upon the Italian authorities to suspend application of the scheme pending the final decision.

### *Decisions to raise no objection*

#### **Netherlands**

1.3.141. Commission Decision concerning a scheme to promote inland waterways.

*Adopted by the Commission on 18 October.* The Dutch scheme, with a budget of HFL 143 million, is intended to reduce structural overcapacity in the inland waterway sector and help small-scale operators to remain competitive by promoting this mode of transport which is an alternative to road transport. The Commission takes the view that the funding for this scheme, which applies Community transport guidelines, will in no way distort competition and is compatible with Community legislation. It therefore decided not to raise any objections.

#### **France**

1.3.142. Commission Decision concerning aid for the reorganization of the road haulage sector.

*Adopted by the Commission on 18 October.* The French aid scheme, involving FF 115 million, is intended to encourage small transport firms to regroup either through takeovers, by joining cooperatives or by forming economic interest groupings. The aid is designed to co-finance studies, training and legal and administrative expenses connected with the regroupings. To receive aid, companies must reduce their capacity by between 4 and 10%. The Commission decided not to raise any objections as it considered that the aid is compatible with the EC Treaty and is part of a modernization plan for the road transport sector.

## Information society, telecommunications

### Telecommunications

1.3.143. Commission Directive 95/51/EC amending Directive 90/388/EEC with regard to the abolition of the restrictions on the use of cable television networks for the provision of already liberalized telecommunications services.

**Directive amended:** Commission Directive 90/388/EEC on competition in the markets for telecommunications services: OJ L 192, 24.7.1990; Bull. 6-1990, point 1.3.96

**Commission draft:** OJ C 76, 28.3.1995; Bull. 12-1994, point 1.2.41

**Economic and Social Committee opinion:** OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.81

**Parliament resolution:** OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.141

**Committee of the Regions opinion:** Bull. 7/8-1995, point 1.3.128

*Approved by the Commission on 11 October.*

*Formally adopted by the Commission on 18 October.* This Directive, based on Article 90 of the EC Treaty, entitles suppliers of telecommunications services to use capacity on cable television networks for all telecommunications services except voice telephony — primarily data communications, 'closed' corporate networks and multimedia services — as from 1 January 1996. The Directive also provides for Member States to take the necessary measures, where a telecommunications operator also provides cable TV network infrastructure, to ensure accounting transparency and separation of financial accounts for the two activities as soon as turnover exceeds ECU 50 million for telecommunications services other than the distribution of radio and broadcasting services in the relevant geographic area.

OJ L 256, 26.10.1995

1.3.144. Communication from the Commission to the Council and the European Parliament on the future development of the market in directories and other telecommunications information services in a competitive environment.

#### **References:**

Commission Green Paper on the liberalization of telecommunications infrastructure and cable

television networks — Part One: principle and timetable: COM(94) 440; Bull. 10-1994, point 1.2.71 — Part Two: a common approach to the provision of infrastructure for telecommunications in the European Union: COM(94) 682; Bull. 1/2-1995, point 1.3.101

Communication from the Commission to the Council and the European Parliament on the consultation on the Green Paper on the liberalization of telecommunications infrastructure and cable television networks: COM(95) 158; Bull. 5-1995, point 1.3.79

*Adopted by the Commission on 10 October.* The Commission, referring to its communication on the consultation on the Green Paper on the liberalization of telecommunications infrastructure and cable television networks, stresses the need to preserve access for suppliers of services and network operators to the information contained in directories and information services. It accordingly proposes the following guidelines in the light of the spread of competition throughout the telecommunications sector:

- retention of a universal directory and a telephone information service in a competitive environment;
- abolition of exclusive and special rights in the telecommunications directories market;
- definition of objective, transparent and non-discriminatory criteria for access and marketing;
- promotion of new technologies (electronic directories, CD-ROM etc.) and opening-up to multimedia;
- precautionary measures for protecting individual privacy and intellectual property rights.

COM(95) 431

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

**Commission proposal:** OJ C 122, 18.5.1995; COM(94) 689; Bull. 1/2-1995, point 1.3.102

**Parliament opinion (first reading):** OJ C 151, 19.6.1995; Bull. 5-1995, point 1.3.83

**Economic and Social Committee opinion:** OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.83

**Council agreement on a common position:** Bull. 6-1995, point 1.3.142

**Council adoption of a common position:** Bull. 7/8-1995, point 1.3.129

*Amendments adopted by the European Parliament (second reading) on 26 October.* The two amendments adopted by Parliament are only minor changes.

OJ C 308, 20.11.1995

## Advanced television services

*1.3.146.* European Parliament and Council Directive 95/47/EC on the use of standards for the transmission of television signals, repealing Council Directive 92/38/EEC.

**Directive repealed:** Council Directive 92/38/EEC on the adoption of standards for satellite transmission of television signals: OJ L 137, 20.5.1992; Bull. 5-1992, point 1.1.201

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

**Economic and Social Committee opinion:** OJ C 148, 30.5.1994; Bull. 3-1994, point 1.2.180

**Parliament opinion (first reading):** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.180

**Amended Commission proposal:** OJ C 321, 18.11.1994; COM(94) 455; Bull. 10-1994, point 1.2.134

**Council agreement on a common position:** Bull. 11-1994, point 1.2.228

**Council common position:** OJ C 384, 31.12.1994; Bull. 12-1994, point 1.2.243

**Parliament amendments (second reading):** OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.144

**Commission opinion incorporating an amended proposal:** COM(95) 319; Bull. 7/8-1995, point 1.3.130

**Council approval:** Bull. 7/8-1995, point 1.3.130

*Signed by Parliament and Council on 24 October.* In view of developments on the market and recent technological progress, this Directive repeals Directive 92/38/EEC, which provided for transition from the PAL and SECAM standards to the high-definition standard via the D2-MAC and HD-MAC systems for satellite broadcasting and cable transmission systems. To promote the accelerated development of advanced television services it lays down technical requirements to be met by all television services and a set of rules governing access to digital pay-television services.

OJ L 281, 23.11.1995

## Postal services

*1.3.147.* Parliament resolution on the implementation of a single market for postal services.

### References:

Parliament and Commission code of conduct: OJ C 89, 10.4.1995; Bull. 3-1995, point 1.9.1

Commission communication on the application of the rules of competition to the postal sector

and in particular on the assessment of certain State measures relating to postal services: Bull. 7/8-1995, point 1.3.133

Proposal for a Parliament and Council Directive on common rules for the development of postal services: COM(95) 227; Bull. 7/8-1995, point 1.3.132

*Adopted by Parliament on 25 October.* Parliament considers that the Commission communication on the application of the rules of competition to the postal sector, referring to a draft notice to be finally adopted once the interested parties have been consulted, not only ignores the proposal for a Directive on common rules for the development of Community postal services but is based on Article 90(3) of the EC Treaty, whereas the proposal refers to Article 100 of the EC Treaty.

It therefore calls on the Commission to withdraw the draft Notice.

OJ C 308, 20.11.1995

## Environment

### General

*1.3.148.* Parliament resolution on the Commission communication including a draft Council resolution on the development and implementation of the European Environment Agency established by Council Regulation (EEC) No 1210/90.

**References:**

Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency and the European environment information and observation network: OJ L 120, 11.5.1990; Bull. 5-1990, point 1.2.115

Draft Council resolution on the development and implementation of the European Environment Agency: COM(95) 325; Bull. 7/8-1995, point 1.3.135

*Adopted by Parliament on 13 October.* Parliament called upon the Commission to submit the report on the operation of the European Environment Agency provided for in Regulation

(EEC) No 1210/90, and stressed that the Regulation can only be amended by the same kind of act and not by means of a Council resolution. In addition, in view of the current situation of the Agency, it endorsed the Commission's intention not to bring forward proposals concerning further tasks for the Agency for the time being.

OJ C 287, 30.10.1995

*1.3.149.* Economic and Social Committee own-initiative opinion on an interim evaluation of the fifth action programme on the environment.

**References:**

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

Commission communication on an interim review of implementation of the fifth programme: COM(94) 453; Bull. 11-1994, point 1.2.174

*Adopted by the Economic and Social Committee on 25 October.* The Committee considered that it was unnecessary to amend or comprehensively revise the programme but instead stressed the need to improve implementation. It suggested in particular clarifying the conditions regarding application of the subsidiarity principle, the respective roles of regulatory and economic instruments, and interactions with other policies.

### Economic, fiscal and legal instruments

*1.3.150.* Parliament resolution on the Commission communication to Parliament and to the Council entitled 'Economic growth and the environment: some implications for economic policy making'.

**Reference:** Commission communication: COM (94) 465; Bull. 11-1994, point 1.2.180

*Adopted by Parliament on 11 October.* Parliament congratulated the Commission on its communication. Stressing the urgent nature of environmental problems, it did not, however, rule out the possibility that the efforts to achieve sustainable development, which it regarded as a priority, meant that the richer countries would have to reduce their consumption in order to make worldwide economic development ecologically viable. It called upon the Commission to draw

up a European plan designed to bring about a sustainable economic structure by the year 2020, and, in this connection, supported the activities in the sphere of green accounting (→ point 1.3.151). Deeply regretting that the Council had so far failed to adopt the European CO<sub>2</sub> tax, Parliament called upon the Commission to draw up practical models for the introduction of an energy tax as soon as possible. It also called for the transfer of environmental and energy technologies for developing countries, increased use of economic instruments, and encouragement for waste reuse and recycling.

OJ C 287, 30.10.1995

*1.3.151.* Parliament resolution on the Commission communication to the Council and Parliament on directions for the EU on environmental indicators and green national accounting — the integration of environmental and economic information systems.

**Reference:** Commission communication: COM (94) 670; Bull. 12-1994, point 1.2.197

*Adopted by Parliament on 11 October.* Parliament warmly welcomed the Commission communication and reiterated that there can be no sustainable development without environmental accounting. In particular, it endorsed the approach of introducing satellite accounts and a European system of integrated economic and environmental indices. It stressed the need, in this context, to identify economic activities which involve a potential threat of environmental deterioration, and to take such threats into account as well in environmental accounting, and not just deterioration that has already occurred.

OJ C 287, 30.10.1995

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

**Commission proposal:** COM(93) 575; Bull. 3-1994, point 1.2.144

**Economic and Social Committee opinion:** OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.165

**Committee of the Regions opinion:** OJ C 210, 14.8.1995; Bull. 11-1994, point 1.2.181

*Endorsed by Parliament on 11 October,* subject to various amendments aimed in particular at removing the reference to the subsidiarity principle, enlarging the scope of the proposal, restricting the exemption possibilities, and provid-

ing more information for the public. Other amendments concern the procedure for adapting the Directive and various technical and drafting points.

OJ C 287, 30.10.1995

## Financial instruments

*1.3.153.* 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

**Committee of the Regions opinion:** Bull. 9-1995, point 1.3.83

*Endorsed by the Economic and Social Committee on 25 October* subject to various comments aimed at extending the areas of activity proposed, clarifying the selection criteria, devising an effective information strategy, increasing the use of interest rebates, and increasing the budget allocation for LIFE.

## Industry and environment

### Waste management

*1.3.154.* Proposal for a Council Directive on the landfill of waste.

**Commission proposal:** OJ C 190, 22.7.1991; COM(91) 102; Bull. 4-1991, point 1.2.134

**Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. 11-1991, point 1.2.182

**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. 10-1992, point 1.3.103

**Amended Commission proposal:** OJ C 212, 5.8.1993; COM(93) 275; Bull. 6-1993, point 1.2.161

**Council agreement on a common position:** Bull. 6-1994, point 1.2.176

**Parliament opinion on the legal basis:** OJ C 151, 19.6.1995; Bull. 5-1995, point 1.3.88

*Common position formally adopted by the Council on 6 October.*

*1.3.155.* Proposal for a Council Regulation amending Council Regulation (EEC) No 259/93 on the supervision and control of shipments of

waste within, into and out of the European Community.

**Commission proposal:** OJ C 164, 30.6.1995; COM(95) 143; Bull. 4-1995, point 1.3.100

*Endorsed by the Economic and Social Committee on 25 October* subject to various comments. In particular, the Committee recommended that the Commission should continue to work on a single classification for hazardous waste, encourage the monitoring by national customs officials of restrictions or bans on the export of waste, and relax the rules concerning waste intended for recycling.

## **Environmental quality and natural resources**

### *Protection of nature, flora and fauna and coastal zones*

1.3.156. Commission communication on the integrated development of coastal zones (→ point 1.3.107).

### *Urban environment, air quality, transport and energy, noise*

1.3.157. Proposal for a Council Decision establishing a reciprocal exchange of information and data from networks and individual stations measuring ambient air pollution within the Member States.

#### **References:**

Council Decision 82/459/EEC establishing a reciprocal exchange of information and data from networks and individual stations measuring air pollution within the Member States: OJ L 210, 19.7.1982

Proposal for a Council Directive on ambient air quality assessment and management: OJ C 238, 13.9.1995; Bull. 9-1994, point 1.2.175

**Commission proposal:** OJ C 281, 7.10.1994; COM(94) 345; Bull. 9-1994, point 1.2.175

**Economic and Social Committee opinion:** OJ C 110, 2.5.1995; Bull. 1/2-1995, point 1.3.114

**Parliament opinion (first reading):** OJ C 166, 3.7.1995; Bull. 6-1995, point 1.3.156

*Common position agreed by the Council on 6 October.* Purpose: to supplement the proposal

for a Directive on ambient air quality by improving the system for the exchange of information on atmospheric pollution in the Member States set up by Decision 82/459/EEC, in particular by increasing the number of pollutants covered and the volume of data provided.

1.3.158. Proposal for a 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.

**Commission proposal:** COM(95) 350; Bull. 9-1995, point 1.3.95

*Endorsed by Parliament (first reading) 25 October.*

OJ C 308, 20.11.1995

### *Global environment, climate change, geosphere and biosphere*

1.3.159. Draft amendment to the Montreal Protocol on substances that deplete the ozone layer.

**Reference:** Council Decision 94/68/EC concluding the second amendment to the Montreal Protocol: OJ L 33, 7.2.1994; Bull. 12-1993, point 1.2.181

*Recommendation for a Decision adopted by the Commission on 4 October.*

*Agreed by the Council on 6 October.* The Council adopted the Community position for the next Conference of the Parties to the Montreal Protocol to be held in Vienna in December 1995. The Community position contains the following objectives:

□ setting the level of the cap on the use of hydrochlorofluorocarbons at 2% of the 1989 level, with a view to eventual phase-out by 2015;

□ reducing the production and consumption of methyl bromide by 50% by 2005, subject to exemptions for specific uses.

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

**Reference:** Council Decision 93/626/EEC on the conclusion of the Convention on Biological

Diversity: OJ L 309, 13.12.1993; Bull. 10-1993, point 1.2.127

**Commission recommendation:** Bull. 9-1995, point 1.3.91

*Conclusions adopted by the Council on 6 October.* The Council supported the following twin-track approach to biosafety:

□ consideration by the next Conference of the Parties to the Convention on Biological Diversity of the need for and modalities of a Protocol on the safe transfer, handling and use of modified living organisms resulting from biotechnology that may have adverse effects on the conservation and sustainable use of biological diversity;

□ elaboration by the United Nations Environment Programme of international technical guidelines for safety in biotechnology.

With regard to the other issues that will be discussed at the Conference, the Council advocated in particular setting up a clearing house to promote the conservation of biodiversity, the pooling of information and transfers of technology in this area, and the designation of the global environment facility as the structure responsible for funding the implementation of the Convention.

*Negotiating directives adopted by the Council on 30 October.* The Council authorized the Commission to take part in the negotiations in the framework of the next Conference of the Parties to the Convention on Biological Diversity on the basis of the position set out in its conclusions of 6 October.

*1.3.161.* Parliament resolution on the depletion of Suriname's tropical forests.

*Adopted by Parliament on 12 October.* Noting the plans of the Government of Suriname to grant forest concessions to certain companies, Parliament requested it to withdraw the proposed concessions and accept the offers of the international community and in particular the Inter-American Development Bank, concerning the setting-up of an international trust fund to pay for the postponement of granting the concessions, and an infrastructure which guarantees the sustainable exploitation of the forests of Surinam.

OJ C 287, 30.10.1995

## Nuclear safety

### References:

Parliament resolution on the resumption of nuclear testing: OJ C 269, 16.10.1995; Bull. 9-1995, point 1.4.3

Parliament sitting (23 to 27 October): point 1.10.2 of this Bulletin

*1.3.162.* Commission conclusions on the French nuclear tests.

*Adopted by the Commission on 23 October.* The Commission considered that:

□ an experiment must be regarded as 'particularly dangerous' within the meaning of Article 34 of the Euratom Treaty if it presents a discernible risk of significant exposure of the public or of workers to ionizing radiation;

□ an experiment involving the explosion of a nuclear device may give rise to such a risk and may therefore, under certain conditions, be regarded as particularly dangerous;

□ on the basis of an evaluation of the information provided by the French authorities, the special conditions surrounding the current tests in French Polynesia lead to the conclusion that the tests do not present such a risk and that, accordingly, the provisions of Article 34 do not apply in this case;

□ however, certain remaining doubts concerning, among other things, the geological structures of the test sites lead to the conclusion that France should give more substantial undertakings concerning the monitoring of the sites and provide the Commission with information concerning this monitoring.

*1.3.163.* Parliament resolution on the Commission statement on nuclear tests.

*Adopted by Parliament on 26 October.* Parliament, reiterating its strong opposition to all nuclear tests, condemned the continuation of nuclear tests by the Chinese Government and the decision of the French President to authorize a second nuclear test, and advocated joint action by the European Union to implement the zero option. Taking the view that the Euratom Treaty applies to nuclear tests carried out by Member States, Parliament took note of the fact that the Commission considers that the French tests do not harm the health of the public or workers, but

pointed out that the Commission's verification mission was not allowed to inspect certain sites, and was surprised by the fact that the risks of destabilization of the geological structure of the Mururoa atoll have not been sufficiently assessed. It called upon the French Government to install environmental and health monitoring facilities and to collect the necessary information to enable the Commission and the European Parliament to assess the long-term consequences of the tests.

OJ C 308, 20.11.1995

## International cooperation

1.3.164. Council conclusions on the third Pan-European Conference of Environment Ministers.

*Adopted by the Council on 6 October.* In the run-up to the Sofia Conference (→ point 1.3.165), the Council advocated simplifying and streamlining the Environment for Europe programme, improving the efficiency of financial assistance for the Central and East European countries in the environmental sphere, and promoting environmental investment in those countries. In this connection, it was in favour of increasing the environment component of the PHARE programme and European Investment Bank loans, and making the environment a priority sector when the TACIS programme is revised in 1996. It also endorsed the pan-European strategy for biological and landscape diversity prepared under the auspices of the Council of Europe.

1.3.165. Third Pan-European Conference of Environment Ministers.

**Reference:** Second Pan-European Conference (Lucerne): Bull. 4-1993, point 1.2.110

*Meeting held in Sofia from 23 to 25 October.* The Conference adopted a pan-European biological and landscape diversity strategy and a long-term environmental programme for Europe. The participants also agreed on the need to simplify and streamline the Environment for Europe process, to negotiate a Convention on public participation in the environmental sphere and to confirm the role of the European Environment Agency, which is responsible for assessing the state of the environment in Europe as a whole, and of the Project Preparation Committee and

Task Force which the previous Conference had instructed to implement the environmental action programme for Central and Eastern Europe.

1.3.166. Council conclusions on the preparations for the Euro-Mediterranean Conference in Barcelona.

### References:

Council conclusions on Euro-Mediterranean cooperation on the environment: Bull. 3-1995, point 1.3.106

Cannes European Council conclusions: Bull. 6-1995, points I.13 and I.49; Supplement 2/95, Bull.

*Adopted by the Council on 6 October.* The Council recalled the priority assigned to the environment in the context of Euro-Mediterranean cooperation. In particular, it advocated the drawing-up by the Commission of a priority action programme for the Mediterranean area to be submitted to the Barcelona Conference follow-up body and the Council, covering the following areas: integrated management of water, soil and coastal areas; waste management; pollution prevention; conservation and management of the natural heritage; protection, conservation and restoration of Mediterranean forests; transfer of Community experience in financing, legislation and monitoring; integration of environmental concerns in all policies. It also stressed the importance of implementation by all by the Mediterranean partners of international environmental conventions.

1.3.167. Visit to the Commission by Mr Godal, the Norwegian Foreign Affairs Minister on 26 October.

Mr Godal met Commissioner Bjerregaard. Their talks concerned the prospects for cooperation on the environment between Norway and the European Union, in particular as regards environmental problems in Russia and the protection, in this context, of the Barents Sea.

## Agriculture

### General

1.3.168. Own-initiative Opinion of the Economic and Social Committee on the impact of the CAP on the employment and social situation of



farmers and farmworkers in the European Union.

*Adopted on 25 October.* In this opinion the Committee looks in particular at the situation of women working in agriculture, patterns of migration, agricultural social security systems and the increase in seasonal work. It expresses the hope that incentives will be established at European level to improve incomes in the industry and that aid will be granted to promote organic farming.

## Orientation of CAP

*1.3.169.* Council Regulation (EC) No 2506/95 amending Council Regulation (EC) No 2100/94 on Community plant variety rights.

**Reference:** Council Regulation (EC) No 40/94 on the Community trade mark: OJ L 11, 14.1.1994; Bull. 12-1993, point 1.2.38

**Regulation amended:** Council Regulation (EC) No 2100/94: OJ L 227, 1.9.1994; Bull. 7/8-1994, point 1.2.132

**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

**Parliament opinion:** OJ C 269, 16.10.1995; Bull. 9-1995, point 1.3.97

*Adopted on 25 October.* Aligns the provisions on appeals against decisions of the Community Plant Variety Office on those already adopted in comparable areas, and in particular by Council Regulation (EC) No 40/94 as regards the Office for Harmonization in the Internal Market (trade marks and designs).

OJ L 258, 25.10.1995

## Product quality

*1.3.170.* Parliament resolution on the delays in the implementation of Regulations (EEC) No 2081/92 and 2082/92 on the protection of designations of origin and geographical indications.

**Reference:** Council Regulations (EEC) No 2081/92 and 2082/92 on the protection of geographical indications and designations of origin for agricultural products and foodstuffs and

on certificates of specific character for agricultural products and foodstuffs respectively: OJ L 208, 24.7.1992; Bull. 7/8-1992, points 1.3.164 and 1.3.165

*Adopted on 26 October.* In this resolution, Parliament expresses the view that the delay in the implementation of the Regulations on the protection of designations of origin (PDOs) and protected geographical indications (PGIs) penalizes not only producers, in their efforts to promote quality, but also consumers, who are entitled to greater transparency. It calls on the Commission to draw up and publish as soon as possible a list of PDOs and PGIs and urges it to step up quality promotion measures for farm products and foodstuffs by launching the European 'ecolabel' in order to safeguard consumer choice and to ensure that similar competitive conditions exist in the different Member States of the European Union.

OJ C 308, 20.11.1995

*1.3.171.* Proposal for a Council Regulation amending Regulation (EEC) No 823/87 laying down special provisions relating to quality wines produced in specified regions (→ point 1.3.179).

## Agrimonetary system

*1.3.172.* Council Regulation (EC) No 2611/95 establishing the possibility of national aid being granted in compensation for losses of agricultural income caused by monetary movements in other Member States.

**Reference:** Council agreement on an overall compromise on the 1995/96 prices package: Bull. 6-1995, point 1.3.161

**Commission proposal:** OJ C 252, 28.9.1995; COM(95) 343; Bull. 7/8-1995, point 1.3.145

*Endorsed by Parliament on 12 October* subject to certain amendments. Parliament requested in particular that the aid granted not be taken as a precedent for questioning the basic principles and objectives of the CAP as that would lead to unacceptable renationalization of agricultural policy.

OJ C 287, 30.10.1995

*Adopted by the Council on 25 October.* This Regulation stems from the compromise reached

in the Council in June on the 1995/96 prices package. Its purpose is that where there is evidence that farmers in given production sectors have suffered substantial income losses in one Member State because of monetary movements in other Member States between the start of the 1994/95 marketing year and 31 December 1995, flat-rate compensatory aid, decreasing over three years, may be granted to the producers in question on the basis of national financing.

The compensatory aid will at the most be equal to the loss of income incurred by producers and may not be linked to production other than that of the period during which the income was lost. Nor may it be so directed as to favour production in the sector concerned or be dependent on production subsequent to the reference period.

If, during the three-year period in which aid may be granted, a trend in prices due to monetary movements is recorded before the second or third annual tranche is paid which offsets the losses on which the aid was based, the Commission will decide, after consulting the Member State concerned, to reduce appropriately or abolish the remaining tranches.

A Member State wishing to grant aid must notify the Commission by 30 June 1996 at the latest of the amounts and the detailed rules for approval. The Commission will examine their conformity with Community regulations in accordance with the procedure laid down in Article 93 of the EC Treaty, without taking account of the criteria in Article 92.

OJ L 268, 10.11.1995

## Market organization

### *Arable crops*

**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 Decision 95/1040/EC: OJ L 106, 11.5.1995

*1.3.173.* Proposal for a Council Regulation amending Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops.

**Commission proposal:** OJ C 188, 22.7.1995; COM(95) 252; Bull. 6-1995, point 1.3.163

*Endorsed by Parliament on 27 October.*

OJ C 308, 20.11.1995

*1.3.174.* Proposal for a Council Regulation amending Council Regulation (EEC) No 1765/92 (calculation of the percentage of extraordinary set-aside).

**Commission proposal:** OJ C 260, 5.10.1995; COM(95) 401; Bull. 7/8-1995, point 1.3.146

*Endorsed by Parliament on 27 October* subject to amendments whereby the entire area set aside on a voluntary basis would not be taken into account with regard to overrun of the base area from 1995/96 onwards.

OJ C 308, 20.11.1995

*1.3.175.* Proposal for a Council Regulation amending Council Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops.

**Reference:** Council Decision 93/355/EEC on the conclusion of a Memorandum of Understanding on certain oilseeds between the European Economic Community and the United States of America within the framework of the GATT: OJ L 147, 18.6.1993; Bull. 6-1993, point 1.2.190

*Adopted by the Commission on 25 October.* Would introduce a corrective mechanism applicable to contracts relating to the quantity of oilseeds grown on set-aside land for the production of raw materials for the manufacture in the Community of products not primarily intended for human or animal consumption. This mechanism is proposed to take account of the limit on the quantity of by-products of oilseeds imposed by the Memorandum of Understanding concluded with the USA in June 1993 within the GATT framework.

COM(95) 497

### *Fruit and vegetables*

*1.3.176.* Proposals for Council Regulations on the common organization of the markets in fruit and vegetables and in processed fruit and vegetables.

**References:**

Annex XIII to Council Regulation (EC) No 3290/94 of 22 December 1994 on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round

of multilateral trade negotiations: OJ L 349, 31.12.1994; Bull. 12-1994, point 1.3.99

Commission communication to the Council and Parliament on the development and future of Community policy in the fruit and vegetable sector: COM(94) 360, Bull. 7/8-1994, point 1.2.136; Bull. 1/2-1995, point 1.2.126

*Adopted by the Commission on 4 October.* These proposals were drawn up following lengthy and detailed consultations on the communication presented by the Commission in July 1994.

The main aim of the proposed reforms is to develop a more competitive and better structured fruit and vegetable sector capable of responding rapidly to changing trends or market situations and ensuring that the level of Community expenditure (about 4% of the budget) is invested in the long-term development of the industry rather than the disposal of structural surpluses.

The main Commission proposals are as follows:

□ producer organizations: their development is one of the cornerstones of the proposed reform designed to lead to better planning of production in line with demand, to promote quality products, to strengthen the position of producers *vis-à-vis* the purchasers and encourage environmentally sensitive production. It is proposed that producer organizations should, with a few limited exceptions, market their members' entire production and that in addition to assistance with their establishment, these organizations would have an 'operational fund' financed 50:50 by a levy on products traded by them and by public funds. The public funds would consist of an EU contribution of 80% (90% in Objective 1 regions) and 20% from the Member State (the rate of public funding being 60% for producer groups operating in more than one Member State and for certain interbranch schemes);

□ intervention mechanism: given that it is impossible to avoid seasonal surpluses, which are an inherent feature of the sector on account of the weather, the withdrawal of products from the market by producer organizations will have to be maintained, with some adjustments to ensure that this mechanism constitutes a means of establishing market equilibrium and is not seen by producers as an outlet as such; it is proposed that a Community withdrawal compensation be set on the basis of the lowest average monthly withdrawal price in 1995/96, to be

reduced by 15% over a period of five years. It is also proposed that the percentage of products which may be withdrawn by a producer group be limited to 10% of its production.

Producer organizations would be able to use a limited amount of their operational funds (40% during the first year, decreasing to 10% in the fifth year) for the withdrawal of products not covered by the Community intervention system or to top up the Community withdrawal compensation;

□ quality standards: given that the EU's standards are almost identical to those used internationally and established by the UN, it is proposed to adopt the UN standards with the possibility of introducing exceptions should the need arise. Provision is also made for exceptions, in particular to take account of traditional culinary or consumption patterns in particular regions;

□ interbranch organizations and agreements: the Commission believes that establishing interbranch organizations can make a contribution towards market balance, improvement in quality and up-to-date market information for producers in terms of consumer requirements, etc. It is therefore proposed that Member States may allow the establishment of interbranch organizations which would bring together all of the economic activities involved in the sector in a region, including producers, processors and traders;

□ processed fruit and vegetables: it is proposed that the mechanism of support for the processing sector should be maintained. The level of aid will be established in such a way as to compensate for the difference between the prices paid to producers and those paid in third countries. To avoid surpluses of processed products and the resulting budgetary implications, guarantee thresholds are to be established and aid reduced if these limits are exceeded;

□ controls: it is proposed to establish a corps of inspectors made up of Commission and national experts to ensure that the necessary requirements of the proposed measures for fruit and vegetables are fully respected;

□ the import and export arrangements adopted last year following the Uruguay Round will remain unchanged.

COM(95) 434

1.3.177. Council Regulation (EC) No 2505/95 on the improvement of the Community production of peaches and nectarines.

**Commission proposal:** OJ C 85, 7.4.1995; COM (95) 10; Bull. 3-1995, point 1.3.121

*Endorsed by Parliament on 13 October* subject to certain amendments concerning, in particular, a time limit for grubbing operations and the area to be grubbed.

OJ C 287, 30.10.1995

*Adopted on 24 October.* Introduces a single grubbing premium for 1995 for peach and nectarine trees, to assist producers undertaking to abandon cultivation of these fruits to adjust their production potential to the outlets available.

OJ L 258, 28.10.1995

## Bananas

1.3.178. Commission report on the operation of the common organization of the market in bananas.

### References:

Regulation (EEC) No 404/93 on the common organization of the market in bananas: OJ L 47, 25.2.1993; Bull. 1/2-1993, point 1.2.174, as last amended by Regulation (EC) No 3290/94: OJ L 349, 31.12.1994

Proposal for a Council Regulation amending Regulations (EEC) No 404/93 and 1035/72 on bananas and fruit and vegetables respectively, and Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff: OJ C 136, 3.6.1995; COM(95) 114; Bull. 4-1995, point 1.3.109

Proposal for a Council Regulation adapting Regulation (EEC) No 404/93 as regards the volume of the annual tariff quota for the import of bananas into the Community following the accession of Austria, Finland and Sweden: OJ C 136, 3.6.1995; COM(95) 115; Bull. 4-1995, point 1.3.110

*Adopted by the Commission on 11 October.* In this report, the Commission examines the implementation of the trade arrangements for bananas over the past two years and notes that the results achieved are generally satisfactory. The Commission states that the banana regime has maintained the presence of ACP and Community bananas on the market, achieved a single market for bananas and brought about a convergence in prices without damaging the interests of Latin American banana exporters.

The Commission thinks, however, that a number of additional changes need to be made to the regime over and above those currently being considered by the Council, in order to create a sustainable equilibrium between the different interests involved. These changes could include the distribution of licences between operators, importation of non-traditional quantities from the ACP countries and the establishment of special provisions concerning the situation of new operators and Somali producers and also hardship cases.

## Wine

1.3.179. Proposal for a Council Regulation amending Regulation (EEC) No 823/87 laying down special provisions relating to quality wines produced in specified regions.

**Reference:** Act of Accession of Spain and Portugal: OJ L 302, 15.11.1985; Bull. 1-1986, point 1.1.1

**Regulation to be amended:** Council Regulation (EEC) No 823/87: OJ L 84, 27.3.1987; Bull. 3-1987, point 2.1.168, as last amended by Regulation (EEC) No 3846/91: OJ L 368, 31.12.1991

*Adopted by the Commission on 31 October.* Would formally put an end to the special arrangements laid down in the Act of Accession of Spain and Portugal for the use until 31 December 1995 of the designations 'British sherry', 'Irish sherry' and 'Cyprus sherry' on the markets of the United Kingdom and Ireland and would prohibit the use of the names of quality wines produced in specified regions (quality wines psr) for other beverages, whether or not there is any risk of confusion, in order to safeguard the reputation of these names.

COM(95) 506

## EAGGF Guarantee Section

1.3.180. Twenty-fourth financial report concerning the EAGGF Guarantee Section — 1994 financial year.

**Previous report:** Bull. 10-1994, point 1.2.90

*Adopted by the Commission on 23 October.* The total agricultural expenditure chargeable to the EAGGF Guarantee Section for the 1994 financial year came to ECU 32 970 million, to which

should be added expenditure of ECU 441.8 million against carryovers from 1993. This amount is well down on 1993 (ECU 34 590 million); the decrease is one of the first positive effects of the reform of the common agricultural policy in a generally favourable economic climate.

The expenditure can be broken down into export refunds (ECU 8 161 million, compared with ECU 10 159 million in 1993) and intervention expenditure (ECU 24 048 million, as against ECU 24 275 million in 1993). The main sectors benefiting from this expenditure are: arable crops, which now cover four former expenditure headings (cereals, oilseeds, protein crops and set-aside), and receive 38% of financing, followed by milk products with 13% — down on 1993 — then beef (11%).

As a result of a return to more balanced markets, expenditure on storage was substantially lower, down from ECU 5 386 million in 1993 to ECU 1 070 million in 1994. As regards the quantities in storage, there was a substantial decline in the case of cereals and beef and a massive one in the case of olive oil and butter. Only the stock of alcohol increased during the reference period.

*1.3.181.* Proposal for a Council Regulation on the implementation of Member States' action programmes on control of EAGGF Guarantee Section expenditure (→ point 1.6.9).

### Food aid

*1.3.182.* Council Regulation (EC) No 2535/95 amending Regulation (EEC) No 3730/87 laying down the general rules for the supply of food from intervention stocks to designated organizations for distribution to the most deprived persons in the Community.

**Regulation amended:** Council Regulation (EEC) No 3730/87: OJ L 352, 15.12.1987; Bull. 12-1987, point 2.1.202

**Commission proposal:** COM(95) 371; Bull. 7/8-1995, point 1.3.151

*Endorsed by Parliament on 13 October* subject to an amendment concerning the purchase of other meat products if there is no beef in intervention stocks.

OJ C 287, 30.10.1995

*Adopted by the Council on 24 October.* Enables the programme of aid for the most deprived per-

sons to continue if there is a shortage of intervention products, with products being bought on the Community market.

OJ L 260, 31.10.1995

### State aid

#### *Decisions to raise no objection*

#### Germany

*1.3.183.* Commission decision on aid for the provision of feeding areas for migratory birds in Lower Saxony.

*Adopted on 31 October.* The aid scheme provides premiums per hectare of agricultural land left uncultivated, subject to certain conditions, to provide food for migrating birds.

*1.3.184.* Commission decision on improving processing and marketing conditions for forest products in Saxony-Anhalt.

*Adopted on 31 October.* The scheme consists of investment aid not exceeding 55% of the eligible costs or a total of ECU 200 000 per beneficiary.

*1.3.185.* Commission decision on measures to promote rural development in Brandenburg.

*Adopted on 31 October.* The scheme relates to experimental plantations for which the amount of aid exceeds ECU 100 000. Such cases have to be notified to the Commission in accordance with the conditions laid down when the scheme to assist rural development in Brandenburg was approved in 1994.

#### Spain

*1.3.186.* Commission decision on aid to improve the processing and marketing of forest products in Asturias.

*Adopted on 18 October.* The beneficiaries of this aid, totalling ECU 0.22 million for 1995, are private and public forest owners, forestry holdings, timber carriers and sawmills.

#### Finland

*1.3.187.* Commission decision on measures to assist agriculture and horticulture.

*Adopted on 4 October.* This scheme consists of

interest-rate subsidies on loans taken out by farmers for investments made before the accession of Finland to the European Union. The Commission took account of the derogation provided for in Article 151 in conjunction with Annex XV(VII)(D) to the Act of Accession, which permits national aid to be granted until 31 December 2001, to assist holdings experiencing financial difficulties.

### **France**

1.3.188. Commission decision on aid and a parafiscal charge for the CTCPA (Technical Centre for the Conservation of Agricultural Products).

*Adopted on 31 October.* The measures approved by the Commission in 1991 are to be continued until 31 December 1999.

### **Netherlands**

1.3.189. Commission decision on aid and a parafiscal charge for quality control of fruit and vegetables for export to Japan.

*Adopted on 4 October.* The purpose of this aid is to assist the launch of a quality control system for fruit and vegetables for export to Japan, financed by means of a parafiscal charge on fruit and vegetables grown in the Netherlands but not on imported products.

1.3.190. Commission decision on aid and a parafiscal charge for additional quality control of fruit and vegetables.

*Adopted on 4 October.* This aid, which applies only to fruit and vegetables produced in the Netherlands, is financed from a parafiscal charge levied on undertakings using these products but not imported products.

1.3.191. Commission decision on aid and a parafiscal charge for research into slurry disposal.

*Adopted on 31 October.* The measure prolongs existing aid approved by the Commission in December 1992.

1.3.192. Commission decision on aid and a parafiscal charge for publicity for mushrooms.

*Adopted on 31 October.* The objective of this campaign in the Netherlands and several other

Member States is to increase demand for mushrooms of whatever origin.

### **United Kingdom**

1.3.193. Commission decision on sheep and cattle premiums.

*Adopted on 31 October.* The purpose of this measure is to compensate farmers disadvantaged, as a result of an error, in the distribution of Community sheep and beef premiums.

### *Decisions to initiate proceedings*

### **Belgium**

1.3.194. Commission decision on aid and compulsory contributions to the Fund for Animal Health and Livestock Production.

*Adopted on 31 October.* The aid from the Fund for Animal Health and Livestock Production, financed by means of compulsory contributions by the poultry industry and fees paid by dairies, is intended to compensate for services provided by laboratories and for checks on the execution of programmes to combat certain animal diseases in the event of compulsory slaughter or disposal of products.

The Commission regards this aid as incompatible with the common market in that some of the contributions and fees going to finance the Fund also apply to imported products. It also sees the same incompatibility in the matter of reductions and exemptions, which appear to constitute aid, about which it has insufficient information.

### **Italy**

1.3.195. Commission decisions on national and regional aid for improving the financial situation of agricultural cooperatives.

*Adopted on 31 October.* The national aid consists in the State, on the one hand, underwriting guarantees given by members of cooperatives whose insolvency has already been established and, on the other hand, granting loans to consolidate the liabilities of cooperatives and groups of cooperatives in respect of financial operations performed prior to 31 December 1992. The Commission takes the view that this aid does not

comply with the Community criteria laid down in the guidelines for national aid to enterprises in difficulty or the specific criteria applicable to agricultural holdings.

The Commission also considers the measure to be contrary to Article 93(3), of the EC Treaty since the implementing measure for these national provisions adopted by the region of Sicily was not notified to the Commission.

### *Negative final decision*

#### **France**

1.3.196. Commission decision on aid for pig producers from Stabiporc.

**Reference:** initiation of procedure: Bull. 7/8-1994, point 1.2.148

*Adopted on 31 October.* The Commission regards the aid in question, concerning which the procedure was initiated in July 1994, and which consists of the application of reduced interest rates on loans to pig farmers granted by Stabiporc from private funds thanks to a State guarantee on these loans, as incompatible with the common organization of the market in pig-meat.

The Commission requests the French Government to refrain from granting such aid in future and to recover aid already paid.

### **International cooperation**

1.3.197. Draft International Cereals Agreement.

**Recommendation for a Decision approving the Agreement:** OJ C 191, 25.7.1995; COM(95) 183; Bull. 5-1995, point 1.3.113

**Recommendation for a Decision on the signature of the Agreement and deposit of a declaration of provisional application:** Bull. 6-1995, point 1.3.181

**Signature and deposit of a declaration of provisional application:** Bull. 6-1995, point 1.3.181

*Endorsed by Parliament on 10 October.*

OJ C 287, 30.10.1995

## **Fisheries**

### **Resource conservation and management**

#### *Internal side*

#### **Control of fishing activity**

1.3.198. Proposal for a Council Regulation amending Regulation (EEC) No 2487/93 establishing a control system applicable to the common fisheries policy.

**Reference:** Council Regulation (EC) No 2027/95 establishing a system for the management of fishing effort: OJ L 199, 24.8.1995; Bull. 6-1995, point 1.3.182

**Regulation to be amended:** Council Regulation (EEC) No 2487/93 establishing a control system applicable to the common fisheries policy: OJ L 261, 20.10.1993; Bull. 10-1993, point 1.2.153

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

**Parliament opinion:** OJ C 269, 16.10.1995; Bull. 9-1995, point 1.3.106

*Amended proposal adopted by the Commission on 18 October.* Incorporates Parliament's proposed amendments giving coastal States right of access to real-time data on vessels in their waters, restricting the control measures to vessels more than 15 metres long and on identification of static gear.

COM(95) 476

*Endorsed by the Economic and Social Committee on 25 October* with comments. The Committee pointed to the extra cost imposed on vessel masters by the real-time reporting requirement and suggested reimbursement of the cost of calls.

COM(95) 256

*Agreed by the Council on 26 October.* Brings into play from January 1996 fishing activity control mechanisms designed to ensure equitable and non-discriminatory operation of the new fishing effort restrictions set by Regulation (EC) No 2027/95. Two new obligations on the part of vessel masters are introduced:

□ notification of entries into and exits from areas by 'effort report' message giving both the

coastal and the flag State immediate information on the presence of vessels in fishing areas;

□ recording of fishing effort in the log, thus enabling flag States to record fishing days in the same way as they now record catches.

Simpler arrangements will apply to vessels operating in the waters of their flag State and vessels making trips of less than 72 hours.

*1.3.199.* Proposal for a Council Decision on a Community contribution to certain expenditure incurred by Member States in implementing the monitoring and control system applicable to the common fisheries policy.

**Commission proposal:** OJ C 186, 20.7.1995; COM(95) 243; Bull. 6-1995, point 1.3.184

*Endorsed by Parliament on 13 October* subject to amendments: a multiannual Community financing schedule with the financial statement renewed annually in the light of the budget authority's decisions on appropriations under the annual budget procedure; an increase in the annual contribution to each Member State's eligible expenditure to 50%; stricter control provisions on Member States' use of the finances made available to them.

OJ C 287, 30.10.1995

*Endorsed by the Economic and Social Committee on 25 October* with comments, including a wish for no change in contribution rates from the old rules.

*Agreed by the Council on 26 October.* Sets the terms of the Community's contribution to Member States' expenditure between 1 January 1996 and 31 December 2000 on purchase and modernization of control equipment and on specific measures, lasting at most two years, to improve the quality and effectiveness of monitoring of fishing and related activities. The contribution for any Member State in any year will be a minimum of 35% and maximum of 50% of eligible expenditure and the amount deemed necessary for the whole period is ECU 205 million.

*Amended proposal adopted by the Commission on 30 October.*

COM(95) 515

*1.3.200.* Proposal for a Council Decision amending Regulation (EEC) No 2487/93 and Decision 89/631/EEC as regards the time limit

for implementing certain pilot projects on continuous position monitoring of Community fishing vessels and the Community financial contribution.

**Commission proposal:** COM(95) 323; Bull. 7/8-1995, point 1.3.166

*Endorsed by Parliament on 25 October.*

OJ C 308, 20.11.1995

## TACs and quotas

*1.3.201.* Proposal for a Council Regulation amending for the second time Regulation (EC) No 3362/94 fixing, for certain fish stocks and groups of fish stocks, total allowable catches for 1995 and certain conditions under which they may be fished.

**Regulation to be amended:** Council Regulation (EC) No 3362/94; OJ L 363, 31.12.1994; Bull. 12-1994, point 1.2.175, last amended by Regulation (EC) No 746/95; OJ L 74, 1.4.1995; Bull. 3-1995, point 1.3.131

*Adopted by the Commission on 24 October.* Would allocate the additional cod quota obtained by the Community in the Baltic Sea at the last session of the International Baltic Sea Fisheries Commission.

COM(95) 480

## Multiannual guidance programmes (MGPs)

*1.3.202.* Annual report by Commission to Council and Parliament on progress of the multiannual guidance programmes for fishing fleets (end 1994).

**Reference:** Commission Decisions 92/588/EEC to 92/598/EEC on fishing fleet multiannual guidance programmes for 1993-96; OJ L 401, 31.12.1992; Bull. 12-1992, point 1.3.264

**Previous report:** COM(94) 208; Bull. 6-1994, point 1.2.159

*Adopted by the Commission on 11 October.* The annual report is intended to provide a clear picture of implementation of these programmes, designed to reduce fishing effort, notably by reduction of the Community fleet's capacity. This has undergone an overall reduction but with inequality of achievement between Member States.

COM(95) 463

*Conclusions noted by the Council on 26 October.* Welcoming the progress in implementing



the current MGPs, the Council pointed to the need for certain Member States to make additional efforts to ensure that targets are met by the prescribed deadline, and stressed the importance of the register of Community fishing vessels (the fleet register) as a useful and dependable tool for monitoring the MGPs.

### *External side*

#### **Morocco**

*1.3.203.* Draft Agreement in the form of an exchange of letters terminating the Agreement on sea fisheries relations between the Community and Morocco.

**Commission proposal:** OJ C 259, 4.10.1995; COM(95) 378; Bull. 7/8-1995, point 1.3.169

*Endorsed by Parliament on 13 October.*

OJ C 287, 30.10.1995

*1.3.204.* Parliament Resolution on the Fisheries Agreement with Morocco.

*Adopted on 26 October.* Noting the progress made during the most recent round of negotiations, Parliament welcomed the four-year duration scheduled for the Agreement, but in view of the appreciable reduction in fishing rights despite the increase in financial compensation to be paid from the Community budget called for strict reciprocity on closed seasons and also pointed to possible difficulties, particularly social, resulting from the more stringent requirements on inclusion of Moroccan sailors as crew members. The Commission and the Member States must tackle the overmanning and overcapacity resulting from the restrictive conditions of the new agreement by effective replanning of Community and national Structural Funds. Parliament also wanted to know about parallel concessions granted to Morocco in the other sectors covered by the general Association Agreement.

OJ C 308, 20.11.1995

*1.3.205.* Council Decision 95/451/EC on a specific measure for the grant of an indemnity to fishermen from certain Member States of the Community who have had to suspend their fishing activities in waters under the sovereignty or jurisdiction of Morocco (→ point 1.3.118).

#### **United Nations Conference on straddling stocks and highly migratory species**

*1.3.206.* United Nations Conference on straddling stocks and highly migratory species: Council conclusions.

**Reference:** sixth meeting of Conference: Bull. 7/8-1995, point 1.3.173

*Adopted on 26 October.* The Council, noting that some elements of the Agreement on implementation of the United Nations Convention of 10 December 1982 on the Law of the Sea as regards straddling and highly migratory species (adopted on conclusion of the Conference in August) fall within the responsibility of Member States, called on these and the Commission to draw up a declaration identifying which matters fall within national jurisdiction and which are entirely a Community responsibility.

#### **Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)**

*1.3.207.* Proposal for a Council Regulation laying down certain conservation and control measures applicable to fishing activities in the Antarctic.

**Regulation to be amended:** Council Regulation (EEC) No 2245/85 laying down certain technical measures for conservation of fish stocks in the Antarctic: Bull. 7/8-1985, point 2.1.176, last amended by Regulation (EEC) No 1210/93: OJ L 123, 19.5.1993; Bull. 5-1993, point 1.2.141

*Adopted by the Commission on 17 October.* Would replace Regulation (EEC) No 2245/85 by a consolidated version containing both the amendments made to it following the annual meetings of the CCAMLR (up to 1993) and also the decisions adopted at the 1994 meeting: setting of TACs for the species *Euphausia superba*, *Dissostichus eleginoides*, *Champscephalus gunnari*, *Electrona carlsbergi* and *Notothenia squamifrons* and for crabs, and various technical measures.

COM(95) 475

#### **Market organization**

*1.3.208.* Council Regulation (EC) No 2337/95 establishing a system of compensation for additional costs incurred in the marketing of certain fishery products from the Azores, Madeira, the Canary Islands and the French department of Guiana as a result of their very remote location.

**References:**

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

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

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

**Commission proposal:** OJ C 343, 6.12.1994; COM(94) 473; Bull. 11-1994, point 1.2.178

**Economic and Social Committee opinion:** OJ C 102, 24.4.1995; Bull. 1/2-1995, point 1.3.152

**Parliament opinion:** OJ C 109, 1.5.1995; Bull. 4-1995, point 1.3.125

**Amended Commission proposal:** OJ C 163, 29.6.1995; COM(95) 178; Bull. 5-1995, point 1.3.121

*Adopted on 2 October.* This Regulation, enacted in pursuit of the Poseican, Poseima and Poseidom programmes and applicable from 1 January 1995 to 31 December 1997, grants compensation for the additional costs of disposing of certain fishery products from these parts of the Community owing to their great remoteness. The payments are:

□ for the Azores and Madeira, ECU 187 per tonne for up to 15 000 tonnes of tuna a year delivered to local processors;

□ for the Canaries, ECU 151 per tonne for up to 10 400 tonnes a year of tuna marketed fresh; ECU 54 per tonne for up to 3 500 tonnes a year of frozen tuna; ECU 103 per tonne for up to 10 500 tonnes a year of sardine and mackerel for canning; ECU 54 per tonne for up to 7 000 tonnes a year of sardine and mackerel for freezing;

□ for Guiana, ECU 1 044 per tonne for up to 3 500 tonnes a year of industrially fished prawns; ECU 1 123 per tonne for up to 500 tonnes a year of non-industrially fished prawns.

OJ L 236, 5.10.1995

*1.3.209.* Proposals for Council Regulations setting for the 1996 fishing year:

□ guide prices for the fishery products listed in Annex I (A),(D) and (E) of Regulation (EEC) No 3759/92;

□ guide prices for the fishery products listed in Annex II to Regulation (EEC) No 3759/92;

□ the Community producer price for tuna for industrial manufacture of products of CN code 1604.

**Basic Regulation:** Council Regulation (EEC) No 3759/92, on common organization of the market in fishery and aquaculture products: OJ L 388, 31.12.1992; Bull. 12-1992, point 1.3.284, last amended by Regulation (EC) No 3318/94: OJ L 350, 31.12.1994; Bull. 12-1994, point 1.2.194

*Adopted by the Commission on 24 October.* These proposals are for product prices for 1996. Given market trends the Commission proposes to:

□ lower the guide price by 6% for Spanish mackerel, 5% for herring, sardine, mackerel and longfinned tuna, 2% for anchovy, hake and megrim and 1% for piked dogfish and boiled Nordic prawn;

□ retain the 1995 guide price for catsharks, Ray's bream, monkfish, common shrimp, edible crab, whole Norway lobster, flounder, sole and fresh Northern prawn;

□ increase the guide price by 1% for plaice and cuttlefish and 2% for redfish and dab;

□ set the guide price for Norway lobster tails at ECU 4 347 per tonne.

COM(95) 496

*1.3.210.* Commission report on the sardine market: Council conclusions.

**References:**

Act of Accession of Spain and Portugal: OJ L 302, 15.11.1985

Commission report: COM(95) 320; Bull. 7/8-1995, point 1.3.174

*Adopted on 26 October.* On the basis of the Commission's report the Council agreed not to prolong the Act of Accession compensatory allowance scheme. It was essential to envisage alternative options such as: stepping up carry-over aid by substantially increasing the premium amount to be determined for the 1996 price year; improved structuring of the sector by increased support for action using the existing instruments; action on prices that would have no negative effect on the market for sardine and similar species; launching of a Union-wide promotion campaign. The Commission was asked to draw up proposals using these guidelines.

Action by the Union, the Member States and economic operators had to be aimed at making the sector viable and restoring its competitiveness on the world market.

## Employment and social policy

### Employment

*1.3.211.* The European employment strategy: Commission communication on trends and developments in employment systems in the European Union.

**Reference:** Essen European Council conclusions: Bull. 12-1994, point I.3

*Adopted by the Commission on 11 October.* The communication is in response to the Essen European Council's request to the Council and the Commission to keep close track of employment trends and monitor the relevant policies in the Member States. It represents the Commission's contribution to the Council and Commission report on employment to be submitted to the Madrid European Council. The document recalls the employment strategy defined by the European Council, based on mobilizing all policies which might have an impact on employment, more particularly macroeconomic, structural and labour market policies. The Commission has found that the Member States and the social partners are keen on implementing the Essen conclusions, describing in its document the main measures taken in the five priority areas identified by the European Council for a more active employment policy. The Commission's view is that the current improvement in the general economic situation must be exploited to intensify the process of structural reform while respecting the broad economic policy guidelines at European level. The Commission goes on to identify the areas which it believes should have priority with a view to intensifying efforts concerning the labour market. More particularly, it recommends more vigorous action to assist those worst hit by unemployment: the young, the long-term unemployed and women.

The communication also addresses specific employment-related themes, such as the contribution of small and medium-sized businesses; the links between economic growth, the environment and employment; the role of the Structural Funds; and the interactions between social benefits, taxation and the labour market. It stresses the added value accruing from concertation of policy at European level, necessitating the creation of analysis and assessment instruments. The Commission believes that it is vital for all the players – institutional, economic and social – to be mobilized on the employment front, and that the social partners have a crucial role to play in implementing the Essen strategy.

COM(95) 465

*1.3.212.* Proposal for a Council Decision on the Commission's activities of analysis, research, cooperation and action in the field of employment.

**Commission proposal:** OJ C 235, 9.9.1995; COM(95) 250; Bull. 6-1995, point 1.3.199

*Endorsed by the Economic and Social Committee on 26 October,* subject to certain observations. The Committee called for the social partners to be involved in deciding on what studies should be done and what measures taken, and for more attention to be given to population groups hit particularly hard by unemployment and other disadvantaged groups.

*1.3.213.* Economic and Social Committee own-initiative opinion on the economic situation in 1995 and employment in Europe.

*Adopted by the Economic and Social Committee on 26 October.*

Pointing out that the need to reduce unemployment was the principal challenge facing the European economies, the Committee underlined the seriousness of the employment situation, stressing the need to create the economic and monetary union, to compensate for the slowdown in external demand by boosting consumer spending, and to provide support for investment and help for small and medium-sized businesses.

*1.3.214.* Economic and Social Committee own-initiative opinion on working time.

*Adopted by the Economic and Social Committee on 25 October.*

The Committee analysed the organization of working time as a means of boosting competi-

tiveness and productivity and as a means of stimulating the creation and redistribution of jobs. Concluding that there was no single model for reducing and organizing working time, the Committee stressed the need for compromise between employers and workers to achieve a balance of interests and for more initiative on the part of the social partners. The Committee also called on the Member States and the Community institutions to encourage these developments and to enact legislation to ban discriminatory treatment.

*1.3.215. Economic and Social Committee own-initiative opinion on youth unemployment.*

**References:**

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 document concerning the employment action plan adopted by the Brussels European Council (Phase 2), entitled 'Action to turn growth into jobs': COM(94) 529; Bull. 11-1994, point 1.2.197

Council resolution on the quality and attractiveness of vocational education and training: OJ C 374, 30.12.1994; Bull. 12-1994, point 1.2.228

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

*Adopted by the Economic and Social Committee on 25 October.*

Pointing out that combating youth unemployment was an absolute priority, the Committee suggested supplementing the employment strategy adopted by the European institutions by three new programmes aimed at the occupational integration of young people: a wage-cost subsidy scheme accessible to young people who have been out of a job for longer than six months and who have not started some form of training; a European community service scheme open to all under-25-year olds; and a 'Workplace Europe' action programme offering young people undergoing training or who have completed a course of training the opportunity to do a traineeship of at least three months in an EU company.

*1.3.216. Economic and Social Committee own-initiative opinion on the effects of the CAP on employment and on the social situation of agricultural workers and farmers in the European Union (→ point 1.3.168).*

*1.3.217. Council resolution on combating racism and xenophobia in the fields of employment and social affairs (→ point 1.2.1).*

## Social security

*1.3.218. Report on social protection in Europe.*

**Previous report:** COM(93) 531; Bull. 11-1993, point 1.2.120

**References:**

Council Recommendation 92/442/EC on the convergence of social protection objectives and policies: OJ L 245, 26.8.1992; Bull. 7/8-1992, point 1.3.115

Commission report on employment in Europe (1995): COM(95) 396; Bull. 7/8-1995, point 1.3.177

*Adopted by the Commission on 31 October.* This report, conceived as a complement to the Employment in Europe Report 1995, sets out, in accordance with Council Recommendation 92/442/EEC, to provide information for the Member States and the social partners to enable them to decide on their options and their courses of action. The Commission examines the main characteristics, recent trends, the expenditure structure and the various sources of funding for social protection systems in Europe. It focuses on the links between social protection and employment, with special reference to:

- unemployment benefits paid in the various parts of the European Union;
- the self-employed and their access to sickness insurance and social assistance;
- social protection facilities for all those – in the main, women – who have to leave their jobs or work reduced hours to look after young children, disabled persons or the elderly.

COM(95) 457

*1.3.219. Commission communication on the future of social protection: a framework for European debate.*

**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 31 October.* Provision is made for this communication in the medium-term social action programme (1995-97). The objective is to involve the Community institutions, the Member States and the social partners in a joint debate on what measures should be taken to make social protection systems more effective and more employment-friendly. Stressing the importance of social pro-

tection as an element in the European social model, and the challenges currently facing the system, the Commission takes the view that stimulating debate at European level can take the process a major step forward.

In its document, the Commission lays down a framework for a European debate, presenting a range of themes and issues for more in-depth analysis:

- how to make social protection more employment-friendly;
- changes made necessary by the deteriorating relationship between the size of the labour force and the number of pensioners;
- the financing of social protection;
- changes in health-care systems, notably the establishment of more systematic exchanges of experience in this field between the Member States;
- a systematic examination of the principles whereby statutory institutions and insurance companies can operate alongside each other in the internal market;
- a broad assessment of the operation and coordination of social security schemes for persons moving within the European Union, and examination of the relationship between coordination and convergence of social protection systems;
- reflection on the future of social protection in the longer term.

COM(95) 466

## Social dialogue

### 1.3.220. Social Dialogue Summit.

**Previous Summit:** Bull. 9-1993, point 1.2.97

**References:**

Essen European Council conclusions: Bull. 12-1994, point I.3

Commission communication on the establishment of a European Centre for Industrial Relations: COM(95) 445; Bull. 9-1995, point 1.3. 118

*Meeting held in Florence on 21 October.* The Summit was attended by Mr J. Santer, President of the Commission, and Mr P. Flynn, Member of the Commission, and by representatives of the social partners (European employers (UNICE), European trade unions (ETUC) and public

participation enterprises (CEEP)) and gave rise to two joint declarations. The first concerns a code of conduct on racism and xenophobia at work. The second – on employment – represents the social partners' contribution to the implementation of the employment strategy as defined by the Essen European Council; it is due to be submitted to the Heads of State or Government at the Madrid European Council. The social partners call on the Member States to work for consistency between labour market policies, macroeconomic policies and business competitiveness policies with a view to drawing the appropriate conclusions from national experience in relation to this strategy. The participants also inaugurated – in Florence on 20 October – the European Centre for Industrial Relations (ECIR).

## Equal opportunities

1.3.221. Resolution of the Council and the representatives of the governments of the Member States meeting within the Council on the portrayal of women and men in advertising and the media.

*Adopted by the Council on 5 October.* The Council and the representatives of the governments of the Member States meeting within the Council expressed the view that sexual stereotyping in advertising and the media is one of the factors in inequality between women and men. They further stated that advertising and the media play an important part in changing attitudes in society and that advertising and the media should therefore not undermine respect for human dignity nor contain discrimination on grounds of sex.

They called on the Member States to take action aimed at promoting and disseminating a diversified and realistic image of men and women in society by providing for appropriate measures to ensure respect for human dignity and an absence of discrimination on grounds of sex. To this end, they suggested encouraging regular information and awareness campaigns to identify material which is discriminatory on grounds of sex and is conveyed by advertising and the media. They

advocated support for discussion, consultation and monitoring with regard to such material, and for studies and initiatives which increase awareness in advertising agencies and the media of equality of opportunity and a more balanced sharing of responsibilities, encouragement for advertising agencies and the media to promote the study, creation and formulation of new ideas to reflect the diversity of the roles of women and men, and recognition of the negative effects which stereotypes based on sex may have. They also advocated the development and implementation of voluntary self-regulatory codes and called on the Commission to take account of the resolution when implementing its action programmes on equal opportunities for women and men.

OJ C 296, 10.11.1995

*1.3.222.* Proposal for a Council Directive amending Directive 86/378/EEC on the implementation of the principle of equal treatment for men and women in occupational social security schemes.

**Commission proposal:** OJ C 218, 23.8.1995; COM(95) 186; Bull. 5-1995, point 1.3.125

*Endorsed by the Economic and Social Committee on 26 October.*

However, the Committee highlighted the need for a clear definition of occupational schemes, as opposed to statutory schemes, the administrative problems in handling the proposed retroactivity measures, and the need to involve the relevant occupational bodies in preparing the ground for the application of measures and of any changes in social protection.

## Solidarity

### Measures to help older people

*1.3.223.* Proposal for a Council Decision on Community support for actions in favour of older people.

**Commission proposal:** OJ C 115, 9.5.1995; COM(95) 53; Bull. 3-1995, point 1.3.149

**Economic and Social Committee opinion:** OJ C 236, 11.9.1995; Bull. 5-1995, point 1.3.127

*Endorsed by Parliament on 25 October*, subject to amendments including provision for the establishment of a European Observatory on Ageing and Older People, the preparation of a Green Paper on European policy relating to demographic trends in Europe, the introduction of a European old people's passport and the preparation of a joint declaration by the Community institutions on the basic principles and general objectives of a policy towards older people in the European Union.

OJ C 308, 20.11.1995

### Measures to help disaster victims

#### *France*

*1.3.224.* Parliament resolution on flooding in the south of France.

*Adopted on 12 October.* Following the floods in south-eastern France, in particular the département of Gard, Parliament asked the Commission to grant emergency financial aid to the areas affected.

OJ C 287, 30.10.1995

#### *Greece*

*1.3.225.* Parliament resolution on the devastation of crops by storms in the Kiato region of Korinthia.

*Adopted on 12 October.* In the wake of the hailstorms that devastated vineyards and olive groves in the Kiato region, Parliament called on the Commission and the European Investment Bank, in cooperation with the Greek Government, to coordinate their efforts to make an accurate assessment of the damage and grant emergency financial aid.

OJ C 287, 30.10.1995

#### *Italy*

*1.3.226.* Parliament resolutions on the heavy storms that struck Liguria and Apulia.

*Adopted on 12 October.* Parliament called on the

Commission to help compensate the storm victims, rehabilitate the areas affected, relaunch productive activity and repair housing and also to implement an effective strategy for preventing and combating such disasters.

OJ C 287, 30.10.1995

## Public health

### General

**1.3.227.** Proposal for a Parliament and Council Decision adopting a programme of Community action on health promotion, information, education and training within the framework for action in the field of public health.

**Commission proposal:** OJ C 252, 9.9.1994; COM(94) 202; Bull. 6-1994, point 1.2.201

**Committee of the Regions opinion:** OJ C 210, 14.8.1995; Bull. 11-1994, point 1.2.212

**Economic and Social Committee opinion:** OJ C 102, 24.4.1995; Bull. 1/2-1995, point 1.3.165

**Parliament opinion (first reading):** OJ C 89, 10.4.1995; Bull. 3-1995, point 1.3.152

**Amended Commission proposal:** OJ C 135, 2.6.1995; COM(95) 138; Bull. 4-1995, point 1.3.128

**Council common position:** OJ C 216, 21.8.1995; Bull. 6-1995, point 1.3.212

*Amendments adopted by Parliament (second reading) on 25 October.* The amendments are mainly concerned with improved integration of health education, including sex education, in school curricula, support for centres which collect and disseminate independent information about the rational use and effects of medicines, better cooperation with non-member countries and international organizations, including non-governmental organizations, and the funding package, which Parliament wants to see increased from ECU 30 million to ECU 35 million.

OJ C 308, 20.11.1995

**1.3.228.** Commission communication concerning a Community action programme on health monitoring in the context of the framework for action in the field of public health, accompanied

by a proposal for a Parliament and Council Decision adopting the programme.

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

*Adopted by the Commission on 16 October.* The five-year programme (running from 1 January 1997 to 31 December 2001) proposed by the Commission seeks to develop, in close conjunction with the Member States, a monitoring system geared to health status and trends and health determinants throughout the European Union, designed to facilitate planning, monitoring, implementation and evaluation of Community programmes and actions and to provide Member States with comparative indicators for the development of national health policies.

The system would involve:

□ identifying and creating, at European Union and Member State level, a series of health data and indicators;

□ setting up a network for the purpose of collection and dissemination of health data between the national administrations, the Commission and the international organizations working in the field of public health, such as the World Health Organization (WHO) and the Organization for Economic Cooperation and Development (OECD);

□ setting up a system for analysing, consulting and disseminating outcomes by way of reports, information material and seminars, making it easier to analyse and utilize the health determinants and to assess progress made.

COM(95) 449

### Cancer

**1.3.229.** Proposal for a Parliament and Council Decision adopting an action plan to combat cancer within the framework for action in the field of public health.

**Commission proposal:** OJ C 139, 21.5.1994; COM(94) 83; Bull. 3-1994, point 1.2.171

**Economic and Social Committee opinion:** OJ C 393, 31.12.1994; Bull. 9-1994, point 1.2.189

**Committee of the Regions opinion:** OJ C 210, 14.8.1995; Bull. 9-1994, point 1.2.189

**Parliament opinion (first reading):** OJ C 68, 20.3.1995; Bull. 3-1995, point 1.3.153

**Amended Commission proposal:** OJ C 143, 9.6.1995; COM(95) 131; Bull. 4-1995, point 1.3.129

**Council common position:** OJ C 216, 21.8.1995; Bull. 6-1995, point 1.3.213

*Amendments adopted by Parliament (second reading) on 25 October.* The amendments are concerned mainly with increasing the funding package from ECU 59 million to ECU 64 million and stipulating in which areas special efforts are needed on the part of the Commission in cooperation with the Member States, the national coordination committees, and institutions and organizations active in the prevention of cancer.

OJ C 308, 20.11.1995

## AIDS

*1.3.230.* Proposal for a Parliament and Council Decision adopting a programme of Community action on the prevention of AIDS and certain other communicable diseases within the framework for action in the field of public health.

**Commission proposal:** OJ C 333, 29.11.1994; COM(94) 413; Bull. 10-1994, point 1.2.117; Bull. 11-1994, point 1.2.213

**Economic and Social Committee opinion:** OJ C 133, 31.5.1995; Bull. 3-1995, point 1.3.154

**Committee of the Regions opinion:** Bull. 4-1995, point 1.3.130

**Parliament opinion (first reading):** OJ C 126, 22.5.1995; Bull. 4-1995, point 1.3.130

**Amended Commission proposal:** COM(95) 209; Bull. 5-1995, point 1.3.133

**Council common position:** OJ C 216, 21.8.1995; Bull. 6-1995, point 1.3.215

*Amendments adopted by Parliament (second reading) on 25 October.* The amendments are concerned mainly with strengthening the provisions on AIDS prevention, promoting information campaigns, stipulating action to be taken to ensure maximum safety of blood products, and action on the integration of HIV-positive children.

OJ C 308, 20.11.1995

## Consumer policy

### General

*1.3.231.* Commission communication to the Council, Parliament, the Economic and Social Committee and the Committee of the Regions

entitled 'Priorities for consumer policy (1996-98)'.

### References:

Three-year action plan (1990-92): COM(90) 98; Bull. 3-1990, point 1.1.93

Commission communication to the Council, Parliament and the Economic and Social Committee concerning the second three-year action plan (1993-95) in respect of consumer policy: COM(93) 378; Bull. 7/8-1993, point 1.2.111

*Adopted by the Commission on 31 October.* In its communication, the Commission sets out its priorities for action on the consumer policy front for the coming years. Whereas the first and second three-year action plans concentrated on addressing the issues which were important to consumers to enable them to benefit from the development of the internal market, the Commission now wishes to broaden its scope to reflect the fact that consumer activity impinges on the daily life of all citizens of the European Union. The Commission's proposed priorities for action are tenfold, i.e.:

- a major effort to improve the education and information of consumers;
- complete, review and maintain up to date the framework needed to ensure that consumers' interests are fully taken into account in the internal market;
- facilitate consumer access to financial services;
- protect consumers' interests in the supply of essential public utility services;
- measures to enable consumers to benefit from the opportunities presented by the information society;
- measures to improve consumer confidence in foodstuffs;
- encourage a practical approach to sustainable (i.e. environment-friendly) consumption;
- strengthen and increase consumer representation;
- assist Central and East European countries to develop consumer policies;
- promote consumer policy considerations in developing countries.

COM(95) 519

### Consumer information and education

*1.3.232.* 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 and 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:** 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

**Parliament approval (second reading):** OJ C 269, 16.10.1995; Bull. 9-1995, point 1.3.134

*Approved by the Council on 30 October.*

## Culture

### Raphael programme

*1.3.233.* 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

**Committee of the Regions opinion:** Bull. 9-1995, point 1.3.135

*Endorsed by Parliament (first reading) on 12 October*, subject to a number of amendments relating mainly to the proposed overall budget and the detailed implementing arrangements.

OJ C 287, 30.10.1995

### Town-twinning

*1.3.234.* The Gold stars of town-twinning prize.

**Previous award:** Bull. 10-1994, point 1.2.130

*Presented in Dublin on 21 October* to representatives of the 46 award-winning towns for demonstrating exemplary commitment to European integration and to friendship between the peoples of Europe. The winners were selected from more than 1 000 towns which met the priority criteria for the Community programme on town-twinning in Europe.

## Information, communication and audiovisual media

### Information and communication

*1.3.235.* 1995 Stendhal prize for journalism and communication in Europe.

**Previous award:** Bull. 10-1994, point 1.2.132

*Presented in Luxembourg on 28 October.* The Commission and Parliament are both patrons of this prize, which is awarded to the press and television throughout Europe for the articles, reports or illustrations which have contributed most to explaining and clarifying the process of European integration. Prizes are awarded in five categories, one for television and four for the press: 'European reality and society', 'European economy', 'Europe of the regions' and 'Europe explained to young people'. This year's prize-winners were:

□ Television: TF1 (France), SVT1 (Sweden), BRTN (Belgium), Channel 4 Television (United Kingdom).

□ European reality and society: Frankfurter Rundschau (Germany), Marie Claire (France), Tribune de Genève (Switzerland).

□ European economy: Enjeux les échos (France), Il sole 24 ore (Italy), Handelsblatt (Germany), La nueva España (Spain), Der Standard (Austria).

□ Young people: Guardian Education (United Kingdom), Primavera mondo giovane (Italy), Coup d'oeil (Belgium).

□ Europe of the regions: La Wallonie (Belgium), Farode vigo (Spain), Rheinpfalz (Germany), Het financiële dagblad (Netherlands).

## 4. Role of the Union in the world

### Common foreign and security policy

#### Common foreign policy

1.4.1. Common position 95/413/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union on Angola (→ point 1.4.121).

#### Common security policy

1.4.2. Parliament resolution on the Commission statement on nuclear testing (→ point 1.3.163).

1.4.3. Review Conference of the States party to the United Nations Convention on 'inhuman' weapons.

#### References:

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

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: OJ L 227, 22.9.1995; Bull. 9-1995, point 1.4.2

*Meeting held in Vienna from 25 September to 13 October.* The Conference saw the adoption of a fourth Protocol to the 1980 Convention, prohibiting the use or sale of blinding lasers. The participants failed to reach agreement on a review of Protocol 2 on anti-personnel mines, the matter being held over once again for further study.

### European Union statements and presidency statements on behalf of the European Union

#### *Burundi*

1.4.4. The following presidency statement on behalf of the European Union concerning the murder of three Italian citizens in Burundi was published in Brussels and Madrid on 5 October:

'The European Union has learnt that three Italian nationals, two Jesuit priests and a lay worker, were murdered on 30 September 1995 in the parish of Buyengero, Bururi province.

The European Union strongly condemns this murder of innocent people, whose only desire was to contribute to the development of the country and the improvement of the welfare of its people. The European Union also expresses its keen concern at the assaults being carried out on foreign nationals in Burundi.

The European Union requests the government of Burundi to mount an investigation without delay to identify the murderers and bring them to trial, and calls on the Burundi authorities to do everything in their power to guarantee the safety of foreigners living in Burundi.

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

#### *Cuba*

1.4.5. The following presidency statement on behalf of the European Union concerning the Helms-Burton bill was published in Brussels and Madrid on 11 October:

'The European Union would like Cuba to have a peaceful transition to democracy and respect for human rights. It takes the view that maintaining the political dialogue and encouraging economic relations are the means most suited to promote evolution towards democracy and Cuba's return to the international community.

The European Union therefore views the House of Representatives' approval on 21 September of the

Helms-Burton bill in a negative light and takes the opportunity to reiterate its opposition to the adoption of any measure with extra-territorial application which is in conflict with the rules of international organizations, including those of the WTO.'

## Guatemala

1.4.6. The following presidency statement on behalf of the European Union concerning the latest events in Guatemala was published in Brussels and Madrid on 12 October:

**Reference:** Presidency statement on the Contadora Declaration: Bull. 9-1995, point 1.4.7

'The European Union strongly condemns the events that took place on 5 October in Guatemala, when members of the army intervened in an assembly held in the cooperative 'La Unión Maya' belonging to the 'Aurora 8 de octubre' community located in the Chisec municipality, department of Alta Verapaz. These events resulted in 11 deaths (including two children) and dozens of wounded.

The European Union deplores the loss of human lives and extends its condolences to the families of the victims.

The European Union demands an immediate investigation into this massacre and the punishment of those guilty of it. In this connection, the European Union appreciates the measures announced by the President of the Republic, in the belief that they conform with the rule of law. It is also monitoring the enquiries which Minugua is making into these events.

The European Union reiterates its support for the peace process in Guatemala and hopes that these events do not hinder the continuation of negotiations between the Government and URNG leading to the signing of a peace agreement.'

## Nigeria

1.4.7. The following European Union statement was published at the Council meeting in Brussels on 2 October:

**Reference:** Presidency statement: Bull. 6-1995, point 1.4.14

'The European Union welcomes the Nigerian Head of State's decision to commute all death sentences in respect of those alleged to have been involved in coup plotting as a positive and constructive first step. The EU looks forward to further information on the fate of those involved and remains concerned about those whose sentences are still awaited.

The EU welcomes the Head of State's commitment to a process to return to civilian democratic rule. Howev-

er, it believes that a transition should be achieved in less than three years.

The EU recalls the concerns it has previously expressed about the need to address the human rights situation in Nigeria generally.

Nigeria remains an area of priority engagement and concern for the EU. The EU will closely follow the implementation of the commitments made public by General Abacha and will adapt the future of its cooperation with Nigeria in the light of the evolution of this process.'

1.4.8. The following presidency statement on behalf of the European Union was published in Madrid and Brussels on 20 October:

'The European Union, in its Council (General Affairs) meeting on 2 October, was pleased to hear that the Head of State of Nigeria, General Abacha, had announced on 1 October the commuting of the sentences of those accused of the failed *coup d'état*.

However, the EU would like to express its disappointment about the severe sentences announced for the alleged coup plotters. The EU is also concerned about the lack of transparency over the legal process during their trial. The EU deplores the continued use of secret military tribunals and suspension of *habeas corpus*.

Among the guiding principles of the EU's common foreign policy are the defence of democracy and respect for human rights. The Union believes that upholding these principles in Nigeria is one of the pillars of peaceful coexistence in the country and an essential factor in the development of good relations with the European Union.

The EU notes that General Abacha has set out a three-year timetable for a transition to civilian democratic rule. The EU hopes that he will accelerate that programme, and allow a rapid resumption of political activity leading to free and fair elections. The release of all political detainees will be an essential step in that process.

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

## Russian Federation

1.4.9. The following European Union statement concerning Russia's accession to the Council of Europe was published at the Council meeting in Brussels on 2 October:

'The European Union has followed closely and with interest the process of democratic reform in Russia, including the calling of a general election for 17 December, and is pleased that the procedure for Russia's accession to the Council of Europe has been revived.

The European Union hopes that resumption of the examination of Russia's application by the Parliamentary Assembly will lead to that country's swift incorporation in the Council of Europe, when it is established that the significant progress required to meet the standards imposed on its members has been made.

The European Union is confident that the forthcoming accession of Russia to the Council of Europe will underpin the process of political reform and the commitment to democratic principles and the observance and protection of human rights. In that connection, the European Union underlines the importance it attaches to cooperation programmes and the follow-up mechanisms established.'

### *United Nations*

*1.4.10.* The following presidency statement on behalf of the European Union concerning the financial situation of the United Nations was published in New York on 20 October:

'On the eve of the special commemorative meeting of the General Assembly on the occasion of the 50th anniversary of the United Nations, the European Union expresses its deep concern about the serious financial situation of the organization. The difficult financial situation already existing has been recently aggravated by a worsening of the cash-flow situation. These circumstances jeopardize the organization's capacity to fulfil the mandates entrusted to it.

In this respect, the European Union wishes to recall that the proper functioning of the organization depends above all on the political support of its member States, as well as on the resources which they put at its disposal, and, consequently, on the payment of their financial contributions.

The European Union considers that the main cause of the serious financial situation of the United Nations — which requires a global and balanced solution — resides in the fact that certain member States, even by lack of political will, do not discharge the financial obligations which they undertook on subscribing to the Charter, and which are international obligations that legally bind each State as such. Therefore, the European Union considers that unilateral decisions adopted by any member State contradicting the fulfilment of its financial obligations with regard to the organization are not acceptable.

The European Union once again calls upon all member States to pay their arrears and meet their financial obligations to the organization in full, on time and without conditions.'

## **International organizations and conferences**

### **United Nations and specialized agencies**

#### *United Nations*

*1.4.11.* Parliament resolution on the financial crisis of the United Nations.

*Adopted on 12 October.* Parliament called for the United Nations Organization to be strengthened by financial and organizational support to enable it to play a more active role in crisis prevention, preventive diplomacy and keeping and consolidating peace. Parliament called on UN members to honour their financial obligations by diligently paying their contributions to its budget. It also recommended that EU Member States participate actively in the negotiations under way to bolster and reform the financing of the UN. Member States were also enjoined to approach the Security Council with a view to ensuring that the *ad hoc* tribunals for Rwanda and Former Yugoslavia received funding.

OJ C 287, 30.10.1995

#### *UN Economic Commission for Europe*

*1.4.12.* Third pan-European conference of environment ministers (→ point 1.3.164).

### **Organization for Economic Cooperation and Development**

*1.4.13.* Proposal for a Council Regulation against injurious pricing of vessels (→ point 1.4.42).

### **European Bank for Reconstruction and Development**

#### *Financing*

*1.4.14.* In October, the Bank approved the financing operations listed in Table 6.

Table 6 — EBRD financing

<i>(million ECU)</i>				
Country	Recipient	Sector	Loan	Equity
Azerbaijan	Baku Water Rehabilitation project	Environment	17.687	
Russian Federation	Bash-Kelme	Rubbers, plastics	8.459	
	Russian small business fund:			
	• Kuzbassotsbank	Bank	2.407	
	• Kuzbassotsbank	Bank	0.481	
Hungary	Russian trade facilitation programme:			
	• Stolichny Savings Bank	Bank	15.380	
Hungary	ARP Budapest Bank Rt	Bank	11.535	
Kyrgyzstan	Kyrgyz Agribusiness Company	Agriculture	6.921	
Lithuania	Bankas Hermis	Bank		5.845
Poland	Polski Fundusz leasingowy	Bank	1.461	
	Faure & Machet	Real estate	4.150	1.900
Czech and Slovak Republics	Ceske Drahy sp — Czech railway corridor	Railways	41.218	
Romania and Moldova	Ascom-Kelme shoe production	Footwear	5.614	
	Pliva	Pharmaceuticals	48.070	

## Common commercial policy

### General matters

#### *Operation of the customs union*

**1.4.15.** 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

**Economic and Social Committee opinion:** Bull. 9-1995, point 1.4.14

*Amended proposal adopted by the Commission on 5 October.* Purpose: to clarify certain financial aspects of the proposal.

OJ C 327, 7.12.1995; COM(95) 451

*Endorsed by Parliament on 25 October* subject to a number of amendments, including: provisions which would require customs officers to

wear common uniforms or insignia and would allow them to be seconded to another Member State, with a view to heightening awareness of the 'Community' character of customs; the creation of a permanent European customs academy; speedier publication of reports on the implementation of the programme; greater coordination of customs controls; and the extension of the programme to the associated countries of Central Europe.

OJ C 308, 20.11.1995

**1.4.16.** Proposal for a Council Regulation amending the Annex to Council Regulation (EEC) No 3911/92 concerning the export of cultural goods (→ point 1.3.38).

#### *Commercial policy instruments*

##### **Council anti-dumping measures**

**1.4.17.** Council Regulation (EC) No 2580/95 extending the provisional anti-dumping duty on imports of microwave ovens originating in the

People's Republic of China, the Republic of Korea, Thailand and Malaysia.

**Reference:** Provisional duty: OJ L 156, 7.7.1995; Bull. 7/8-1995, point 1.4.32

*Proposal adopted by the Commission on 11 October.*

COM(95) 462

*Adopted by the Council on 30 October.*

OJ L 263, 4.11.1995

1.4.18. Proposal for a Council Regulation extending the provisional anti-dumping duty on imports of peroxodisulphates (persulphates) originating in the People's Republic of China.

**Reference:** Provisional duty: OJ L 169, 19.7.1995; Bull. 7/8-1995, point 1.4.33

*Adopted by the Commission on 11 October.*

COM(95) 471

1.4.19. Proposal for a Council Regulation extending the provisional anti-dumping duty on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan and Thailand.

**Reference:** Provisional duty: OJ L 170, 20.7.1995; Bull. 7/8-1995, point 1.4.34

*Adopted by the Commission on 27 October.*

COM(95) 534

1.4.20. Council Regulation (EC) No 2380/95 imposing a definitive anti-dumping duty on imports of plain paper photocopiers originating in Japan.

**Commission proposal:** COM(95) 386; Bull. 7/8-1995, point 1.4.26

*Adopted by the Council on 2 October.*

OJ L 244, 12.10.1995

1.4.21. Council Regulation (EC) No 2413/95 imposing a definitive anti-dumping duty on imports of ferro-silico-manganese originating in Russia, Ukraine, Brazil and South Africa.

**Commission proposal:** COM(95) 393; Bull. 7/8-1995, point 1.4.27

*Adopted by the Council on 6 October.*

OJ L 248, 14.10.1995

1.4.22. Council Regulation (EC) No 2381/95 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.

**Commission proposal:** COM(95) 441; Bull. 9-1995, point 1.4.15

*Adopted by the Council on 10 October.*

OJ L 244, 12.10.1995

1.4.23. Council Regulation (EC) No 2474/95 amending Regulation (EC) No 1015/94 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan.

**Commission proposal:** COM(95) 420; Bull. 9-1995, point 1.4.16

*Adopted by the Council on 23 October.*

OJ L 255, 25.10.1995

### Commission anti-dumping measures

1.4.24. Notice of initiation of anti-dumping proceedings concerning imports of glyphosate originating in the People's Republic of China.

*Published on 13 October.*

OJ C 266, 13.10.1995

1.4.25. Notice of initiation of anti-dumping proceedings concerning imports of certain ring binder mechanisms originating in Malaysia and the People's Republic of China.

*Published on 28 October.*

OJ C 284, 28.10.1995

1.4.26. Commission Regulation (EC) No 2352/95 imposing a provisional anti-dumping duty on imports of coumarin originating in the People's Republic of China.

**Reference:** Initiation of proceeding: OJ C 138, 20.5.1994; Bull. 5-1994, point 1.3.78

*Adopted by the Commission on 6 October.*

OJ L 239, 7.10.1995

1.4.27. Commission Regulation (EC) No 2414/95 imposing a provisional anti-dumping duty on imports of bicycles originating in Indonesia, Malaysia and Thailand.

**Reference:** Initiation of proceeding: OJ C 35, 3.2.1994; Bull. 1/2-1994, point 1.3.122

*Adopted by the Commission on 13 October.*

OJ L 248, 14.10.1995

**1.4.28.** Commission Regulation (EC) No 2426/95 imposing a provisional anti-dumping duty on imports of certain magnetic disks (3.5-inch microdisks) originating in the United States, Mexico and Malaysia.

**Reference:** Initiation of proceeding: OJ C 246, 2.9.1994; Bull. 9-1994, point 1.3.49

*Adopted by the Commission on 16 October.*

OJ L 249, 17.10.1995

**1.4.29.** Commission Decision No 2450/95/ECSC imposing a provisional anti-dumping duty on imports into the Community of certain grain-oriented electrical sheets originating in Russia.

**Reference:** Initiation of proceeding: OJ C 138, 20.5.1994; Bull. 5-1994, point 1.3.77

*Adopted by the Commission on 19 October.*

OJ L 252, 20.10.1995

**1.4.30.** Commission Regulation (EC) No 2451/95 initiating an investigation concerning the circumvention of anti-dumping measures imposed by Regulation (EEC) No 2861/93 on imports of certain magnetic disks (3.5' microdisks) originating in Japan, Taiwan and the People's Republic of China by imports of certain magnetic disks (3.5' microdisks) originating in Canada, Hong Kong, India, Indonesia, Macao, Malaysia, the Philippines, Singapore and Thailand and making these imports subject to registration.

**Reference:** Definitive duty: OJ L 262, 21.10.1993; Bull. 10-1993, point 1.3.71

*Adopted by the Commission on 19 October.*

OJ L 252, 20.10.1995

**1.4.31.** Notice of initiation of an interim review of the anti-dumping measures applicable to imports of EPROMs (erasable programmable read only memories) originating in Japan.

**References:**

Definitive duty (OJ L 65, 12.3.1991; Bull. 3-1991, point 1.3.53): amended: OJ L 262, 21.10.1993; Bull. 10-1993, point 1.3.73: suspended: 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

Notice of impending expiry: OJ C 239, 14.9.1995; Bull. 9-1995, point 1.4.19

*Published on 7 October.*

OJ C 262, 7.10.1995

**1.4.32.** Notice of initiation of a review of the anti-dumping measures applicable to imports of sacks and bags made of polyethylene or polypropylene originating in the People's Republic of China.

**References:**

Definitive duty: OJ L 318, 17.11.1990; Bull. 11-1990, point 1.4.50, as amended by OJ L 215, 25.8.1993; Bull. 7/8-1993, point 1.3.74

Notice of impending expiry: OJ C 95, 19.4.1995; Bull. 4-1995, point 1.4.47

*Published on 17 October.*

OJ C 271, 17.10.1995

**1.4.33.** Commission Regulation (EC) No 2566/95 initiating a review of Council Regulation (EEC) No 54/93 imposing a definitive anti-dumping duty on imports of synthetic fibres of polyesters originating in India and the Republic of Korea.

**Reference:** Definitive duty: OJ L 9, 15.1.1993; Bull. 1/2-1993, point 1.3.66

*Adopted by the Commission on 31 October.*

OJ L 262, 1.11.1995

**1.4.34.** Notice of the expiry of anti-dumping measures concerning imports of ball-bearings with greatest external diameter not exceeding 30 mm originating in Thailand.

**Reference:** Definitive duty: OJ L 281, 12.10.1990; Bull. 10-1990, point 1.4.43

*Published on 3 October.*

OJ C 258, 3.10.1995

**1.4.35.** Commission Decision 95/406/EC terminating the anti-dumping proceeding concerning imports of parts of gas-fuelled, non-refillable pocket lighters originating in Japan.

**Reference:** Initiation of proceeding: OJ C 202, 1.8.1991

*Adopted by the Commission on 5 October.*

OJ L 239, 7.10.1995

**Import arrangements**

**1.4.36.** Proposal for a Council Regulation amending Regulation (EC) No 519/94 on common rules for imports from certain third countries.

**Regulation to be amended:** Council Regulation (EC) No 519/94, on common rules for imports

from certain third countries (OJ L 67, 10.3.1994; Bull. 3-1994, point 1.3.89), as last amended by Regulation (EC) No 839/95: OJ L 85, 19.4.1995; Bull. 4-1995, point 1.4.50

*Adopted by the Commission on 13 October.* Purpose: to extend the scope of Regulation (EC) No 519/94 to include products covered by the ECSC Treaty.

COM(95) 470

1.4.37. Proposal for a Council Regulation amending Regulations (EC) Nos 3285/94 and 519/94 with respect to the uniform Community surveillance document.

**Regulations to be amended:**

Council Regulation (EC) No 519/94 on common rules for imports from certain third countries (OJ L 67, 10.3.1994; Bull. 3-1994, point 1.3.89), as last amended by Regulation (EC) No 839/95: OJ L 85, 19.4.1995; Bull. 4-1995, point 1.4.50

Council Regulation (EC) No 3285/94 on the common rules for imports: OJ L 349, 31.12.1994; Bull. 12-1994, point 1.3.99

*Adopted by the Commission on 6 October.* Purpose: to align the layout and content of the Community surveillance document with that of the import licence forms.

COM(95) 459

1.4.38. Proposal for a Council Regulation amending Regulation (EC) No 520/94 establishing a Community procedure for administering quantitative quotas.

**Regulation to be amended:** Council Regulation (EC) No 520/94: OJ L 67, 10.3.1994; Bull. 3-1994, point 1.3.87

*Adopted by the Commission on 6 October.* Purpose: to introduce greater flexibility in the rules concerning the redistribution of quantities that are not allocated, assigned or used with a view to ensuring optimum use of the quotas.

COM(95) 460

## Individual sectors

### *ECSC products*

1.4.39. Draft Agreements between the ECSC and the Russian Federation and the ECSC and Ukraine on trade in certain steel products.

**Commission recommendations:** Bull. 12-1993, point 1.3.93

**Negotiating directives:** Bull. 6-1994, point 1.3.86

**Draft Commission Decisions regarding conclusion of the Agreements:** Bull. 6-1995, point 1.4.33

*Council assent on 2 October.*

### *Textiles*

1.4.40. Draft bilateral Agreements on trade in textiles between the European Community and Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, the Russian Federation, Tadjikistan, Turkmenistan, Uzbekistan and Ukraine.

**Reference:** Previous Agreements: OJ L 123, 17.5.1994; Bull. 12-1993, point 1.3.96

*The Council adopted negotiating directives on the Commission's recommendation on 30 October.* Purpose: to renew the textile agreements between the Community and the independent States of the former Soviet Union.

1.4.41. Draft bilateral Agreement on trade in textile products between the Community and the People's Republic of China.

**Reference:** Previous Agreement: OJ L 380, 31.12.1988; Bull. 12-1988, point 2.2.9

*Recommendation for a Decision adopted by the Commission on 3 October.*

*Negotiating directives adopted by the Council on 30 October.* Purpose: to renew the 1988 textile Agreement between the Community and China.

### *Shipbuilding*

1.4.42. Proposal for a Council Regulation on protection against injurious pricing of vessels.

**Reference:** Agreement respecting normal competitive conditions in the commercial shipbuilding and repair industry, signed in the framework of the OECD: Bull. 12-1994, point 1.2.82

*Adopted by the Commission on 18 October.* The aim of this proposal is to implement a trade policy instrument as provided for by the Shipbuilding Injurious Prices Code, annexed to the OECD Shipbuilding Agreement. Where vessels originating in a country which is party to the



said Agreement or in a country which is not a member of the WTO are sold below their normal value, a procedure is invoked which, while similar to the anti-dumping procedure used in other sectors, is tailored to suit the specific nature of the shipbuilding sector. If, on investigating a complaint from a Community shipbuilder that a competitor has obtained a contract on account of injurious pricing, the Commission rules that there has indeed been unfair competition, it submits a proposal to the Council for the imposition of an injurious pricing charge. If this fine is not paid within 180 days, or if no promise to pay is made, the Commission may deny the shipbuilder concerned loading and unloading rights in the ports of the European Union for all vessels contracted for a period of four years.

COM(95) 473

## Development policy

### General

#### *Education*

*1.4.43.* Parliament resolution on the communication from the Commission to the Council and the European Parliament on coordination between the Community and the Member States on education and training schemes in developing countries.

#### **References:**

Communication from the Commission to the Council and the European Parliament on coordination between the Community and the Member States on education and training schemes in developing countries: COM(94) 399; Bull. 9-1994, point 1.3.58

Council resolution on education and training: Bull. 11-1994, point 1.3.99

*Adopted on 13 October.* Parliament believed that all children, without distinction as to sex or origin, should have access to basic education and recommended that school attendance be made a legal requirement without any loopholes and that financial incentives such as scholarships be offered in order to discourage the use of child

labour. It also advocated the continuation of adult literacy campaigns, in particular those targeted on women, and the provision of flexible forms of teaching to meet the specific requirements of individual regions and countries with itinerant communities and street children. All children, it said, should receive teaching in their mother tongue and the official language of the country. Parliament drew attention to the need to link education and the acquisition of basic knowledge in areas of life such as health, nutrition, the environment, and also human rights, civics and democracy. It thought that decisions on curricula, teaching materials and objectives were a matter for the countries concerned and should take account of the cultural situation, and underlined the need to decentralize authority and involve local communities more fully, including parents, teachers and local associations, with a view to providing the best possible education. The importance of secondary education, apprenticeships and specific training in agriculture were stressed. In view of the shortage of resources, Parliament recommended that requirements be planned realistically and called for regional cooperation between universities and other tertiary-level establishments so as to take advantage of the economies of scale that exist at this level and to promote solidarity among neighbouring peoples. It noted that innovation and reform in the education sector were long-term aims requiring long-term policies on the part of the relevant authorities and that a matching commitment was needed from the Community and the Member States. To this end, it asked for a sizeable percentage of EDF appropriations to be devoted exclusively to education and training and for a careful examination to be made of the scope for converting debt repayments of certain developing countries into 'education credits'.

OJ C 287, 30.10.1995

### Generalized preferences

*1.4.44.* Council Regulation (EC) No 2651/95 amending Regulation (EC) No 3282/94 extending into 1995 the application of Regulations (EEC) No 3833/90, (EEC) No 3835/90 and (EEC) No 3900/91 applying generalized tariff preferences in respect of certain agricultural products originating in developing countries.

**Regulation amended:** OJ L 348, 31.12.1994; Bull. 12-1994, point 1.3.150  
**Commission proposal:** Bull. 7/8-1995, point 1.4.51

*Adopted on 23 October.* The Regulation extends to South Africa the application of tariff preferences for agricultural imports.

OJ L 273, 16.11.1995

## EC investment partners

1.4.45. Proposal for a Council Regulation on the implementation of the 'EC Investment Partners Financial Instrument' for the countries of Latin America, Asia, the Mediterranean region and South Africa.

**Commission proposal:** OJ C 287, 15.10.1994; COM(94) 358; Bull. 7/8-1994, point 1.3.114  
**Parliament opinion (first reading):** OJ C 323, 21.11.1994; Bull. 10-1994, point 1.3.98  
**Council common position:** OJ C 160, 26.6.1995; Bull. 5-1995, point 1.4.49

*Endorsed by Parliament (second reading) on 26 October,* subject to some amendments of a technical and procedural nature.

OJ C 308, 20.11.1995

## Cooperation via non-governmental organizations

1.4.46. Projects in developing countries.

*Commission cofinancing:* commitment of ECU 2 990 914 for nine operations.

1.4.47. Campaigns to raise public awareness.

*Commission contribution:* ECU 422 761 for four operations.

## Rehabilitation aid

1.4.48. Financing decisions: see Table 7

Table 7 — *Rehabilitation and reconstruction measures*

		<i>(ECU)</i>
Country/region	Purpose	Amount
Southern Africa	Conferences, seminars and forums to promote democracy	400 000
Angola	Vocational training programme for disabled war victims	800 000
	Social centre for young refugees	40 000
	Vocational training and guidance for displaced persons and refugees	280 000
	Boosting the health service's response capacity in emergency situations	700 000
	Basic health and veterinary programme	310 000
	Primary health-care programme for refugees and displaced persons	848 000
	Rehabilitation of infrastructure for the reintegration of displaced persons	1 077 000
	Aid for the victims of mines and disabled persons	1 636 000

(ECU)		
Country/region	Purpose	Amount
	Rehabilitation of the Malanje-Saurimo-Luena road corridor	1 200 000
	Mine clearance and surveys for the rehabilitation of two provinces	1 000 000
Guatemala	Institutional strengthening of the CEAR (committee to aid refugees)	950 000
Haiti	Forestry regeneration in the Central Plateau	131 852
	Rehabilitation of the water-supply networks of secondary centres in the Central Plateau	426 974
	Aid for unemployed mineworkers sent back from South Africa	474 000
Mozambique	Rehabilitation of small-scale fisheries	405 650
	Preventive health care for refugees in Sofala province	380 000
	Health and education projects	326 000
	Vocational training for demobilized soldiers	560 000
	Rehabilitation of a secondary school	310 000
	Production and organizational structures of rural cooperatives	770 000
	Rehabilitation of housing for street children in Maputo	700 000
	Integrated fish-farming project	832 300
	Promotion of adult self-employment	480 000
Tanzania	Rehabilitation of a youth development centre	720 710
Zimbabwe	Rehabilitation of a rural health centre	228 000

## Food aid

### 1.4.49. Financing decision.

*Adopted by the Commission on 17 October.* ECU 400 000 was allocated to a project designed to improve food security in developing countries through the conclusion of a technical assistance agreement on food aid monitoring between the Commission and the European Agency for Cooperation (EAC).

## Aid for refugees

1.4.50. Draft Convention between the EC and the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) concerning the Community contribution to the Agency's budget for 1996-98.

**Previous Convention:** OJ L 9, 13.1.1994; Bull. 12-1993, point 1.3.67

**Recommendation for a Commission Decision:** Bull. 7/8-1995, point 1.4.59

*Adoption of negotiating directives by the Council on 6 October.*

## Humanitarian aid

*1.4.51. Parliament resolution on floods in Algeria.*

*Adopted on 12 October.* Following severe flooding in Algeria on 8 and 9 October, Parliament called for emergency humanitarian aid to be sent to the victims and for assistance to repair the damage.

OJ C 287, 30.10.1995

*1.4.52. Parliament resolution on the outbreak of cholera in Cape Verde*

*Adopted on 12 October.* Expressing concern about the cholera epidemic in Cape Verde, Parliament asked the Council and the Commission to consult the Executive Committee of the World Health Organization with a view to implementing procedures for the adoption of emergency measures within the scope of the WHO's powers. It also called on the Commission to provide emergency aid to help fight the epidemic.

OJ C 287, 30.10.1995

*1.4.53. Parliament resolution on the storm in the Philippines.*

*Adopted on 12 October.* The Philippines was hit by tropical storm Cybil on 1 October and Parliament asked the Commission to release funds to aid the victims and finance reconstruction programmes immediately.

OJ C 287, 30.10.1995

*1.4.54. Parliament resolution on the recent earthquake in Sumatra.*

*Adopted on 12 October.* Parliament asked the Commission to provide assistance to the Indonesian Government in dealing with the earthquake in Sumatra.

OJ C 287, 30.10.1995

*1.4.55. Parliament resolution on the earthquake in Turkey.*

*Adopted on 12 October.* Following the earthquake which hit the city of Dinar on 1 October, Parliament asked the Commission to provide assistance to the Turkish authorities and the Turkish Red Crescent in

order to ensure that the homeless had adequate shelter before the winter.

OJ C 287, 30.10.1995

*1.4.56. Visit to the Commission by Mr George Moose, the US Assistant Secretary for African Affairs, on 10 October.*

Mr Moose had a meeting with Ms Bonino to exchange views on the humanitarian situation in Central Africa. The talks focused on the refugee repatriation issue, which is causing tensions in Zaire and Tanzania, and the functioning of the Rwandan legal system.

*1.4.57. Commission decisions: see Table 8.*

Table 8 — *Humanitarian aid*

		(million ECU)
Country/region	Purpose	Amount
<i>Financing: 1995 ECHO budget</i>		
Africa, South America and the Middle East	Direct humanitarian aid	8.57
Armenia	Civil strife	7.23
Azerbaijan	Civil strife in Nagorno-Karabakh	0.67
	Civil strife	7.347
Cape Verde	Cholera epidemic	0.2
West Bank and Gaza Strip	Aid for the Palestinian population	3
Colombia	Floods	0.32
North Korea	Floods	0.29
Georgia	Civil strife	7.533
Indonesia	Earthquake	0.1
Kyrgyzstan and Tadjikistan	Aid for vulnerable groups	4.95
Niger	Cholera epidemic	0.1
Pakistan	Floods	0.2
Philippines	Floods	0.5
Russian Federation	Civil strife in the northern Caucasus	6
El Salvador	Floods	0.75
Turkey	Earthquake	0.25

# Central and Eastern Europe, Baltic States

## General

1.4.58. Parliament resolution on policy on visas for citizens of Central and East European countries (→ point 1.1.1).

1.4.59. Parliament resolution on the risk of a serious accident following the restarting of No 1 reactor at the Bulgarian nuclear power plant in Kozloduy.

*Adopted on 12 October.* Noting with great concern that the Bulgarian authorities had authorized No 1 reactor at the Kozloduy nuclear power plant to be restarted without essential checks being carried out first, thereby jeopardizing the safety of all European citizens, Parliament called on the Bulgarian authorities to shut down the reactor immediately and carry out all the necessary checks with the assistance of the international scientific community.

OJ C 287, 30.10.1995

## Request for accession to the European Union

1.4.60. Request for accession to the European Union by Latvia.

*Formal request for accession made on 27 October.*

*Decision to initiate the accession procedures laid down in Article O of the Treaty on European Union adopted by the Council on 30 October.*

## Pre-accession strategy

### Structured relations

1.4.61. Joint ministerial meeting between the European Union, the associated Central and East European countries and the Baltic States (economic affairs and finance).

**Previous meeting:** Bull. 5-1995, point 1.4.64

*Meeting held in Luxembourg on 23 October.* This meeting brought together the finance 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 Pedro Solbes Mira, Spain's Minister for the Economy and Finance and President of the Council, with Mr Monti representing the Commission.

Discussions mainly focused on reform of the financial sector and particularly the banking sector. Banking supervision and bank privatization, the development of capital markets and the liberalization of capital movements were among the points examined.

The exchange of views highlighted the areas where progress had already been made by the Central and East European countries and the Baltic States and those where closer cooperation might be developed with a view to completing the internal market.

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

### References:

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

Parliament and Council Decision 95/818/EC adopting the third phase of the Youth for Europe programme designed to promote the development of exchanges among young people and of youth activities in the Community: OJ L 87, 20.4.1995; Bull. 3-1995, point 1.3.71

Parliament and Council Decision 95/819/EC establishing Community action programme Socrates: OJ L 87, 20.4.1995; Bull. 3-1995, point 1.3.69

*Meeting held in Luxembourg on 23 October.* This was the first meeting of the education ministers of the 15 Member States and their counterparts in the Central and East European associated countries and the Baltic States. It was chaired by Mr Jerónimo Saavedra Acevedo, Spain's Minister for Education and Science and President of the Council, with Mrs Cresson representing the Commission.

Talks focused on the future participation of the associated countries in the Community programmes Socrates, Leonardo and Youth for Europe III, the first to be effectively opened up to these countries. The associated countries indicated the programmes or parts of programmes in which they wished to participate and their timetable for this and specific preparatory measures already under way.

1.4.63. Joint ministerial meeting between the European Union, the Central and East European associated countries and the Baltic States (foreign affairs).

**Previous meeting:** Bull. 4-1995, point 1.4.60

*Meeting held in Luxembourg on 31 October.* This meeting brought together the foreign ministers of the fifteen Member States and their counterparts in the associated Central and East European countries and the Baltic States. It was chaired by Mr Javier Solana, Spain's Foreign Minister and President of the Council, with Mr Van den Broek representing the Commission.

Discussions centred on three topics:

- the PHARE programme as a financial instrument of the pre-accession strategy: the need to make PHARE's management more flexible was highlighted;
- former Yugoslavia: the debate indicated a considerable measure of agreement on the part of the associated countries with the analysis of the situation and several delegates gave explicit support to the Council conclusions (→ point 1.4.78) and expressed their willingness to contribute to international peacekeeping and reconstruction efforts;
- the Middle East peace process: the talks again showed that views converged on the various aspects of the peace process.

## Europe (association) Agreements

### *Slovenia*

1.4.64. Draft Europe (association) Agreement between the European Communities and their Member States and Slovenia.

**Commission recommendation:** Bull. 4-1994, point 1.3.33

**Negotiating directives:** Bull. 3-1995, point 1.4.64

**Initialling of the Agreement:** Bull. 6-1995, point 1.4.62

**Proposal for a Council (EC) Decision and draft Commission (Euratom and ECSC) Decisions concluding the Agreement:** Bull. 7/8-1995, point 1.4.64

*ECSC Consultative Committee consulted on 5 October.*

## Technical assistance

### *PHARE programme*

1.4.65. Decision under the PHARE programme establishing technical assistance totalling ECU 18.5 million to prepare for integration into the internal market of the European Union.

**Reference:** Commission communication: 'Follow-up to the White Paper on the preparation of the associated countries of Central and Eastern Europe for integration into the internal market of the Union: technical assistance': Bull. 7/8-1995, point 1.4.63

*Adopted by the Commission on 19 October.* This technical assistance covers the following objectives:

- to provide direct certain horizontal services such as organizing seminars, establishing legal glossaries etc;
- to provide advice to the various associated countries, either directly or via a group of experts mainly comprising officials from the Member States specializing in implementation of the internal market;
- to channel requests for assistance towards other sources of assistance, such as Commission programmes open to the associated countries or the Member States;
- to encourage transparency and a better flow of information by setting up databases.

1.4.66. Economic and Social Committee opinion on the assessment of the PHARE programme.

**Reference:** Fifth annual report from the Commission on the implementation of the PHARE programme in 1994: Bull. 7/8-1995, point 1.4.65

*Adopted by the Economic and Social Committee on 25 October.*

The Committee called for a more objective share-out of funds and for the priority currently given to infrastructure to be extended to economic viability studies, cross-border operations and the creation of an environmental protection fund. The Committee also suggested closer involvement of socio-professional organizations in the design, management and monitoring of the programme and greater transparency in the procedures for selecting firms. It also called for

broad dissemination of experience gained, the creation of training programmes at all levels and closer cooperation with local experts.

## Bilateral relations

### *Poland*

1.4.67. Visit by Mr Monti on 2 and 3 October.

Mr Monti met Mr Grzegorz Kolodko, Minister of Finance, Mr Jrzy Jaskiernia, Minister of Justice, and other members of the Government for talks on the application of the White Paper on the internal market, the reforms under way in the financial sector and on improved access for Polish industrial products to the Community market.

Mr Monti also took part in a conference on pirating organized under the PHARE programme on intellectual property, which was attended by the other associated Central and East European countries.

### *Czech Republic*

1.4.68. Visit by Mr Monti on 2 October.

Mr Monti met Mr Vaclav Klaus, the Prime Minister, Mr Vladimir Dlouhy, Minister for Industry and Trade, and other members of the Government for discussions on the progress of economic reforms and the alignment of national legislation on the legislation governing the internal market of the European Union. The Czech authorities announced their intention to present a formal request for accession in January 1996.

1.4.69. Visit by Mrs Wulf-Mathies on 15, 16 and 17 October.

Mrs Wulf-Mathies met Mr Vaclav Havel, the country's President, Mr Vladimir Dlouhy, Minister for Industry and Trade, Mr Karel Dyba, Minister for the Economy and other members of the Government and prominent political and trade union figures.

Talks focused on the Czech Republic's pre-accession strategy and on European integration with regard to regional policies and cross-border cooperation. The importance of the PHARE pro-

gramme in this field was highlighted — some 50% of the financing allocated up to 1999 in the Czech Republic had been or was going to be used for cross-border projects or regional policy measures.

Mrs Wulf-Mathies also took part in a Conference on 'Regional Planning of Greater Europe in Cooperation with the Central and East European countries', organized jointly by the European Commission and the Council of Europe, and a conference on the PHARE programme and cross-border cooperation in the Czech Republic.

## Mediterranean and Middle East

### General

1.4.70. Parliament resolution on the Mediterranean policy of the European Union with a view to the Barcelona Conference

#### 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, point 1.3.34; Supplement 2/95 — Bull.

Conclusions of the Essen European Council: Bull. 12-1994, points I.14 and I.55; Supplement 2/95 — Bull.

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; Supplement 2/95 — Bull.

Conclusions of the Cannes European Council: Bull. 6-1995, points I.12, I.13 and I.49; Supplement 2/95 — Bull.

Proposal for a Council Regulation on financial and technical measures to support the reform of economic and social structures in Mediterranean non-member countries and territories (MEDA Regulation): OJ C 232, 6.9.1995; COM(95) 204; Bull. 6-1995, point 1.4.69; Supplement 2/95 — Bull.

Economic and Social Committee opinion on the Euro-Mediterranean partnership: Bull. 9-1995, point 1.4.38

*Adopted on 11 October.* Parliament shared the Commission's assessment of the need for a stronger European Union policy for the Mediterranean and called on the Commission to present a communication on security in the region to form the basis for common action by the Council under Article J.8(3) of the Treaty on European Union. In its view, the Union had to define an overall strategy for the Euro-Mediterranean partnership based on three pillars: harmonization of the policies provided for in the EC Treaty applying to this region, establishment of a multi-lateral framework agreement to supplement bilateral national policies and tailoring of policies to the specific situation in partner countries, and it therefore called on the Commission to present an appropriate communication. It also underlined the importance of the possibility of a free trade area and noted the conditions which would attract investment to the region: application of market-based economics, creation of an efficient public administration and improvement of educational and health infrastructure and equipment. On the question of the Barcelona Euro-Mediterranean conference, Parliament welcomed the position taken by the Cannes European Council, believing that the conference would help to establish a permanent framework with a tailor-made institutional structure.

OJ C 287, 30.10.1995

1.4.71. Council conclusions on the preparation of the Barcelona Euro-Mediterranean conference (→ point 1.3.166)

## Northern Mediterranean

### *Structured relations with Cyprus and Malta*

1.4.72. Ministerial meeting in Cyprus

#### **References:**

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

White Paper on the preparation of the associated countries of Central and Eastern Europe for integration into the internal market of the Union: COM(95) 163; Bull. 5-1995, point 1.4.63

*First meeting in Nicosia on 18 October.* The European Union was represented by Carlos Westendorp, Spain's State Secretary for European Affairs and President of the Council, and the Commission by Mr Monti. Cyprus was represented by Finance and Foreign Minister Christodoulou. Matters discussed included indirect taxation, intellectual property rights, public procurement, banking and financial services, interest rates, capital movements and customs tariffs. Mr Christodoulou reaffirmed his government's commitment to aligning Cypriot law with Community law in preparation for accession. He also put forward a number of proposals for closer cooperation between Cyprus and the European Union which were welcomed by Mr Westendorp and Mr Monti. The White Paper on the preparation of the associated countries of Central and Eastern Europe for integration into the Union's internal market could, according to Mr Monti, provide a useful point of departure for Cyprus.

1.4.73. Ministerial meeting in Malta.

**Reference:** 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 in Ta'abix on 16 October.* The European Union was represented by the Spanish Secretary of State for European Affairs and President of the Council, Carlos Westendorp and the Commission by Mr Monti. Malta was represented by Mr Guido de Marco, Finance Minister, and Mr John Dalli, Minister for Economic Services. Talks focused on the internal market, customs duties, indirect taxation and financial services. Mr Westendorp and Mr Monti hoped liberalization in the financial services sector would be completed by the end of the year.

### *Cyprus*

1.4.74. Fourth financial Protocol between the European Community and Cyprus

**Commission recommendation:** Bull. 3-1994, point 1.3.55

**Negotiating directives:** Bull. 6-1994, point 1.3.38

**Proposal for a decision on conclusion:** COM (95) 65; Bull. 4-1995, point 1.4.70

**Signature:** Bull. 6-1995, point 1.4.71

*Assent given by Parliament on 10 October.*

OJ C 287, 30.10.1995



*The Council adopted Decision 95/485/EC on the conclusion of the Protocol on 30 October.* Under the Protocol, a total of ECU 74 million can be committed up to 31 December 1998 to finance projects contributing to the economic and social development of Cyprus, smoothing the way for its economic transition and eventual accession to the European Union and supporting the search for an overall solution to the Cyprus problem. Some ECU 50 million can be committed in the form of EIB loans and ECU 24 million from the Community budget.

OJ L 278, 21.11.1995

## Malta

1.4.75. Fourth financial Protocol between the European Community and Malta

**Commission recommendation:** Bull. 3-1994, point 1.3.56

**Negotiating directives:** Bull. 6-1994, point 1.3.39

**Proposal for a decision regarding conclusion:** COM(95) 64; Bull. 4-1995, point 1.4.71

**Signature:** Bull. 6-1995, point 1.4.73

*Assent given by Parliament on 10 October.*

OJ C 287, 30.10.1995

*The Council adopted Decision 95/484/EC on the conclusion of the Protocol on 30 October.* The Protocol which includes an amount of ECU 45 million which can be committed up to 31 October 1998, will be used to finance measures fostering Malta's economic and social development and facilitating its transition and eventual accession to the European Union. Some ECU 30 million will be in the form of EIB loans and the remainder will come from the Community budget.

OJ L 278, 21.11.1995

## Turkey

1.4.76. EC-Turkey Association Council

### References:

EEC-Turkey Association Agreement: OJ L 217, 29.12.1964

Additional Protocol: OJ L 293, 29.12.1972

Proposal for a Council Regulation on financial and technical measures to support the reform of economic and social structures in Mediterranean non-member countries and territories (MEDA Regulation): OJ C 232, 6.9.1995; COM(95) 204;

Bull. 6-1995, point 1.4.69; Supplement 2/95 — Bull.

Proposal for a Council Regulation regarding the implementation of a special financial cooperation measure for Turkey: COM(95) 389; Bull. 7/8-1995, point 1.4.77

**Previous meeting:** Bull. 3-1995, point 1.4.65

*Meeting held in Luxembourg on 30 October.* The meeting was chaired by the Spanish Minister for Foreign Affairs and President of the Council, Mr Javier Solana, and the Commission and Turkey were represented by Mr Hans van den Broek and the Turkish Foreign Minister Coskun Kirca respectively. Mr Gennimatas attended on behalf of the European Investment Bank.

The Association Council devoted most of its meeting to discussing preparations for achieving customs union. It regarded the technical conditions for the smooth functioning of the customs union as having been met and congratulated Turkey on its remarkable adjustment effort. It decided on specific procedures to take effect when the customs union became operative: annual meetings at ministerial and head of State or government level. The European Union assured Turkey that it was continuing to look into the possibility of strengthening political dialogue.

The Association Council noted the progress made between the two sides on the resumption of financial cooperation on the date of entry into force of the customs union to strengthen Turkey's economic and social infrastructure and improve its economic competitiveness. The Council of the European Union recalled that it had stated that in cases of special need, and at Turkey's request, the Community, in coordination with international financial institutions, could examine the possibility of granting exceptional additional macroeconomic aid. It also noted that the actual implementation of the customs union was subject to Parliament's assent. While congratulating Turkey on its reforms and recent progress on human rights and democratization, it recalled the importance it attached to human rights and to continuation of the reform process embarked upon by Turkey. Turkey underlined the importance it attached to observance of the deadlines laid down in the Association Agreement for completion of the customs union.

1.4.77. Proposal for a free trade Agreement between the Community and Turkey on prod-

acts covered by the Treaty establishing the European Coal and Steel Community

**Commission recommendation:** Bull. 6-1995, point 1.4.74

*Council agreement to the negotiating directives given on 30 October.*

### *Former Yugoslavia*

**Reference:** Commission communication to the Council on the reconstruction of the former Yugoslavia: Bull 9-1995, point 1.4.40

1.4.78. Council conclusions on the guidelines for the former Yugoslavia

*Adopted by the Council on 30 October.* In its conclusions, the Council set out the guidelines for the European Union's approach to the future peace negotiations for the former Yugoslavia. It laid down the following goals:

- the continuing existence of Bosnia-Herzegovina as a single State in its internationally recognized borders, consisting of two entities: the Federation of Bosnia-Herzegovina and the Republika Srpska;
- Bosnia-Herzegovina must be a multi-ethnic State, a democracy founded on respect for the human person, and the rule of law;
- basic human rights and the rights of minorities enshrined in international law have to be fully recognized and respected;
- full respect for the rights of refugees and displaced persons, in particular the right of voluntary return;
- a framework for early, free and fair elections in Bosnia-Herzegovina;
- economies based on market principles and regional cooperation;
- mutual recognition among all the States of the former Yugoslavia, within their internationally recognized borders;
- the establishment of a process to define arms control, disarmament and confidence building measures.

The Council confirmed the Union's willingness to contribute to the international effort to rebuild the regions devastated by the war, once peace was established, and to coordinate its action with other members of the international commu-

nity in order to provide long-term assistance with the objectives of supporting economic development, reinforcement of civil society, reconciliation and regional economic cooperation. The European Union would continue to provide humanitarian aid as long as needed. In order to ensure overall political coordination and coherence in implementing the peace settlement, the Council considered a High Representative should be appointed and entrusted by the UN Security Council with the tasks set out in the peace settlement. As a follow-up to European Union efforts to bring peace and stability to the region, the EU sought to establish, as soon as conditions permit, a long-term relationship with the countries of the region in the form of agreements within the framework of a regional approach.

The text of these conclusions is given in full in Part Two (Documentation) (→ point 2.2.1).

1.4.79. Parliament resolution on former Yugoslavia.

**Reference:** Parliament resolution on former Yugoslavia: OJ C 269, 16.10.1995; Bull 9-1995, point 1.4.41

*Adopted on 26 October.* Parliament called on the Council and the Commission to work with the UN and other international organizations on convening an international donor conference for an economic and civic recovery programme in the war-torn parts of former Yugoslavia. It stressed that, in order to receive aid, beneficiaries should fulfil a number of conditions including the reestablishment of the rule of law and respect for human rights. It asked the governments of all the countries of former Yugoslavia to set up the administrative and management structures needed to ensure that everyone in the region would benefit from the programme. It felt that the programme should be implemented as far as possible through local structures. Parliament also called for free and democratic elections under international monitoring to be held soon along lines which disregarded the effects of ethnic cleansing. In addition, the Council and Commission were asked to support the work of the International Tribunal for former Yugoslavia.

OJ C 308, 20.11.1995

1.4.80. Parliament resolution on the media in former Yugoslavia.

*Adopted on 26 October.* Stressing that aid to the independent and democratic media in all the countries of former Yugoslavia had to be a priority for the EU and that such media already existed, Parliament called on the Commission to devise relevant support programmes, including direct aid and meetings between journalists from all over the affected region and their counterparts from EU countries. It took the view that media outside ex-Yugoslavia which concerned themselves with refugees and migrants from the region should receive similar aid.

OJ C 308, 20.11.1995

## Maghreb

### Algeria

#### 1.4.81. EC-Algeria Cooperation Council.

##### References:

Cooperation Agreement between the European Economic Community and the Democratic and Popular Republic of Algeria: OJ L 263, 27.9.1978

Council Decision 92/206/EEC on the fourth Financial Protocol with Algeria: OJ L 94, 8.4.1992; Bull. 3-1992, point 1.3.20

Conclusions of the Cannes European Council: Bull. 6-1995, points I.12, I.13 and I.49; Supplement 2/95 — Bull.

**Previous meeting:** Bull. 1/2-1994, point 1.3.58

*Fifth ministerial meeting held in Luxembourg on 2 October.* At the meeting, chaired by the Spanish Foreign Minister and Council President, Javier Solana Madariaga, Algeria was represented by its Foreign Minister, Mr Mohammed Solana Dembri, the Commission by Mr Marín and the EIB by Mrs Obolensky.

Both sides stressed the importance they attached to cooperation and said they wanted to see it stepped up. The Cooperation Council also welcomed Algeria's progress on economic reforms and the agreements between the country and international financial institutions on consolidation of the market economy. In addition, it acknowledged that Algeria would be eligible for a share of the overall increase in funding for cooperation with the Mediterranean as provided for by the Cannes European Council. Both sides welcomed the importance Algeria attached to the opening of negotiations on a Euro-Mediterranean association agreement and the country's efforts towards the further development of the Maghreb region. For its part, the EU reiterated its willingness to support a policy of economic restructuring in Algeria and welcomed the country's decision to take part in the Barcelona Conference. The Council went on to reject the use of violence as a means of political action and reaffirmed its commitment to respect for human rights and fundamental freedoms. The EU again condemned terrorism and violence in whatever form.

**Mashreq**

### Lebanon

#### 1.4.82. Draft Euro-Mediterranean Association Agreement with Lebanon.

##### References:

EEC-Lebanon Cooperation Agreement: OJ L 267, 27.9.1978, as last amended by Regulation (EEC) No 3071/90: OJ L 267, 26.10.1990

Commission communication to the Council and Parliament on strengthening the Mediterranean policy of the European Union: establishment of a Euro-Mediterranean partnership: COM(94) 427; Bull. 10-1994, point 1.3.34; Supplement 2/95 — Bull.

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; Supplement 2/95 — Bull.

EC-Lebanon Cooperation Council: Bull. 3-1995, point 1.4.68

*Negotiating directives adopted by the Council on a Commission recommendation on 2 October.* The Council envisaged the new Agreement, concluded for an indefinite period, replacing the 1978 accord and governing all economic and trade relations. It included measures on financial, social and cultural cooperation, and political dialogue and institutional matters. The Council also asked for the text to include a clause on respect for democratic principles and human rights.

## Financial and technical cooperation

#### 1.4.83. Project financing.

Commission financing decisions to finance the following projects (see Table 9)

Table 9 — *Cooperation with Mediterranean countries*

		<i>(million ECU)</i>
Country/territory	Purpose	Amount (grant)
West Bank and Gaza Strip	Consolidated loan — risk capital operation	6
Egypt	Agricultural development programme	75
	Risk capital operation	6
Jordan	Private sector development programme	7
Lebanon	Risk capital operation	3
Morocco	Support for priority sectors of the training system	6
	Anti-erosion works on the Sidi-Driss watershed	5.5
	Drinking water supply and drainage for small towns	20
Tunisia	Water and soil conservation scheme	20
All Mediterranean countries	University of tourism for peace in the Middle East	1.2
	MED-MEDIA programme	16
	MED-URBS programme	24

## Support for the peace process

### References:

Conclusions of the Cannes European Council: Bull. 6-1995, point I. 13; Supplement 2/95 — Bull.

Agreement on extending autonomy to the whole of the West Bank: Bull. 9-1995, point 1.4.46

Council Decision 95/403/CFSP supplementing Decision 94/276/CFSP on a joint action adopted

by the Council on the basis of Article J.3 of the Treaty on European Union, in support of 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: OJ L 238, 6.10.1995; Bull. 9-1995, point 1.4.47

1.4.84. Council conclusions on the Middle East peace process.

*Adopted on 2 October.*

'The Council of the European Union:

□ aware of the historic importance of the Interim Agreement signed between Israel and the PLO on 28 September 1995;

□ convinced that it is necessary to contribute to the success of that Agreement and that economic and social development is a key factor for achieving a just and lasting peace;

□ resolved to strengthen cooperation by the Union, as the leading donor, with the Territories covered by the peace agreements;

□ convinced that the peoples in the region must be the prime beneficiaries of peace,

1. Invites the Commission to begin exploratory talks with the Palestinian Authority with a view to the conclusion of a Euro-Mediterranean Association Agreement as soon as circumstances permit;

2. Restates its desire to conclude as soon as possible the Euro-Mediterranean Association Agreements which the Commission is in the process of negotiating with the countries of the region;

3. Invites the Commission to take the necessary measures to enable the Territories covered by the peace agreements to benefit from increased aid in accordance with the conclusions of the Cannes European Council;

4. Calls on the European Investment Bank to speed up the commitment, at the earliest opportunity, of ECU 250 million in the form of appropriations for projects to develop the Territories covered by the peace agreements;

5. Confirms that there will be observation of the elections to the Palestinian Council and that the international operation for observing these elections will be coordinated. To that end, the Council and the Commission have set up the European Electoral Unit which is already fully operational, since all its members have already been appointed and an ECU 10 million budget has been assigned to it;

6. Agrees to prepare an international ministerial conference on economic assistance to the Palestinian people. The aim of the conference will be to consider economic and trade requirements, technical assistance

and ways of promoting economic and social development in the Territories covered by the peace agreements. The conference will take place after agreement on revision of the tripartite action plan and on a new development strategy;

7. To that end, invites the Commission to submit specific proposals relating to cooperation and trade.'

**1.4.85.** Commission communication to the Council and Parliament on future European Union economic assistance to the West Bank and the Gaza Strip.

*Adopted by the Commission on 23 October.* In the communication, requested by the Council, the Commission sets out the key elements of the EU's strategy for aid to the West Bank, the Gaza Strip and Jerusalem, which should include support for the political, institutional and economic empowerment of the Palestinian Authority (PA). The Commission takes the view that political support should concentrate on helping to organize the first Palestinian general elections. On the institutional front, the Commission proposes that the EU should help with the creation of government and administrative structures while any fresh contribution to economic empowerment should, in its view, follow the strategy in the tripartite plan (devised by the PA, Israel and the international community) to reduce the PA's structural budget deficit. The Commission also believes that the EU should help the PA define an efficient, all-embracing development plan while standing by its commitment to play a pivotal role in providing the PA with economic aid. In addition, the communication makes it clear that the PA is a full partner in the Euro-Mediterranean partnership.

COM(95) 505

**1.4.86.** Troika visit to the Middle East from 25 to 29 October.

The EU Troika, made up of the Spanish Foreign Minister and Council President, Javier Solana, the French Secretary of State, Margie Sudre, and the Italian Foreign Minister, Susanna Agnelli, visited Egypt, Lebanon, Israel, the Gaza Strip, Syria and Jordan along with Mr Marín. Meetings were held with Hafez El Assad, the Syrian President, Elias Hraoui, the Lebanese President, Yasser Arafat, President of the Palestinian Authority, Rafic Hariri, the Lebanese Prime Minister and Prime Minister Yitzhak Rabin of Israel. There were also meetings with the foreign min-

isters of all the countries visited. The trip, which followed the signing of the agreement extending autonomy to the whole West Bank on 28 September, was a chance for the EU to reaffirm its support for the peace process in the region. The Troika also attended the opening of the Amman economic summit.

## Independent States of the former Soviet Union; Mongolia

### General

**1.4.87.** Commission communication to the Council and Parliament on a European Union strategy for relations with the new independent States of Central Asia; draft Council common position on the EU's objectives and priorities regarding those States.

**Adopted by the Commission:** COM(95) 206; Bull. 6-1995, point 1.4.87

*Formally adopted on 10 October.*

### Partnership and other agreements

#### Moldova

**1.4.88.** Draft Interim Agreement on trade and trade-related matters between the European Communities and the Republic of Moldova.

**Reference:** Draft Partnership and Cooperation Agreement between the European Communities and their Member States and Moldova: Bull. 5-1995, point 1.4.86

**Negotiating directives:** Bull. 7/8-1994, point 1.3.44

**Proposal for a Council Decision (EC) and draft Commission Decision (Euratom and ECSC) on the conclusion of the Agreement:** Bull. 6-1995, point 1.4.90

**Consultation of the ECSC Consultative Committee:** Bull. 7/8-1995, point 1.4.90

*Decision adopted by the Council on 2 October on the signing of the Agreement.*

*Agreement signed on 2 October.* The Interim Agreement was signed by Mr Mihai Popov, Moldova's Minister for Foreign Affairs, Mr Javier Solana, Spanish Minister for Foreign Affairs and President of the Council, and Mr Van den Broek.

Pending completion of the procedures for ratifying the Partnership and Cooperation Agreement, the Interim Agreement will enable the trade and trade-related aspects to come into effect immediately. It involves implementing those provisions covering general principles, trade in goods, current payments, competition, protection of intellectual, industrial and commercial property rights and the Protocol on mutual assistance between administrative authorities in customs matters. As the Agreement is non-preferential, the parties are granting each other most-favoured-nation status.

## Russia

*1.4.89.* Draft Interim Agreement on trade and trade-related matters between the European Communities and Russia.

**Recommendation for a Decision:** Bull. 7/8-1994, point 1.3.45

**Negotiating directives:** Bull. 7/8-1994, point 1.3.45

**Initialling:** Bull. 12-1994, point 1.3.53

**Proposal for a Council Decision (EC) and draft Commission Decision (Euratom and ECSC) concerning the conclusion of the Agreement:** Bull. 7/8-1995, point 1.4.89

**Council Decision on the signing of the Agreement:** Bull. 7/8-1995, point 1.4.89

**Signing:** Bull. 7/8-1995, point 1.4.89

**Consultation of the ECSC Consultative Committee:** Bull. 7/8-1995, point 1.4.89

*Adoption by the Commission on 4 October of Decision 95/415 (Euratom, ECSC) on the conclusion of the Agreement.*

OJ L 247, 13.10.1995

## Ukraine

*1.4.90.* Draft Interim Agreement on trade and trade-related matters between the European Communities and Ukraine.

**Commission recommendation:** Bull. 6-1994, point 1.3.35

**Negotiating directives:** Bull. 6-1994, point 1.3.35

**Proposal for a Council Decision on the conclusion of the Agreement:** COM(94) 341; Bull. 7/8-1994, point 1.3.46

**Draft ECSC and Euratom Decision on the conclusion of the Agreement:** COM(94) 341; Bull. 7/8-1994, point 1.3.46

**Council Decision on the signing of the Agreement:** Bull. 11-1994, point 1.3.37

**Consultation of the ECSC Consultative Committee:** Bull. 12-1994, point 1.3.56

**Signing:** Bull. 6-1995, point 1.4.93

*Endorsed by Parliament on 27 October.*

OJ C 308, 20.11.1995

## Assistance for the independent States of the former Soviet Union

### Financial assistance

#### Ukraine

*1.4.91.* Council Decision 95/442/EC providing further macro-financial assistance to Ukraine.

#### References:

Twentieth Western Economic Summit: Bull. 7/8-1994, point 1.3.52

Council Decision 94/940/EC providing macro-financial assistance for Ukraine: OJ L 366, 31.12.1994; Bull. 12-1994, point 1.3.46

**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

**Parliament's opinion:** OJ C 269, 16.10.1995; Bull. 9-1995, point 1.4.49

*Formally adopted by the Council on 23 October.*

This aid, amounting to ECU 200 million, supplements the ECU 85 million granted in December 1994 and will take the form of a long-term loan for a maximum of 10 years. It is intended to buttress Ukraine's balance of payments, strengthen the country's reserves and ease implementation of the necessary structural reforms. The loan will be disbursed in two tranches, the first amounting to ECU 100 million, subject to proper application of the stand-by arrangement Ukraine concluded with the International Monetary Fund last April. Implementation is also contingent on observance of the agreed timetable for closing the Chernobyl nuclear power station by the year 2000 in keeping with the arrange-

ments adopted by the Group of Seven and the European Union.

OJ L 258, 28.10.1995

### *Technical assistance*

**Basic Regulation:** Regulation (EEC, Euratom) No 2053/93 on technical assistance for 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

*1.4.92.* Commission Decision approving the 1995 TACIS programme on nuclear safety.

*Adopted on 19 October.* Community funding of ECU 58.5 million was granted for a technical cooperation programme in the field of nuclear safety with the independent States of the former Soviet Union and with Mongolia.

*1.4.93.* Commission Decision approving the 1995 TACIS programme for democracy in the new independent States of the former Soviet Union and in Mongolia.

*Adopted on 20 October.* ECU 10 million was granted for schemes to strengthen multi-party democracy and the rule of law in the new independent States and in Mongolia.

### **Bilateral relations**

#### *Azerbaijan, Armenia, Georgia*

*1.4.94.* Mr Van den Broek's visit to those countries from 3 to 7 October.

#### **References:**

Commission communication to the Council and Parliament entitled 'Relations with the Transcaucasian republics — strategy of the European Union': COM(95) 205; Bull. 5-1995, point 1.4.79

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

Mr Van den Broek met Mr Aliyev, Mr Ter Petrossian and Mr Shevardnadze, Heads of State of Azerbaijan, Armenia and Georgia respectively, their Prime Ministers and other members of their governments.

The main outcome of the visit — which fits in with the Commission's strategy for ties between

the EU and the three republics — was the signing of a memorandum of understanding on a new food aid programme for the coming winter. The negotiation of the planned partnership and cooperation agreements was also broached. Talks are already under way with Georgia and are due to start with the two other republics in October.

#### *Russia*

*1.4.95.* Visit by Mr Souvorov, deputy Transport Minister, on 24 October.

Mr Souvorov met Mr Kinnock. The two sides signed a memorandum of understanding on the development of Corridor 9, pinpointed at the March 1994 pan-European conference in Crete as one of the nine priority transport corridors for bolstering links between the EU and Eastern Europe. Corridor 9, which will be multimodal, will link the Baltic to the Black Sea and the Mediterranean.

## **United States, Japan and other industrialized countries**

### **Relations between the European Union, the United States, Canada and Japan**

*1.4.96.* Quad meeting.

**Reference:** Final Act of the Uruguay Round multilateral trade negotiations: Bull. 4-1994, point 1.3.61

**Previous meeting:** Bull. 5-1995, point 1.4.89

Meeting held in Ripley (United Kingdom) on 20 and 21 October.

The participants in this ministerial-level meeting, Mr Mickey Kantor, US Trade Representative, Mr Roy MacLaren, the Canadian Trade Minister, Mr Ryutaro Hashimoto, Japanese Minister for Trade and Industry, and Sir Leon Brittan, undertook to step up their efforts to complete the negotiations on the business

outstanding from the Marrakesh conference, and in particular telecommunications and shipping. They also discussed the preparations for the World Trade Organization's first ministerial conference, scheduled for December 1996 in Singapore, and the progress of the work of the WTO's trade and environment committee. New subjects such as trade and investment, trade and competition, trade and social norms were also raised.

## Australia

1.4.97. Visit to Madrid by Mr Gareth Evans, the Australian Foreign Minister, on 5 October.

Mr Evans met Mr Javier Solana, the Spanish Foreign Minister and President of the Council, and Sir Leon Brittan for talks on various aspects of the Union's relations with Australia, and in particular Australia's suggestion that the two parties negotiate a framework agreement. The prospects for the enlargement of the Union, the preparations for the intergovernmental conference and Australia's role in the Asia-Pacific region were also discussed. Mr Evans reiterated his government's views on the French nuclear tests.

## Asia

### Bilateral relations

#### China

1.4.98. Joint Committee.

##### References:

Trade and Commercial Cooperation Agreement between the Community and China: OJ L 250, 19.9.1985; Bull. 9-1985, point 2.3.19

Commission communication on a long-term policy for China-Europe relations: COM(95) 279; Bull. 7/8-1995, point 1.4.98

**Previous meeting:** Bull. 1/2-1994, point 1.3.71

Meeting held in Brussels from 6 to 9 October. The Chinese delegation was led by Mrs Wu Yi,

Minister of Foreign Trade and Economic Cooperation, and the Community delegation by Sir Leon Brittan. Talks focused on:

- economic and trade relations between China and the EU: the parties agreed to strengthen bilateral cooperation in several sectors and do all they could to promote the more balanced development of bilateral trade flows;
- China's accession to the World Trade Organization: the Community delegation reiterated its backing for Chinese accession at the earliest opportunity and on appropriate terms, while the Chinese delegation reaffirmed its intention to continue the reforms aimed at bringing the country's economic and trading system into line with international rules;
- the EU's long-term policy: the Joint Committee welcomed the recent Commission communication, which reflects the importance attached by the EU to relations with China;
- the preparations for the Europe-Asia summit and regional cooperation.

An economic forum for businessmen from the EU and China, which had been scheduled for 5 and 6 October to coincide with this meeting, was formally opened by Mrs Wu and Sir Leon. The first meeting of the EC-China working party on the environment took place on 9 October.

#### Nepal

1.4.99. Draft Cooperation Agreement between the European Community and Nepal.

**Negotiating directives:** Bull. 10-1994, point 1.3.48

**Initialled:** Bull. 7/8-1995, point 1.4.99

A proposal for a Council Decision concerning the conclusion of this Agreement was adopted by the Commission on 19 October. Based on respect for human rights and democratic principles, this Agreement is aimed at creating the conditions necessary for bilateral trade and its development, promoting sustainable development in Nepal and improving the living conditions of the poorest sections of the country's population, fostering mutually advantageous economic cooperation and Nepal's transition to a market economy, and promoting environmental protection and regional cooperation.

COM(95) 488



## Cooperation with Asia

1.4.100. Commission financing decisions: see Table 10.

Table 10 — *Cooperation with Asia*

		<i>(million ECU)</i>
Country	Purpose	Total
Bangladesh	Education and social mobilization	9.4
China	Technical and commercial cooperation in the dairy and food-processing sectors	30.0
India	Prevention and stabilization of soil erosion in Uttar Pradesh	7.9
ASEAN members	Programme for European Union-ASEAN young businessmen	15.0

## Aid for refugees and displaced persons

1.4.101. Commission decisions: see Table 11.

Table 11 — *Aid for refugees and displaced persons*

<i>(million ECU)</i>		
Country	Number of programmes	Total
Bangladesh	1	0.13

## Latin America

### General

1.4.102. Commission communication to the Council and Parliament on the present situation and prospects for closer partnership between the

European Union and Latin America (1996-2000).

*Adopted by the Commission on 23 October.* This communication presented to the Council and Parliament the outlines of a strategy for strengthening relations between the European Union and Latin America between now and 2000 based on an analysis of the present state of relations between the two regions and the record of cooperation between 1991 and 1995.

The Commission first of all emphasizes the strategic value for the European Union of strengthening its links with Latin America in the light of the historical and cultural ties between the two regions, the favourable political context (return to peace and consolidation of the rule of law and democracy in Latin America), the improvement of the macroeconomic situation of the Latin American countries, creating favourable conditions for development and growth, and the progress of regional integration in Latin America. Drawing up a record of relations between the European Union and Latin America since 1990, the Commission stresses that Latin America has become the most dynamic market for European exports (+ 44% over the last three years) and that, at the same time, the political dialogue between the two regions (institutionalized dialogue, interparliamentary conferences and 'third generation' cooperation agreements) has developed considerably. As a special partner of Latin America, the European Union must forge even closer relations to help it meet the challenges of consolidating the rule of law, combating poverty and social inequality, completing reforms and improving competitiveness. The Commission suggests that the strategy for strengthening these relations be based on the following:

- the tightening of political ties with the particular aim, over and above strictly bilateral matters, of involving Latin America more closely in the running of international affairs;
- the stepping-up of economic integration and free trade;
- the concentration of cooperation around priority strategies — institutional support and consolidation of democratic processes, the fight against poverty and exclusion, support for economic reforms and greater competitiveness; and also around areas of common interest — support for cooperation and regional integration, education and training and management of North-

South interdependence. This concentration of the cooperation objectives and the improvement of its management methods should make it more relevant, better targeted, more innovatory and more flexible.

COM(95) 495

## Relations with regional bodies

### *Mercosur*

1.4.103. Draft interregional framework cooperation Agreement between the European Community and its Member States, on the one hand, and Mercosur and its member countries on the other.

**Commission recommendation:** Bull. 4-1995, point 1.4.88

**Negotiating directives:** Bull. 6-1995, point 1.4.108

**Initialling of Agreement:** Bull. 9-1995, point 1.4.55

*The Commission adopted a proposal for a Council Decision concerning the conclusion of the Agreement on 23 October.* The Agreement, which is intended to strengthen existing relations between the Community and Mercosur and to lay the groundwork for interregional association arrangements, covers trade and economic matters, cooperation regarding integration and other fields of mutual interest. It also provides for a regular political dialogue.

*The Commission adopted a proposal for a Council Decision concerning the provisional application of certain provisions of the Agreement on 23 October.* This was to allow the provisional application, immediately upon the signing of the Agreement, of certain provisions of the Agreement on trade cooperation.

COM(95) 504

1.4.104. Own-initiative opinion of the Economic and Social Committee on the Commission communication entitled 'The European Community and Mercosur: an enhanced policy'.

**Reference:** Commission communication: COM (94) 428; Bull. 10-1994, point 1.3.51

*Adopted by the Economic and Social Committee on 25 October.*

The Committee approved the Commission communication and the strategy of concluding an agreement with Mercosur (→ point 1.4.103). It drew attention to certain problems to be taken into account in the process of negotiating and implementing the Agreement, in particular the compatibility of the Agreement with the European Union's international obligations under the World Trade Organization and with the common agricultural policy, its implications for the overall context of dialogue between the European Union and Latin America, particularly within the Rio Group, and the need to place the emphasis on certain social aspects (combating poverty, protection of basic rights and industrial relations).

## Bilateral relations

### *Bolivia*

1.4.105. Visit to the Commission by Mr González Sánchez de Lozada, President of the Republic, on 13 October.

Mr Sánchez de Lozada saw Mr Santer, Mr Marín, Mr Van den Broek and Ms Bonino. During the visit, Mr Sánchez de Lozada described the reforms which his country had introduced in recent years in order to promote foreign investment. The talks also covered relations between the European Union and Bolivia in the context of developing regional integration (Andean Pact and Rio Group). The prevention of drug abuse was also discussed, with Mr Sánchez de Lozada emphasizing Bolivia's efforts to develop alternative crops. On the eve of the meeting, Mr Sánchez de Lozada had been present at the signing of a framework Agreement between the European Investment Bank and Bolivia laying down the general conditions for EIB loans and he had also attended a seminar on investment opportunities in Bolivia.

### *Brazil*

1.4.106. Framework Agreement for cooperation between the European Community and Brazil.

**Commission recommendation:** Bull. 1/2-1992, point 1.4.44

**Negotiating directives:** Bull. 3-1992, point 1.3.37

**Initialling of Agreement:** Bull. 4-1992, point 1.4.21

**Commission proposal concerning conclusion:** OJ C 163, 30.6.1992; COM(92) 209; Bull. 5-1992, point 1.2.33

**Signing of Agreement:** Bull. 6-1992, point 1.4.30

**Parliament opinion:** OJ C 337, 21.12.1992; Bull. 11-1992, point 1.4.39

*The Council adopted Decision 95/445/EC on the conclusion of the Agreement on 30 October. The Agreement, signed in 1992, was recently ratified by Brazil and so can enter into force on 1 November. It is a framework Agreement with a clause on future developments. Based on the observance of democratic principles and human rights, it provides for the development of cooperation between the two sides, particularly in the economic, trade, scientific and technical, environmental and social development spheres and is also designed to intensify and diversify trade and encourage investment.*

OJ L 262, 1.11.1995

## Chile

1.4.107. Visit by Mr Marín on 17 and 18 October.

Mr Marín saw Mr Eduardo Frei, the President of the Republic, and also Mr José Miguel Insulza, Foreign Minister, and Mr Luis Maira, Minister of Planning. The talks focused on bilateral relations between the European Union and Chile and in particular the need to determine the aims, topics and mechanisms to be considered in the negotiation of a new agreement, which should resemble the Agreement between the European Union and Mercosur in content and pace of implementation.

## Cuba

1.4.108. Council conclusions on Cuba.

**Reference:** Commission communication on relations between the European Union and Cuba: COM(95) 306; Bull. 6-1995, point 1.4.110

*Adopted by the Council on 2 October.*

'After examining the Commission communication to the Council and the European Parliament on relations between the European Union and Cuba, the Council:

□ affirms the European Union's aim of encouraging a peaceful transition to democracy and economic liber-

alization in Cuba, by strengthening and expanding its relations with Cuba;

□ emphasizes the importance it attaches to respect for human rights and fundamental freedoms and the desirability of supporting the political and economic reform process in Cuba;

□ reiterates the aim of keeping up humanitarian aid and other action to meet the immediate needs of the population;

□ considers that an active accompanying role by the European Union, serving to create conditions for binding Cuba into the international community, should help speed up the internal transition process.

The Council has accordingly decided to establish a dialogue with its Cuban interlocutors in order to determine the appropriate framework and level for future relations between the European Union and Cuba, in the interest of developments in Cuba's economic and institutional reforms.

The dialogue should provide an opportunity for a full and thorough discussion on the reforms under way and other reforms needed, in particular on the development of civil society, safeguards for the observance of human rights and fundamental freedoms and the extension of private initiative.

The dialogue will be conducted by the troika.

The Council will discuss in depth the outcome of the dialogue and consider the possibility of opening negotiations with a view to an economic and commercial cooperation agreement with Cuba. In any event, that step may be taken only on the basis of prior directives from the Council.'

## Mexico

1.4.109. Proposed economic partnership and political consultation agreement between the European Community and Mexico.

### References:

Framework Agreement for cooperation between the Community and Mexico: OJ L 340, 11.12.1991; Bull. 10-1991, point 1.3.24

Conclusions of the Corfu European Council: Bull. 6-1994, point 1.20

Conclusions of the Essen European Council: Bull. 12-1994, point 1.19

Commission communication entitled 'Towards closer relations between the European Union and Mexico': COM(95) 3; Bull. 1/2-1995, point 1.4.107

Solemn joint declaration between the Council and the Commission, on the one hand, and Mexico, on the other: Bull. 5-1995, point 1.4.104

The Commission adopted a recommendation for a decision on 23 October. In accordance with the conclusions of the Corfu and Essen European Councils and its communication of January 1995, the Commission recommended that the Council authorize it to negotiate, as set out in the solemn joint declaration signed in May, a new economic partnership and political consultation agreement with Mexico designed to strengthen existing relations between the two parties on a footing of reciprocity and shared interests. The agreement would have three components:

- an economic component under which a framework would be established to encourage the development of trade in goods and services and also of investment;
- a component for strengthening cooperation, particularly on economic, scientific, industrial, educational, social, audiovisual, cultural and regional matters;
- a political component, based in particular on the institutionalization of the political dialogue.

## Cooperation with Latin America

1.4.110. Commission financing decisions: see Table 12.

Table 12 — *Cooperation with Latin America*

<i>(million ECU)</i>		
Country	Purpose	Total
Chile	Programme to combat urban poverty	9.6
Nicaragua	Support for electricity sector	7
Regional programme	<ul style="list-style-type: none"> <li>• Optimum use of energy resources</li> <li>• Industrial cooperation and investment promotion</li> </ul>	41

## Aid to refugees and displaced persons

1.4.111. Commission decisions: see Table 13.

Table 13 — *Aid for refugees and displaced persons*

<i>(million ECU)</i>		
Country	Number of programmes	Total
Guatemala	1	3

## ACP countries, South Africa and OCTs

### Relations with ACP countries

#### *Mid-term review of the fourth Lomé Convention*

##### References:

Fourth Lomé Convention: OJ L 229, 17.8.1991; Bull. 9-1991, point 1.3.38  
 ACP-EU Ministerial Conference: Bull. 6-1995, point 1.4.115

1.4.112. Proposal for a mid-term partial review of the fourth Lomé Convention.

**Recommendation for a Decision:** Bull. 9-1993, point 1.3.44

**Negotiating directives:** Bull. 1/2-1994, point 1.3.80

**Commission communication concerning the signing of an act revising the fourth Lomé Convention:** Bull. 7/8-1995, point 1.4.107

*Proposal for a Decision on the signing of the Agreement revising the fourth ACP-EC Convention adopted by the Commission on 19 October.* This proposal, which contains the text of the draft Agreement amending the fourth Lomé Convention, follows a communication in July in which the Commission proposed that the Council adopt a decision on the signing of the act of revision on behalf of the Community, jointly with the representatives of the Member States.

*Decision on signing the Agreement adopted by the Council on 30 October.*

1.4.113. Commission communication to the Council on measures to be adopted with a view to advance application of certain provisions of the Agreement amending the fourth ACP-EC Convention.

*Adopted by the Commission on 20 October.* This communication is a proposal for a Community common position within the ACP-EC Council of Ministers on transitional measures to be applied from 1 January 1996 with a view to authorizing the advance application of certain provisions of the Agreement amending the fourth ACP-EC Convention.

### *Implementation of the fourth Lomé Convention*

1.4.114. Proposal for a Decision of the ACP-EC Council of Ministers on transitional measures to be applied from 1 March 1995 following the expiry of the financial Protocol to the seventh EDF.

**Reference:** Fourth Lomé Convention: OJ L 229, 17.8.1991; Bull. 9-1991, point 1.3.38  
**Commission proposal:** Bull. 7/8-1995, point 1.4.108

*Adopted by the Council on 30 October.*

1.4.115. Proposal for a Protocol to the fourth ACP-EC Convention consequent on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union.

**Reference:** Treaty concerning the accession of Norway, Austria, Finland and Sweden: OJ C 241, 29.8.1994; Bull. 6-1994, point 1.3.15  
**Recommendation for a Commission Decision:** COM(94) 416; Bull. 10-1994, point 1.3.58  
**Negotiating directives:** Bull. 12-1994, point 1.3.85

*Proposal for a Decision on signing the Protocol adopted by the Commission on 20 October.*

*Decision on signing the Protocol adopted by the Council on 30 October.* Provides for implementation of the fourth Lomé Convention between the ACP States and the new Member States.

1.4.116. Proposal for a Decision of the ACP-EC Council of Ministers on advance appli-

cation of the Protocol to the fourth ACP-EC Convention consequent on the accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union.

*Adopted by the Commission on 20 October.*

*Adopted by the Council on 30 October.* Fills the potential legal void between 31 December 1995, when the transitional measures cease to apply, and the scheduled entry into force of the Protocol in 1997.

### *Stabex*

1.4.117. Commission report to the Council on the operation in 1994 of the export earnings stabilization system under the fourth Lomé Convention.

#### **References:**

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

Commission progress report to the ACP-EC Committee of Ambassadors on the processing of transfers for 1993 under the system to stabilize export earnings set up by the fourth Lomé Convention: Bull. 11-1994, point 1.3.63

**Previous report:** Bull. 10-1994, point 1.3.59

*Adopted by the Commission on 26 October.* This report relates to the activities of the ACP-EC institutions and the management of Stabex during 1994 and, in particular, to the allocation of transfers for 1993.

COM(95) 501

1.4.118. Commission progress report to the ACP-EC Committee of Ambassadors on the processing of transfers for 1994 under the system to stabilize export earnings set up by the fourth Lomé Convention.

#### **References:**

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

Commission Decision on Stabex transfers for the 1994 application year: Bull. 7/8-1995, point 1.4.109

**Previous report:** Bull. 11-1994, point 1.3.63

*Adopted by the Commission on 31 October.* In its report, the Commission notes that, for 1994, 26 ACP States were eligible for 30 transfers under Stabex, the largest amounts being allocated to the Caribbean islands, and that, for the first

time since the entry into force of the fourth Lomé Convention, the rate of cover for eligible earnings losses by the ACP States was 100%. The total amounts of transfers and of resources for the year in question were, respectively, ECU 138 089 469 and ECU 201 215 231.

## Protocols

### Sugar

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

*1.4.119.* Draft Agreement on the guaranteed prices applicable during the 1995/96 delivery period to cane sugar originating in the ACP States referred to in Protocol 8 annexed to the fourth Lomé Convention.

**Recommendation for a Commission Decision:** Bull. 9-1995, point 1.4.60

*Negotiating directives adopted by the Council on 24 October.* The Council proposed that the guaranteed prices for white sugar and raw cane sugar from the ACP States and India should not exceed the corresponding intervention prices applicable during the 1995/96 period to Community sugar.

*1.4.120.* Draft Agreements in the form of an exchange of letters between: (a) the European Community and Barbados, Belize, Congo, Côte d'Ivoire, Fiji, Guyana, Jamaica, Kenya, Madagascar, Malawi, Mauritius, St Kitts and Nevis, Suriname, Swaziland, Tanzania, Trinidad and Tobago, Uganda, Zambia and Zimbabwe and, (b) the European Community and India on the guaranteed prices for cane sugar for the 1994/95 delivery period.

**Previous Agreement:** Bull. 11-1994, point 1.3.65

*Adoption by the Commission on 6 October of a proposal for a Council Decision concluding the Agreement.* To guarantee the ACP States and India cif prices for deliveries of white sugar and raw cane sugar to the Community which are comparable with the prices guaranteed to sugar producers in the Community for the 1994/95 delivery period, the Commission proposed that the guaranteed prices for the intervention period from 1 July 1994 to 30 June 1995 be set at ECU 52.37 per 100 kg of raw sugar and ECU 64.65 per 100 kg of white sugar.

COM(95) 464

## Bilateral relations

### Angola

*1.4.121.* Common position 95/413/CFSP defined by the Council on the basis of Article J.2 of the Treaty on European Union on Angola.

#### References:

Council Decision 95/170/CFSP concerning the joint action adopted 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

Donors' round table on rebuilding Angola: Bull. 9-1995, point 1.4.61

*Adopted by the Council on 2 October.* In the Common Position, the Council sets out the objectives pursued by the European Union in Angola and, welcoming the outcome of the UNDP (United Nations Development Programme) round table held in Brussels on 25 and 26 September, specifies the measures to which the European Union is prepared to contribute. These include participation in the strengthening of democracy and the rule of law, particularly through reinforcement of Unavem III, efforts towards social and economic reintegration of displaced persons, refugees and demobilized soldiers, demining operations within the framework of joint action on anti-personnel mines and various Angolan and international initiatives aimed at national reconciliation and reconstruction of the country.

OJ L 245, 12.10.1995

### Malawi

*1.4.122.* Visit to the Commission by Mr Aleke Banda, Minister of Finance and Planning, on 19 October.

**Reference:** Visit to the Commission by Dr Kaire Mbuende, Executive Secretary of SADC: point 1.4.125 of this Bulletin

Mr Banda saw Mr Pinheiro, who informed him of the Commission's intention to launch an initiative — welcomed by the Malawian minister — to promote private investment in the 12 member countries of the SADC.

### Niger

*1.4.123.* Visit to the Commission by Mr Hama Amadou, Prime Minister of Niger, on 12 October.

Mr Amadou saw Mr Pinheiro, with whom he discussed the current negotiations between Niger and the IMF and the World Bank with a view to financing its structural adjustment programme. Mr Pinheiro confirmed that the Commission was willing to continue its support for the Niger Government's efforts in view of the country's satisfactory economic results.

### Senegal

*1.4.124.* Visit to the Commission by Mr Jacques Baudin, Minister of Justice, on 25 and 26 October.

Mr Baudin saw Mr Pinheiro. The purpose of his visit was to present the Treaty setting up the Organization for the Harmonization of Commercial Law in Africa (OHADA) and to request the European Union's assistance in its implementation. The Treaty is part of the process of structural reform introduced by the countries of sub-Saharan Africa in order to pave the way for a return of private investment as a result of improved business conditions. Mr Pinheiro assured Mr Baudin that the Commission was prepared to support this initiative in view of its importance for the economic recovery of the region.

### Southern Africa Development Community (SADC)

*1.4.125.* Visit to the Commission by Dr Kaire Mbuende, Executive Secretary of the SADC, on 18 October.

Dr Mbuende saw Mr Pinheiro. The main object of the meeting was to strengthen cooperation between the European Community and the SADC. Dr Mbuende expressed the hope that such cooperation would succeed in countering the adverse effects of the liberalization of certain national economies in the region, notably in Zambia and Malawi. Mr Pinheiro suggested that the SADC could derive benefit, in the form of technical assistance, from the Community's experience in the harmonization of industrial policies and competition rules.

### Relations with South Africa

#### References:

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

Commission communication to the Council proposing measures to be presented to the new Government of South Africa and conclusions adopted by the Council: COM(94) 123; Bull. 4-1994, point 1.3.38

Decision 94/822/EC concerning the conclusion of the Cooperation Agreement between the European Community and the Republic of South Africa: OJ L 341, 30.12.1994; Bull. 12-1994, point 1.3.69

Proposal for a Council Regulation on development cooperation with South Africa: COM(95) 174; Bull. 5-1995, point 1.4.111

Council Regulation (EC) No 2651/95 amending Council Regulation (EC) No 3282/94 extending into 1995 the application of Regulations (EEC) No 3833/90, (EEC) No 3835/90 and (EEC) No 3900/91 applying generalized tariff preferences to certain agricultural products originating in developing countries: OJ L 273, 16.11.1995; point 1.4.44 of this Bulletin

*1.4.126.* Draft Agreement on trade and cooperation with the Republic of South Africa.

**Commission recommendation:** Bull. 3-1995, point 1.4.97

**Negotiating directives:** Bull. 6-1995, point 1.4.118

*Recommendation on supplementary negotiating directives adopted by the Commission on 23 October.* In the light of South Africa's notification to the Community of its interest in a possible free trade Agreement, the Commission recommended that the Council amplify the existing negotiating directives by incorporating this dimension. The new proposal accordingly concerns only the trade aspects of the Agreement. The principal points are:

- establishment, at the end of a transitional period, of an effective free trade area between the European Union and South Africa;
- a desire to highlight the regional dimension of the current bilateral negotiations;
- interpretation of the concept of free trade, which should cover not only the bulk of trade in goods, but also services and financial transactions between the Community and South Africa;
- consideration of long-term development aspects.

*1.4.127.* Proposal for a Council Regulation on development cooperation with South Africa.

**Commission proposal:** OJ C 235, 9.9.1995; COM(95) 174; Bull. 5-1995, point 1.4.111

*Endorsed by Parliament on 10 October*, subject to a number of procedural amendments, changes in wording and amendments relating to the environmental dimension.

OJ C 287, 30.10.1995

*1.4.128.* Parliament resolution on a proposal for a Council Decision on the conclusion of a Cooperation Agreement between the European Community and South Africa.

*Adopted on 10 October.* Parliament welcomed the start of negotiations on a framework for long-term economic and trade relations between the European Union and South Africa. It stressed the need to support the process of economic restructuring in South Africa, recognizing that the extension to South Africa of generalized preferences treatment will be insufficient to promote the expansion and diversification of South African exports. It accordingly called for a strategy aimed at substantially improving access to the Community market for those commodities and sectors which will have a real impact on economic recovery. It stressed that the European Union must take full account of the regional dimension in its negotiations on a future trade agreement with South Africa and welcomed South Africa's efforts to restructure regional trade in the

interests of more balanced and more equitable regional development. Parliament called on the Council and the Commission to take measures to ensure that South Africa will have access to the new system of agricultural generalized preferences and to ensure a delinking of the cumulation and tendering questions from negotiations for a long-term bilateral agreement together with their comprehensive resolution in the context of the mid-term review of the fourth Lomé Convention. Lastly, it called upon the Commission to conduct a detailed sectoral analysis of the impact of a free trade area between the European Union and South Africa on South Africa's industry and that of its neighbours.

OJ C 287, 30.10.1995

### Financial and technical cooperation

*1.4.129.* Project financing.

Commission decisions allocating a total of ECU 232 896 000 from the seventh EDF for projects and programmes which it is running (see Table 14).

Table 14 — *Financing of operations under the seventh EDF*

<i>(million ECU)</i>		
Country	Project	Amount
<i>Economic infrastructure</i>		
Malawi	Roads and bridges	1.57
Central African Republic	Support for the sectoral transport programme	50
Benin	Roads and bridges	20
Cameroon	Roads and bridges	14
<i>Social and cultural development</i>		
Madagascar	Health	1.85
Botswana	Health	0.3
British Virgin Islands	Education infrastructure	2.484



<i>(million ECU)</i>		
Country	Project	Amount
<i>Rural production</i>		
Ghana	Structural adjustment support	21.4
Mali	Forestry	0.76
Madagascar	Integrated development project	0.75
Togo	Agriculture	1.986
<i>Industrialization</i>		
Burkina Faso	Geological mapping	15
<i>Trade promotion</i>		
Mozambique	Tourism	1.5
Belize	Tourism	0.75
Mali	Development of trade and services	3.75
ACP and OCTs	Tourism	1.996
<i>Exceptional aid</i>		
Zaire	Rehabilitation support	84
<i>Miscellaneous</i>		
Mali	General technical cooperation	0.5
Botswana	General technical cooperation	1.9
Haiti	General technical cooperation	2
Trinidad and Tobago	Structural adjustment support	4.3
Guyana	Structural adjustment support	2.1
<b>Total</b>		<b>232.896</b>

## Diplomatic relations

1.4.130. On 5 October, the following ambassadors presented their letters of credence to the President of the Council and the President of the Commission:

- HE Mr Philip Maingi Mwanzia, Head of Mission of the Republic of Kenya to the European Communities;
- HE Mr Atsushi Tokinoya, Head of Mission of Japan to the European Communities.

## 5. Justice and home affairs cooperation

### **International cooperation**

#### *Canada*

1.5.1. Visit by Mrs Gradin (29 September to 2 October).

Mrs Gradin met the Justice Minister and Attorney-General, Allan Rock, the Minister of Immi-

gration and Citizenship, Sergio Marchi, the Deputy Minister of Foreign Affairs, Gordon Smith, and the Government Leader in the House of Commons, Herbert Gray, to discuss the prospects for cooperation between Canada and the Community on justice and home affairs. During the talks the Canadians expressed an interest in establishing long-term relations in this field. Among the issues raised were immigration policy, the treatment of refugees and the fight against international crime and drugs.

# 6. Financing Community activities

## Budgets

### General budget

#### *Budgetary procedure*

#### 1995 financial year

1.6.1. Parliament resolution on the implementation of the Community budget for the 1995 financial year.

**Reference:** Commission communication to the budgetary authority on the implementation of the 1995 budget: Bull. 7/8-1995, point 1.6.2

*Adopted on 12 October.* Parliament expressed regret at the low level of implementation of the budget and criticized the tendency for spending to be concentrated at the end of the financial year. It rejected the link established by the Commission between full implementation of certain headings and the existence of legal bases. It also drew attention to the low level of implementation in certain specific budget headings, particularly the Structural Funds, the trans-European networks, the fight against poverty, the promotion of renewable energy sources, humanitarian aid and nuclear safety in Eastern Europe.

OJ C 287, 30.10.1995

#### 1996 financial year

1.6.2. 1996 draft budget.

**Commission preliminary draft:** Bull. 4-1995, point 1.6.4

**Letter of amendment No 1:** Bull. 7/8-1995, point 1.6.3

**Council first reading:** Bull. 7/8-1995, point 1.6.3

*First reading by Parliament on 26 October.* The draft budget adopted by Parliament totals ECU 86 517 million in commitment appropriations and ECU 81 896 million in payment appropri-

ations (see Tables 15 and 16), some ECU 500 million more than the commitment appropriations and payment appropriations in the Council's draft. The margin remaining available under the financial perspective is thus reduced to ECU 86 million (as against ECU 236 million in the Commission's preliminary draft and ECU 584 million in the Council's draft).

In particular, Parliament made the following changes to the Council's draft:

□ structural operations: Parliament restored the payment appropriations which had been cut by the Council and entered a reserve of ECU 62.5 million for Community initiatives;

□ internal policies: the total volume of appropriations allocated to this heading was increased to a level higher than that of the preliminary draft; however, this overall increase conceals a reduction in some sectors (in particular trans-European networks and audiovisual media) in favour of Parliament's priorities such as public information campaigns (+ ECU 50 million), the creation of a European civilian volunteer service under the Youth for Europe II programme (+ ECU 25 million) and job-creation incentives (+ ECU 50 million);

□ external action: revamping of the nomenclature; increase in the total volume of appropriations to a level higher than that of the preliminary draft, including a ECU 200 million reduction for the MEDA programme (bringing the appropriation to the same level as in the preliminary draft), a ECU 26.5 million reduction for fishing agreements and a ECU 30 million reduction for the common foreign and security policy, offset by a large increase in relation to the preliminary draft (i.e. a very substantial rise in relation to the Council's draft) for development cooperation (in particular with Latin America and South Africa), cooperation with NGOs and aid for reconstruction and for refugees in former Yugoslavia.

OJ C 308, 20.11.1995

*Letter of amendment No 2 adopted by the Commission on 31 October.* This letter of amendment, which does not involve any change in ap-

ropriations, restructures the nomenclature of the Council's administrative expenditure.

Table 15 — 1996 budget — Parliament first reading: summary

	Commitments		Payments	
	(million ECU)	Change in relation to 1995 (including supplementary and amending budget) (in %)	(million ECU)	Change in relation to 1995 (including supplementary and amending budget) (in %)
Preliminary draft	86 368	8.17	82 015	8.72
Council draft	86 020	7.73	81 360	7.85
Parliament draft	86 517	8.36	81 896	8.56

## Discharge procedure

### 1993 financial year

1.6.3. Parliament decision giving discharge in respect of the implementation of its budget for the 1993 financial year.

*Adopted on 12 October.* This discharge is accompanied by comments on the administration of Parliament's building projects in Brussels.

OJ C 287, 30.10.1995

### ECSC operating budget

1.6.4. Draft amending ECSC operating budget for 1995.

**Commission draft:** Bull. 5-1995, point 1.6.2  
**Consultation of ECSC Consultative Committee:** Bull. 7/8-1995, point 1.6.4

*Parliament opinion delivered on 12 October.* Parliament's amendments would delete the ad-

ministrative expenditure heading and reduce the allocations for conversion aid and the social measures connected with the restructuring of the steel industry in favour of aid for redeployment, aid for research and social measures connected with the restructuring of the coal industry.

OJ C 287, 30.10.1995

1.6.5. Draft ECSC operating budget for 1996.

**Commission draft:** Bull. 5-1995, point 1.6.3  
**Consultation of ECSC Consultative Committee:** Bull. 7/8-1995, point 1.6.5

*Parliament opinion delivered on 26 October.* Parliament's amendments would reduce the allocations for conversion aid and the social measures connected with the restructuring of the steel industry in favour of aid for redeployment, aid for research and social measures connected with the restructuring of the coal industry.

OJ C 308, 20.11.1995

Table 16 — 1996 budget — Parliament first reading: details of draft adopted

(ECU)

Head- ing FP 96	Budget heading	Budget for 1995	Financial perspective for 1996	Preliminary draft budget for 1996	Difference (in %)	Council first reading	Difference (in %)	Parliament first reading	Difference (in %)	Difference	Difference
		(1)	(2)	(3)	(4)=(3)/(1)	(5)	(6)=(5)/(1)	(7)	(8)=(7)/(1)	(9)=(7)-(3)	(10)=(7)-(5)
1	<i>Common agricultural policy</i>										
	Markets (B1-1 to B1-3)	34 807 500 000		38 554 000 000	+ 10.76	38 554 000 000	10.76	38 554 000 000	+ 10.76		
	Accompanying measures (B1-4 and B1-5)	2 089 500 000		2 274 000 000	+ 8.83	2 274 000 000	+ 8.83	2 274 000 000	+ 8.83		
	<b>Total 1</b>	<b>36 897 000 000</b>	<b>40 828 000 000</b>	<b>40 828 000 000</b>	<b>+ 10.65</b>	<b>40 828 000 000</b>	<b>+ 10.65</b>	<b>40 828 000 000</b>	<b>+ 10.65</b>		
	<b>Margin</b>			<b>0</b>		<b>0</b>		<b>0</b>			
2	<i>Structural operations</i>										
	EAGGF-Guidance (B2-10)	3 566 900 000		3 772 000 000	+ 5.75	3 772 000 000	+ 5.75	3 772 000 000	+ 5.75		
	FIFG (B2-11)	451 230 000		450 350 000	- 0.20	450 350 000	- 0.20	450 350 000	- 0.20		
	ERDF (B2-12)	10 814 110 000		11 883 700 000	+ 9.89	11 883 700 000	+ 9.89	11 883 700 000	+ 9.89		
	ESF (B2-13)	6 760 910 000		7 145 800 000	+ 5.69	7 145 800 000	+ 5.69	7 145 800 000	+ 5.69		
	Community initiatives (B2-14)	2 224 200 000		3 030 300 000	+ 36.24	3 030 300 000	+ 36.24	3 030 300 000	+ 36.24		
	Transitional measures, innovation schemes and measures to combat fraud (B2-15 and B2-18)	251 650 000		296 850 000	+ 17.96	296 850 000	+ 17.96	296 850 000	+ 17.96		
	Cohesion Fund (B2-3)	2 152 000 000		2 444 000 000	+ 13.57	2 444 000 000	+ 13.57	2 444 000 000	+ 13.57		
	EEA financial mechanism (B2-4)	108 000 000		108 000 000	+ 0.00	108 000 000	+ 0.00	108 000 000	+ 0.00		
	Structural Funds — Subtotal	24 069 000 000	26 579 000 000	26 579 000 000	+ 10.43	26 579 000 000	+ 10.43	26 579 000 000	+ 10.43		
	Cohesion Fund — Subtotal	2 152 000 000	2 444 000 000	2 444 000 000	+ 13.57	2 444 000 000	+ 13.57	2 444 000 000	+ 13.57		
	EEA financial mechanism — Subtotal	108 000 000	108 000 000	108 000 000	+ 0.00	108 000 000	+ 0.00	108 000 000	+ 0.00		
	<b>Total 2</b>	<b>26 329 000 000</b>	<b>29 131 000 000</b>	<b>29 131 000 000</b>	<b>+ 10.64</b>	<b>29 131 000 000</b>	<b>+ 10.64</b>	<b>29 131 000 000</b>	<b>+ 10.64</b>		
<b>Total margin</b>			<b>0</b>		<b>0</b>		<b>0</b>				
3	<i>Internal policies</i>										
	Research (B6)	2 991 696 000		3 228 100 000	+ 7.90	3 228 100 000	+ 7.90	3 183 150 000	+ 6.40	- 44 950 000	- 44 950 000
	Other agricultural operations (B2-5)	214 700 000		179 900 000	- 16.21	176 200 000	- 17.93	162 800 000	- 24.17	- 17 100 000	- 13 400 000
	Other regional operations (B2-6)	51 800 000		22 000 000	- 57.53	20 000 000	- 61.39	36 800 000	- 28.96	14 800 000	16 800 000
Transport (B2-7)	24 500 000		36 000 000	+ 46.94	26 700 000	+ 8.98	41 000 000	+ 67.35	5 000 000	14 300 000	

(ECU)

Budgets

Head- ing FP 96	Budget heading	Budget for 1995	Financial perspective for 1996	Preliminary draft budget for 1996	Difference (in %)	Council first reading	Difference (in %)	Parliament first reading	Difference (in %)	Difference	Difference
		(1)	(2)	(3)	(4)=(3)/(1)	(5)	(6)=(5)/(1)	(7)	(8)=(7)/(1)	(9)=(7)-(3)	(10)=(7)-(5)
	Fisheries and the sea (B2-9)	28 200 000		35 500 000	+25.89	35 500 000	+25.89	35 500 000	+25.89		
	Education, vocational training, youth (B3-1)	368 410 000		364 900 000	-0.95	354 200 000	-3.86	406 825 000	+10.43	41 925 000	52 625 000
	Culture and audiovisual sector (B3-2)	141 780 000		140 000 000	-1.26	118 500 000	-16.42	114 400 000	-19.31	-25 600 000	-4 100 000
	Information and communication (B3-3)	67 300 000		69 000 000	+2.53	41 000 000	-39.08	108 500 000	+61.22	39 500 000	67 500 000
	Other social operations (B3-4)	180 373 000		167 200 000	-7.30	110 770 000	-38.59	188 860 000	+4.71	21 660 000	78 090 000
	Energy (B4-1)	63 000 000		62 000 000	-1.59	21 000 000	-66.67	68 000 000	+7.94	6 000 000	47 000 000
	Euratom nuclear safeguards (B4-2)	19 200 000		18 200 000	-5.21	18 200 000	-5.21	19 070 000	-0.68	870 000	870 000
	Environment (B4-3)	144 188 000		139 000 000	-3.60	125 900 000	-12.68	131 900 000	-8.52	-7 100 000	6 000 000
	Consumer protection (B5-1)	21 250 000		19 100 000	-10.12	12 800 000	-39.76	20 050 000	-5.65	950 000	7 250 000
	Aid for reconstruction (B5-2)	6 775 000		4 775 000	-29.52	4 775 000	-29.52	4 775 000	-29.52		
	Internal market (B5-3)	172 780 000		173 200 000	+0.24	166 630 000	-3.56	217 550 000	+25.91	44 350 000	50 920 000
	Industry (B5-4)	120 300 000		120 200 000	-0.08	116 600 000	-3.08	115 650 000	-3.87	-4 550 000	-950 000
	Information market (B5-5)	13 930 000		p.m.	-100.00	p.m.	-100.00	p.m.	-100.00		
	Statistical information (B5-6)	37 000 000		38 000 000	+2.70	37 200 000	+0.54	35 900 000	-2.97	-2 100 000	-1 300 000
	Trans-European networks (B5-7)	381 000 000		445 000 000	+16.80	463 000 000	+21.52	410 000 000	+7.61	-35 000 000	-53 000 000
	Cooperation in the field of justice (B5-8)	5 200 000		5 500 000	+5.77	5 500 000	+5.77	13 000 000	+150.00	7 500 000	7 500 000
	General reserve for the agencies and measures to combat fraud (B5-9)	1 500 000		1 500 000	+0.00	1 500 000	+0.00	10 175 000	+578.33	8 675 000	8 675 000
	Research — Subtotal	2 991 696 000		3 228 100 000	+7.90	3 228 100 000	+7.90	3 183 150 000	+6.40	-44 950 000	-44 950 000
	Networks — Subtotal	381 000 000		445 000 000	+16.80	463 000 000	+21.52	410 000 000	+7.61	-35 000 000	-53 000 000
	Other policies — Subtotal	1 682 186 000		1 595 975 000	-5.12	1 392 975 000	-17.19	1 730 755 000	+2.89	134 780 000	337 780 000
	Total 3	5 054 882 000	5 337 000 000	5 269 075 000	+4.24	5 084 075 000	+0.58	5 323 905 000	+5.32	54 830 000	239 830 000
	Margin			67 925 000		252 925 000		13 095 000			
4	<i>External action</i>										
	EDF (B7-1)	—		—				p.m.		0	0
	Food aid (B7-20)	591 900 000		540 900 000	-8.62	529 000 000	-10.63	540 900 000	-8.62		11 900 000
	Humanitarian aid (B7-21)	326 000 000		379 000 000	+16.26	362 000 000	+11.04	379 500 000	+16.41	500 000	17 500 000
	Cooperation — Asia (B7-30)	395 000 000		406 500 000	+2.91	374 000 000	-5.32	406 500 000	+2.91		32 500 000
	Cooperation — Latin American countries (B7-31)	245 500 000		253 000 000	+3.05	234 000 000	-4.68	263 000 000	+7.13	10 000 000	29 000 000
	Cooperation — Southern Africa (B7-32)	140 000 000		140 000 000	+0.00	135 000 000	-3.57	150 000 000	+7.14	10 000 000	15 000 000

Head- ing FP 96	Budget heading	Budget for 1995	Financial perspective for 1996	Preliminary draft budget for 1996	Difference (in %)	Council first reading	Difference (in %)	Parliament first reading	Difference (in %)	Difference	Difference
		(1)	(2)	(3)	(4)=(3)/(1)	(5)	(6)=(5)/(1)	(7)	(8)=(7)/(1)	(9)=(7)-(3)	(10)=(7)-(5)
	Cooperation — Mediterranean countries (B7-4)	536900000		697000000	+29.82	897000000	+67.07	688000000	+28.14	-9000000	-209000000
	Cooperation — Central and Eastern Europe (B7-50)	1153910000		1235000000	+7.03	1235000000	+7.03	1231000000	+6.68	-4000000	-4000000
	Cooperation — Former Soviet Union (B7-52)	506850000		528000000	+4.17	525000000	+3.58	528000000	+4.17		3000000
	Cooperation — Former Yugoslavia (B7-54)	9500000		18000000	+89.47	18000000	+89.47	98000000	+931.58	80000000	80000000
	Other cooperation measures (B7-6, B7-51, B7-53)	379433000		355733000	-6.25	266450000	-29.78	411983000	+8.58	56250000	145533000
	Democracy and human rights (B7-7)	75960000		80750000	+6.31	44250000	-41.75	90750000	+19.47	10000000	46500000
	International fisheries agreements (B7-80)	280000000		290000000	+3.57	290000000	+3.57	263500000	-5.89	-26500000	-26500000
	External aspects of Community policies (B7-81 to B7-87)	119570000		137150000	+14.70	99750000	-16.58	138450000	+15.79	1300000	38700000
	Common foreign and security policy (B8-0)	110000000		92000000	-16.36	92000000	-16.36	62000000	-43.64	-30000000	-30000000
	<b>Total 4</b>	<b>4870523000</b>	<b>5264000000</b>	<b>5153033000</b>	<b>+5.80</b>	<b>5101450000</b>	<b>+4.74</b>	<b>5251583000</b>	<b>+7.82</b>	<b>98550000</b>	<b>150133000</b>
	<b>Margin</b>			<b>110967000</b>		<b>162550000</b>		<b>12417000</b>			
<b>5</b>	<i>Administrative expenditure</i>										
	Commission (Part A not including pensions)	2237820356		2350226000	+5.02	2286705349	+2.18	2299752349	+2.77	-50473651	13047000
	Pensions	349792000		399849000	+14.31	396515000	+13.36	396515000	+13.36	-3334000	
	<b>Commission — Total</b>	<b>2587612356</b>		<b>2750075000</b>	<b>+6.28</b>	<b>2683220349</b>	<b>+3.69</b>	<b>2696267349</b>	<b>+4.20</b>	<b>-53807651</b>	<b>13047000</b>
	<b>Other institutions — Total</b>	<b>1413620496</b>		<b>1383634544</b>	<b>-2.12</b>	<b>1339069494</b>	<b>-5.27</b>	<b>1433324642</b>	<b>+1.39</b>	<b>49690098</b>	<b>94255148</b>
	<b>Total 5</b>	<b>4001232852</b>	<b>4191000000</b>	<b>4133709544</b>	<b>+3.31</b>	<b>4022289843</b>	<b>+0.53</b>	<b>4129591991</b>	<b>+3.21</b>	<b>-4117553</b>	<b>107302148</b>
	<b>Margin</b>			<b>57290456</b>		<b>168710157</b>		<b>61408009</b>			
<b>6</b>	<i>Reserves</i>										
	Monetary reserve	500000000		500000000	+0.00	500000000	+0.00	500000000	+0.00		
	Guarantee reserve (B0-23)	323000000		326000000	+0.93	326000000	+0.93	326000000	+0.93		
	Emergency aid reserve (B7-91)	323000000		326000000	+0.93	326000000	+0.93	326000000	+0.93		
	<b>Total 6</b>	<b>1146000000</b>	<b>1152000000</b>	<b>1152000000</b>	<b>+0.52</b>	<b>1152000000</b>	<b>+0.52</b>	<b>1152000000</b>	<b>+0.52</b>		
	<b>Margin</b>			<b>0</b>		<b>0</b>		<b>0</b>			

(ECU)

Head- ing FP 96	Budget heading	Budget for 1995	Financial perspective for 1996	Preliminary draft budget for 1996	Difference (in %)	Council first reading	Difference (in %)	Parliament first reading	Difference (in %)	Difference	Difference
		(1)	(2)	(3)	(4)=(3)/(1)	(5)	(6)=(5)/(1)	(7)	(8)=(7)/(1)	(9)=(7)-(3)	(10)=(7)-(5)
7	<i>Compensation</i>										
	Compensation (B1-7)	1 547 000 000		701 000 000	-54.69	701 000 000	-54.69	701 000 000	-54.69		
	Total 7	1 547 000 000	701 000 000	701 000 000	-54.69	701 000 000	-54.69	701 000 000	-54.69		
	Margin			0		0		0			
	Grand total — Appropriations for commitments										
	Compulsory	40 392 302 000		43 416 420 000	+7.49	43 412 987 000	+7.48	43 386 487 000	+7.41	-29 933 000	-26 500 000
	Non-compulsory	39 453 335 852		42 951 397 544	+8.87	42 606 827 843	+7.99	43 130 592 991	+9.32	179 195 447	523 765 148
	Total compulsory + non-compulsory	79 845 637 852	86 604 000 000	86 367 817 544	+8.17	86 019 814 843	+7.73	86 517 079 991	+8.36	149 262 447	497 265 148
	Margin			236 182 456		584 185 157		86 920 009			
	Grand total — Appropriations for payments										
	Compulsory	40 371 302 000		43 424 420 000	+7.56	43 420 987 000	+7.55	43 404 487 000	+7.51	-19 933 000	-16 500 000
	Non-compulsory	35 067 123 852		38 590 786 544	+10.05	37 938 672 843	+8.19	38 491 260 991	+9.76	-99 525 553	552 588 148
	Total compulsory + non-compulsory	75 438 425 852	82 223 000 000	82 015 206 544	+8.72	81 359 659 843	+7.85	81 895 747 991	+8.56	-119 458 553	536 088 148
	Margin			207 793 456		863 340 157		327 252 009			



## Financial operations

### EC

1.6.6. In October, the Commission contracted a ECU 55 million seven-year bank credit on behalf of the European Community at the six-month Libor rate + 0.01%.

### ECSC

#### *Loans raised*

1.6.7. In October, the Commission, acting on behalf of the ECSC, contracted a number of private placings in German marks and lire for the equivalent of ECU 79.9 million.

#### *Loans granted*

1.6.8. In October, the Commission, acting under the ECSC Treaty, granted loans totalling ECU 24.82 million:

- industrial loans (Article 54 of the ECSC Treaty): ECU 1.37 million in Italy;
- conversion loans (Article 56 of the ECSC Treaty): ECU 19.29 million in Italy and ECU 1.74 million in the United Kingdom;
- workers' housing (loans for steelworkers and mineworkers): ECU 2.42 million in Germany, Belgium, France and the United Kingdom.

## Measures to combat fraud

1.6.9. Proposal for a Council Regulation on the implementation of Member States' action programmes on control of EAGGF-Guarantee Section expenditure.

*Adopted by the Commission on 12 October.* Purpose: to provide for a financial contribution from the Community over a five-year period from 1996 towards the costs incurred by Member States on implementing action programmes to improve the structures and effectiveness of their departments responsible for controlling EAGGF-Guarantee Section expenditure.

COM(95) 467

1.6.10. Parliament resolution on the adjustment of the own resources control system following the establishment of the single market.

*Adopted on 25 October.* Parliament stressed the need to improve measures to combat fraud affecting own resources in the Community budget and recommended, in particular, a strengthening of the Commission's powers to carry out checks on the collection of VAT, computerization of the Community transit procedure and greater coordination and harmonization of customs checks at the Union's external borders. On this latter point, it drew attention to the risk of traffic being channelled towards points where controls are less effective if there is no harmonization.

OJ C 308, 20.11.1995

## 7. Statistical system

### Policy aspects

1.7.1. Council Regulation concerning harmonized indices of consumer prices.

**Commission proposal:** OJ C 84, 6.4.1995; COM (94) 674; Bull. 1/2-1995, point 1.6.1

**Economic and Social Committee opinion:** OJ C 236, 11.9.1995; Bull. 5-1995, point 1.7.2

**Parliament opinion:** OJ C 249, 25.9.1995; Bull. 7/8-1995, point 1.7.1

*Adopted by the Council on 23 October.* The Regulation provides for Member States to draw up their consumer price indices on a comparable basis, the main objectives being to assess the progress made in achieving price stability with a view to economic and monetary union and to arrive at an index for the whole of the Community.

1.7.2. Proposal for a Council Regulation on the European System of National and Regional Accounts in the European Community.

**Commission proposal:** COM(94) 593; Bull. 12-1994, point 1.6.1

**Economic and Social Committee opinion:** OJ C 133, 31.5.1995; Bull. 3-1995, point 1.7.2

*Parliament opinion delivered on 11 October.* Favourable, subject to amendments providing for the incorporation into the European System of National Accounts of a satellite system for integrated environmental and economic accounting.

OJ C 287, 30.10.1995

1.7.3. Proposal for a Council Decision on improving Community agricultural statistics.

*Adopted by the Commission on 16 October.* The proposal aims to make agricultural statistics more effective by identifying areas in which economies are possible and also those in which there is new or growing interest, meaning that more statistics are needed, and by setting up an administrative framework for implementing the

changes required into the statistical systems of the Member States.

COM(95) 472

1.7.4. Council Regulation (EC) No 2597/95 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic.

**Commission proposal:** OJ C 329, 25.11.1994; COM(94) 376; Bull. 9-1994, point 1.6.2

**Parliament opinion:** OJ C 363, 19.12.1994; Bull. 11-1994, point 1.6.4

*Adopted by the Council on 23 October.* Purpose: to enable the Commission to coordinate the harmonization of statistics on catches made by Member States in major fishing zones other than the North Atlantic, primarily to enable the Community to fulfil its information obligations to the FAO.

OJ L 270, 13.11.1995

1.7.5. Commission communication concerning a Community action programme on health monitoring in the context of action in the field of public health, accompanied by a proposal for a Parliament and Council Decision adopting the programme (→ point 1.3.228).

### Results

#### *Naturalized citizens in the European Union*

1.7.6. Table 17 shows the trend in the number of naturalized citizens in each Member State of the European Union from 1986 to 1993. It reveals a sharp isolated increase in the United Kingdom in 1989 — a result of the cut-off date for certain applications (end of 1988) laid down in the 1981 British Nationality Act — and a significant rise since 1990 in several other Member

States, such as Germany, the Netherlands and Sweden.

Table 18, which gives the breakdown by nationality of origin of persons naturalized in 1993, shows Turks, Moroccans and former Yugoslavs to be the largest groups. Naturalization figures usually reflect the size of foreign populations (such as North Africans in France or Surinamese in the Netherlands), but there are some exceptions: although almost three-quarters of Turks resident in the European Union live in Germany,

for example, more Turks acquire Dutch than German nationality. Sweden and the Netherlands have the largest numbers of naturalized persons in proportion to the foreign population, at 7% and 5% respectively. Of European Union citizens, the Portuguese are the largest group to have taken the nationality of another Member State.

The complete article is available from sales offices in DE, EN and FR.

Table 17 — *Naturalized citizens in the European Union, 1986-93*

Year	EUR 15	Belgium	Denmark	Germany	Greece	Spain	France	Ireland	Italy	Luxembourg	Netherlands	Austria	Portugal	Finland	Sweden	United Kingdom
1986	176 745	8 477	3 622	13 878	1 204	5 132	45 624	271	3 619	770	18 758	8 060	28	1 111	20 695	45 496
1987	187 809	8 343	3 763	13 883	2 216	9 086	33 906	545	3 903	623	19 258	6 616	48	1 173	19 958	64 488
1988	186 788	8 366	3 744	16 521	1 571	8 143	46 351	333	1 243	917	9 114	7 314	34	1 063	17 966	64 108
1989	263 865	8 797	3 258	17 573	1 217	5 919	49 330	529	4 238	780	28 730	7 305	210	1 504	17 752	116 723
1990	197 610	8 657	3 028	20 078	1 090	7 033	54 381	383	5 256	893	12 794	8 980	97	899	16 770	57 271
1991	237 015	8 457	5 484	27 162	886	3 752	59 684	373	4 542	748	29 112	11 137	43	1 236	27 663	56 736
1992	295 665	46 368	5 104	36 906	1 204	5 226	59 252	347	4 408	739	36 237	11 656	117	876	29 389	57 836
1993	290 658	16 379	5 037	44 999	1 802	8 348	60 013	318	6 469	800	43 069	14 131	2	839	42 659	45 793

Table 18 — Naturalized citizens by nationality of origin, 1993

Nationality of origin	EUR 15 <sup>1</sup>	Belgium	Denmark	Germany	Greece <sup>2</sup>	Spain	France	Ireland <sup>2</sup>	Italy	Luxembourg <sup>3</sup>	Netherlands	Austria	Portugal	Finland	Sweden	United Kingdom
Total	290 658	16 379	5 037	44 999	1 802	8 348	60 013	318	6 469	800	43 069	14 131	2	839	42 659	45 793
EUR 15	25 830	2 793	499	3 269	—	1 208	8 298	—	454	600 <sup>1</sup>	1 441	613	—	135	4 351	1 364
Belgium	600	—	4 <sup>4</sup>	70	—	21	244	—	15	63	120	7	—	—	—	28
Denmark	400	1	—	16	—	9	3	—	4	—	2	3	—	—	238	17
Germany	1 600	52	134	—	—	47	108	—	42	68	329	398	—	11	154	248
Greece	1 400	170	9	264	—	8	96	—	114	—	88	27	—	—	463	171
Spain	2 000	196	10	175	—	—	1 385	—	55	—	48	9	—	—	34	92
France	1 400	532	13	237	—	148	—	—	48	89	62	10	—	—	32	247
Ireland	200	2	3	6	—	7	22	—	6	—	12	1	—	—	—	142
Italy	3 900	1 431	8	893	—	54	937	—	—	151	104	80	—	—	60	193
Luxembourg	30	11	—	6	—	—	3	—	2	—	2	2	—	—	—	—
Netherlands	1 000	222	11	506	—	8	39	—	5	22	—	23	—	—	31	55
Austria	900	8	4	679	—	9	23	—	33	—	36	—	—	—	46	45
Portugal	6 500	85	5	117	—	726	5 233	—	41	—	134	6	—	—	77	76
Finland	3 200	3	25	17	—	18	6	—	4	—	8	9	—	—	3 070	21
Sweden	900	1	188	19	—	16	9	—	9	—	3	7	—	109	—	29
United Kingdom	1 600	79	85	264	—	137	190	—	76	—	493	31	—	15	101	—
Other EEA	650	—	183	16	—	4	13	—	2	—	2	5	—	—	322	77
Other European, of which:	88 000	—	989	22 680	—	131	5 443	—	2 240	—	20 908	10 446	—	—	17 711	2 807
Turkey	43 200	3 305	560	12 071	—	13	1 515	—	94	—	18 001	2 686	—	—	4 201	710
Former Yugoslavia	25 800	—	138	3 946	—	23	1 652	—	337	—	2 300	5 780	—	—	10 940	486
Africa, of which:	70 000	7 292	343	5 605	—	1 304	33 739	—	1 082	—	10 206	703	2	—	1 810	7 784
Algeria	9 200	543	—	262	—	39	7 909	—	58	—	61	18	—	—	—	150
Morocco	30 800	5 500	168	2 068	—	983	13 132	—	236	—	7 747	24	—	—	235	653
Tunisia	7 900	416	—	1 435	—	9	5 370	—	106	—	220	64	—	—	192	73
Americas, of which:	28 700	368	142	892	—	4 443	2 665	—	1 633	—	6 007	209	—	—	2 717	9 282
Suriname	5 100	—	—	—	—	—	27	—	—	—	4 986	37 <sup>5</sup>	—	—	—	1
Asia, of which:	61 900	904	2 256	10 386	—	1 176	9 748	—	1 035	—	4 273	2 006	—	—	11 365	17 951
India	7 200	—	62	538	—	155	202	—	41	—	342	293	—	—	328	4 868
Iran	10 200	—	710	446	—	126	485	—	94	—	542	320	—	—	5 119	1 881
Pakistan	6 700	—	192	648	—	38	398	—	15	—	437	13	—	—	157	4 615
Philippines	4 400	—	68	1 186	—	381	98	—	223	—	224	518	—	—	365	1 245
Unknown/unspecified	15 600	933	625	2 151 <sup>1</sup>	—	82	107	—	23	200 <sup>1</sup>	232	149	—	—	4 283	6 528 <sup>1</sup>

<sup>1</sup> Eurostat estimate.<sup>2</sup> No breakdown available.<sup>3</sup> A breakdown by nationality of the 288 minors having taken Luxembourgish nationality (at the same time as their parents) is not available<sup>4</sup> Belgium, Luxembourg<sup>5</sup> Suriname, Caribbean, Guyana, Paraguay.

## 8. Community law

### Monitoring the application of Community law

#### Infringement proceedings

##### *Letters of formal notice*

##### **Failure to notify measures incorporating directives into national law**

*1.8.1.* In October, the Commission sent letters of formal notice in the following cases:

##### *Industry*

Directive 93/99/EC (OJ L 290, 24.11.1993)  
Official control of foodstuffs  
Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Portugal, United Kingdom

Directive 94/54/EC (OJ L 300, 23.11.1994)  
Labelling of foodstuffs with particulars other than those provided for in Directive 77/112/EEC  
Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

Directive 93/92/EC (OJ L 311, 14.12.1993)  
Light-signalling devices on two- or three-wheel motor vehicles  
Greece

Directive 93/98/EC (OJ L 290, 24.11.1993)  
Protection of copyright  
Denmark

Directive 94/10/EC (OJ L 100, 19.4.1994)  
Procedure for the provision of information in the field of technical standards  
Luxembourg

Directive 94/37/EC (OJ L 194, 29.7.1994)  
Marketing of plant protection products  
Germany

Directive 94/68/EC (OJ L 354, 31.12.1994)  
Windscreen wiper and washer systems of motor vehicles  
Greece, France, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

Directive 94/78/EC (OJ L 354, 31.12.1994)  
Wheel guards of motor vehicles  
France, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

##### *Competition*

Directive 94/46/EC (OJ L 268, 19.10.1994)  
Satellite communication  
Greece, Spain, Ireland, Italy, Luxembourg, Portugal

##### *Agriculture*

Directive 93/74/EC (OJ L 237, 22.9.1993)

Directive 94/14/EC (OJ L 94, 13.4.1994)  
Official control of feedingstuffs  
Luxembourg, Portugal

Directive 94/28/EC (OJ L 178, 12.7.1994)  
Imports of bovine animals, their semen and embryos  
Denmark, Germany, Greece, France, Ireland, Luxembourg, Portugal, United Kingdom

Directive 94/29/EC (OJ L 189, 23.7.1994)  
Pesticide residues in and on cereals and foodstuffs of animal origin  
France, Italy, Luxembourg, Netherlands, Portugal

Directive 94/30/EC (OJ L 189, 23.7.1994)  
Pesticide residues in and on products of plant origin  
Spain, France, Italy, Luxembourg, Netherlands, Portugal

Directive 94/37/EC (OJ L 194, 29.7.1994)  
Placing on the market of plant protection products  
Greece, Spain, France, Portugal

Directive 94/39/EC (OJ L 207, 10.8.1994)  
Feedingstuffs for particular nutritional purposes  
Germany, Greece, Spain, France, Ireland, Italy, Portugal

Directive 94/41/EC (OJ L 209, 12.8.1994)  
Additives in feedingstuffs  
Germany, Greece, Spain, Portugal

Directive 94/43/EC (OJ L 227, 1.9.1994)  
Placing on the market of plant protection products  
Denmark, Germany, Greece, Spain, France, Portugal, United Kingdom

Directive 94/71/EC (OJ L 368, 31.12.1994)  
Placing on the market of raw milk, heat-treated milk and milk-based products

Denmark, Greece, Spain, France, Ireland, Italy, United Kingdom

Directive 95/6/EC (OJ L 67, 25.3.1995)

Marketing of cereal seed

Germany, Greece, Italy, Luxembourg, Netherlands, Portugal

Directive 95/9/EC (OJ L 91, 22.4.1995)

Animal feedingstuffs

Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal

Directive 95/10/EC (OJ L 91, 22.4.1995)

Energy value of dog and cat food

Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal

Directive 95/40/EC (OJ L 182, 2.8.1995)

Protected zones exposed to plant health risks

Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Portugal, United Kingdom

Directive 95/41/EC (OJ L 182, 2.8.1995)

Organisms harmful to plants and plant products

Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Portugal, United Kingdom

### *Transport*

Directive 93/65/EC (OJ L 187, 29.7.1993)

Procurement of air-traffic management equipment  
Spain, Italy

### *Environment*

Directive 91/689/EEC (OJ L 377, 31.12.1991)

Hazardous waste

Denmark, Greece, Spain, France, Ireland, Italy, Luxembourg, Portugal, United Kingdom

Directive 94/66/EC (OJ L 337, 24.12.1994)

Emissions of pollutants into the air

Greece, Spain, Ireland, Italy, Portugal

### *Telecommunications, information industries and innovation*

Directive 93/97/EC (OJ L 290, 24.11.1993)

Satellite earth station equipment

Greece, Spain, Ireland, Italy, Luxembourg, Netherlands, Portugal

Directive 94/22/EC (OJ L 164, 30.6.1994)

Production of hydrocarbons

Spain, Ireland, Italy, Netherlands

### *Customs and indirect taxation*

Directive 94/74/EC (OJ L 365, 31.12.1994)

Excise duties on mineral oils

Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

### *Consumers*

Directive 93/35/EC (OJ L 151, 23.6.1993)

Cosmetic products

Germany, Greece, Spain, France, Ireland, Italy, Netherlands, Portugal, United Kingdom

Directive 94/32/EC (OJ L 181, 15.7.1994)

Cosmetic products

Greece, France, Ireland, Italy, Portugal, United Kingdom

### *Reasoned opinions*

#### **Failure to notify measures incorporating directives into national law**

1.8.2. In October, the Commission delivered reasoned opinions in the following cases:

#### *Transport*

Directive 92/6/EEC (OJ L 57, 2.3.1992)

Speed limitation devices for certain categories of motor vehicles

Portugal

#### *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

Spain, Portugal

Directive 92/72/EEC (OJ L 297, 13.10.1992)

Air pollution by ozone

Portugal

#### **Non-conformity of measures incorporating directives into national law**

1.8.3. In October, the Commission delivered a reasoned opinion in the following case:

#### *Industry*

Directive 90/385/EEC (OJ L 189, 20.7.1990)

Active implantable medical devices

Portugal

#### **Infringements of the Treaties or regulations; incorrect application of directives**

1.8.4. In October, 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)  
 Technical standards and regulations — car-ferry safety  
 Greece

*Employment, industrial relations and social affairs*

Articles 5, 48 and 51 of the EC Treaty  
 Dissolution of pension funds in Gibraltar  
 United Kingdom

*Environment, nuclear safety and civil protection*

Directive 84/156/EEC (OJ L 74, 17.3.1984)  
 Water — mercury discharges  
 Portugal

*Internal market and financial services*

Directive 93/36/EC (OJ L 199, 9.8.1993)  
 Public supply contracts — coordination of award procedures  
 Italy

Directive 92/101/EEC (OJ L 347, 28.11.1992)  
 Limited liability companies  
 Ireland, Luxembourg

*Cases referred to the Court of Justice***Failure to notify measures incorporating directives into national law**

1.8.5. In October, the Commission referred the following cases to the Court of Justice:

*Agriculture*

Directive 92/88/EEC (OJ L 321, 6.11.1992)  
 Undesirable substances and products in feedingstuffs  
 Italy

Directive 93/48/EC (OJ L 250, 7.10.1993)  
 Conditions to be met by fruit plant propagating material  
 Italy

Directive 93/49/EC (OJ L 250, 7.10.1993)  
 Conditions to be met by ornamental plant propagating material  
 Italy

Directive 93/61/EC (OJ L 250, 7.10.1993)

Conditions to be met by vegetable propagating material  
 Italy

Directive 93/85/EC (OJ L 259, 18.10.1993)  
 Control of potato ring rot  
 Italy

Directive 91/67/EEC (OJ L 46, 19.2.1991)  
 Animal health conditions governing the placing on the market of aquaculture animals and products  
 Ireland

Directive 91/492/EEC (OJ L 268, 24.9.1991)  
 Production and placing on the market of live bivalve molluscs  
 Ireland

Directive 91/493/EEC (OJ L 268, 24.9.1991)  
 Production and placing on the market of fishery products  
 Ireland

Directive 91/495/EEC (OJ L 268, 24.9.1991)  
 Animal health — rabbit meat and farmed game meat  
 Ireland

Directive 92/45/EEC (OJ L 268, 14.9.1992)  
 Killing of wild game and placing on the market of wild-game meat  
 Ireland, Italy

Directive 92/46/EEC (OJ L 268, 14.9.1992)  
 Production and placing on the market of raw milk, heat-treated milk and milk-based products  
 Ireland, Italy

Directive 92/48/EEC (OJ L 187, 7.7.1992)  
 Hygiene rules applicable to fishery products  
 Ireland

Directive 92/65/EEC (OJ L 268, 14.9.1992)  
 Trade in and imports into the Community of animals, semen, ova and embryos  
 Ireland, Italy

Directive 92/66/EEC (OJ L 260, 5.9.1992)  
 Control of Newcastle disease  
 Italy

Directive 92/116/EEC (OJ L 62, 15.3.1993)  
 Health problems affecting trade in fresh poultrymeat  
 Ireland, Italy

Directive 92/117/EEC (OJ L 62, 15.3.1993)  
 Protection against specified zoonoses and specified zoonotic agents  
 Ireland, Italy

Directive 92/118/EEC (OJ L 62, 15.3.1993)  
 Trade in and imports of products not subject to specific Community rules  
 Ireland, Italy

Directive 92/119/EEC (OJ L 62, 15.3.1993)

Measures for the control of swine vesicular disease  
Ireland, Italy

Directive 93/52/EC (OJ L 175, 19.7.1993)  
Intra-Community trade in and imports of embryos of  
domestic bovine animals  
Italy

### *Environment, nuclear safety and civil protection*

Directive 90/219/EEC (OJ L 117, 8.5.1990)  
Contained use of genetically modified micro-orga-  
nisms  
Luxembourg

Directive 90/220/EEC (OJ L 117, 8.5.1990)  
Deliberate release into the environment of genetically  
modified micro-organisms  
Luxembourg

## Decisions by the Court of Justice and the Court of First Instance

1.8.6. Decisions given by the Community law-  
courts are covered in the Bulletin for the month  
in which they are reported in the Official Jour-  
nal. The operative part of the main decisions is  
reproduced; other decisions are simply listed by  
field and legal basis. Decisions in disputes be-  
tween the Community and its staff are not  
reported.

### Court of Justice

#### *Main decisions*

#### Customs union

#### *Article 177 of the EC Treaty*

1.8.7. 11.8.1995: Case C-16/94 *Édouard  
Dubois et Fils and Général Cargo Services v  
Garonor Exploitation*.

Articles 9 and 12 of the EC Treaty apply to a transit  
charge designed to compensate a private undertaking  
for bearing costs arising from the performance by the

customs and veterinary services of their tasks as pro-  
viders of services in the public interest even if it has  
not been imposed by the State but arises from an  
agreement concluded by that undertaking with its cus-  
tomers.

OJ C 268, 14.10.1995

1.8.8. 14.9.1995: Joined Cases C-485/93 and  
C-486/93 *Simitzi v Kos*.

(1) An *ad valorem* charge levied by a Member State  
on goods imported from another Member State by rea-  
son of their entry into a region of the first Member  
State's territory constitutes a charge having an effect  
equivalent to a customs duty on imports, notwith-  
standing the fact that it is also levied on goods enter-  
ing that region from another part of the same State's  
territory, and notwithstanding the fact that an *ad valo-  
rem* charge is also levied on goods exported from the  
region in question.

(2) An *ad valorem* charge levied by a Member State  
on goods exported to another Member State by reason  
of their leaving a region of the first Member State's  
territory constitutes a charge having an effect equiv-  
alent to a customs duty on exports, notwithstanding  
the fact that it is also levied on goods leaving that  
region for another part of the territory of the same  
State.

(3) A national rule under which there is levied a  
charge having an effect equivalent to a customs duty  
is not compatible with Articles 9 *et seq.* of the EEC  
Treaty.

(4) *Ad valorem* charges levied by a Member State on  
goods entering a region of its territory solely from  
other regions of the same State and on goods des-  
patched from one region solely to other regions of the  
same State constitute charges having an effect equiv-  
alent to customs duties on imports and exports respec-  
tively.

(5) The provisions of the EEC Treaty relating to  
charges having an effect equivalent to customs duties  
cannot be relied upon in support of claims for refunds  
of sums levied by way of the contested duty before  
16 July 1992, except by claimants who had, before  
that date, initiated legal proceedings or raised an  
equivalent claim.

OJ C 286, 28.10.1995

#### Intellectual property

#### *Article 173 of the EC Treaty*

1.8.9. 13.7.1995: Case C-350/92 *Spain v  
Council*.

(1) The application is dismissed.  
(Application for the annulment of Council Regulation  
(EEC) No 1768/92 of 18 June 1992 concerning the



creation of a supplementary protection certificate for medicinal products.)

(2) Spain is ordered to pay the costs.

(3) Greece, France and the Commission are ordered to pay their own costs.

OJ C 268, 14.10.1995

### Other decisions

#### Free movement of goods

##### Article 177 of the EC Treaty

1.8.10. 11.8.1995: Case C-63/94 *Groupement national des négociants en pommes de terre de Belgique v ITM Belgium and Vocarex*.

OJ C 268, 14.10.1995

#### Agriculture

##### Article 173 of the EC Treaty

1.8.11. 13.7.1995: Case C-156/93 *Parliament v Commission*.

OJ C 268, 14.10.1995

1.8.12. 14.9.1995: Case C-49/94 *Ireland v Commission*.

OJ C 286, 28.10.1995

##### Article 177 of the EC Treaty

1.8.13. 11.8.1995: Case C-1/94 *Cavarzere Produzioni Industriali and Others v Ministero dell'Agricoltura e delle Foreste and Others*.

OJ C 268, 14.10.1995

#### Free movement of workers and social policy

##### Article 177 of the EC Treaty

1.8.14. 13.7.1995: Case C-116/94 *Meyers v Adjudication Officer*.

OJ C 268, 14.10.1995

1.8.15. 11.8.1995: Case C-92/94 *Secretary of State for Social Security and Chief Adjudication Officer v Graham, Connell and Nicholas*.

OJ C 268, 14.10.1995

1.8.16. 11.8.1995: Case C-98/94 *Schmidt v Rijksdienst voor Pensioenen*.

OJ C 268, 14.10.1995

#### Taxation

##### Article 177 of the EC Treaty

1.8.17. 11.8.1995: Joined Cases C-367/93 to C-377/93 *F. G. Roders and Others v Inspecteur der Invoerrechten en Accijnzen*.

OJ C 268, 14.10.1995

1.8.18. 11.8.1995: Case C-80/94 *Wielockx v Inspecteur der Directe Belastingen*.

OJ C 268, 14.10.1995

#### Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters

##### Protocol of 3 June 1971 — Convention of 27 September 1968

1.8.19. 13.7.1995: Case C-341/93 *Danvaern Production v Schuhfabriken Otterbeck*.

OJ C 268, 14.10.1995

1.8.20. 13.7.1995: Case C-474/93 *Hengst Import v Campese*.

OJ C 268, 14.10.1995

1.8.21. 11.8.1995: Case C-432/93 *SISRO v Ampersand Software*.

OJ C 268, 14.10.1995

#### Infringements

##### Article 169 of the EC Treaty

1.8.22. 6.7.1995: Case C-259/94 *Commission v Greece*.

OJ C 268, 14.10.1995

1.8.23. 13.7.1995: Case C-216/94 *Commission v Belgium*.

OJ C 268, 14.10.1995

1.8.24. 21.7.1995: Case C-93/95 *Commission v Portugal*.

OJ C 286, 28.10.1995

1.8.25. 27.7.1995: Case C-213/94 *Commission v Germany*.

OJ C 286, 28.10.1995

1.8.26. 11.8.1995: Case C-433/93 *Commission v Germany*.

OJ C 268, 14.10.1995

1.8.27. 11.8.1995: Case C-240/94 *Commission v Ireland*.

OJ C 268, 14.10.1995

1.8.28. 11.8.1995: Case C-260/94 *Commission v Greece*.

OJ C 268, 14.10.1995

sion required, for the period from 30 June 1992 to the date of actual settlement, payment of default interest on the amount of the fine imposed on the applicant by Commission Decision 92/212/EEC of 25 March 1992 relating to a proceeding pursuant to Article 85 of the EEC Treaty (IV/30.717-A Eurocheque: Helsinki Agreement), that amount having been set at ECU 2 000 000 by the judgment of the Court of First Instance on 23 February 1994 in Joined Cases T-39/92 and T-40/92 *Groupement des Cartes Bancaires 'CB' and Europay International v Commission* and in which it applied the ECU 2 000 000 paid by the applicant first against the interest and then against the principal sum of the fine plus default interest.)

(2) The applicant is ordered to bear the costs.

OJ C 268, 14.10.1995

## Court of First Instance

### Main decisions

#### Agriculture

##### Articles 178 and 215 of the EC Treaty

1.8.29. 13.7.1995: Joined Cases T-466/93, T-469/93, T-473/93, T-474/93 and T-477/93 *O'Dwyer and Others v Council*.

(1) The applications are dismissed.

(Application, in Cases T-466/93, T-469/93, T-473/93 and T-474/93, for reparation of the damage allegedly suffered by the applicants as a result of the application of Council Regulation (EEC) No 816/92 of 31 March 1992 amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products and, in Case T-477/93, for reparation of the damage allegedly suffered by the applicant as a result of the application of Council Regulation (EEC) No 748/93 of 17 March 1993 amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector.)

(2) The applicants are ordered to bear their own costs and those incurred by the Council.

(3) The Commission is ordered to bear its own costs.

OJ C 286, 28.10.1995

#### Competition

##### Article 173 of the EC Treaty

1.8.30. 14.7.1995: Case T-275/94 *Groupement des cartes bancaires 'CB' v Commission*.

(1) The application is dismissed.

(Application for annulment of the Commission's letters of 7 June and 15 July 1994 in which the Commis-

#### State aid

##### Article 173 of the EC Treaty

1.8.31. 13.9.1995: Joined Cases T-244/93 and T-486/93 *TWD Textilwerke Deggendorf v Commission*.

(1) The applications are dismissed.

(Application for annulment of Article 2 of Commission Decision 91/391/EEC of 26 March 1991 on aid granted by the German Government to Deggendorf GmbH, a producer of polyamide and polyester yarns located in Deggendorf (Bavaria), and of Article 2 of Commission Decision 92/330/EEC of 18 December 1991 on aid by Germany to the Deggendorf Textile works.)

(2) The applicant is ordered to bear its own costs, as well as those of the defendant.

(3) The intervener is ordered to bear its own costs.

OJ C 286, 28.10.1995

#### External relations

##### Article 173 of the EC Treaty

1.8.32. 14.9.1995: Joined Cases T-480/93 and T-483/93 *Antillean Rice Mills and Others v Commission*.

(1) Article 1(1) of Commission Decision 93/127/EEC of 25 February 1993 introducing safeguard measures in respect of rice originating in the Netherlands Antilles is annulled.

(2) The remainder of the application is dismissed.

(3) The Commission is ordered to bear its own costs and one third of the applicant's costs, the applicants to

bear two thirds of their own costs and the interveners to bear their own costs.

OJ C 286, 28.10.1995

*Other decisions*

**Euratom**

*Article 146 of the Euratom Treaty*

1.8.33. 15.9.1995: Joined Cases T-458/93 and T-523/93 *ENU v Commission*.

OJ C 286, 28.10.1995

**Agriculture**

*Article 173 of the EC Treaty*

1.8.34. 29.6.1995: Case T-6/95 *Cantine dei colli Berici v Commission*.

OJ C 268, 14.10.1995

*Articles 178 and 215 of the EC Treaty*

1.8.35. 14.9.1995: Case T-571/93 *Lefebvre Frères et Soeurs and Others v Commission*.

OJ C 286, 28.10.1995

**Competition**

*Article 173 of the EC Treaty*

1.8.36. 18.9.1995: Case T-471/93 *Tiercé Ladbroke v Commission*.

OJ C 286, 28.10.1995

1.8.37. 18.9.1995: Case T-548/93 *Ladbroke Racing v Commission*.

OJ C 286, 28.10.1995

*Article 92(1) of the Rules of Procedure of the Court of First Instance*

1.8.38. 11.7.1995: Cases T-23/90DP and T-9/92DP *Automobiles Peugeot and Others v Commission*.

OJ C 286, 28.10.1995

**State aid**

*Article 173 of the EC Treaty*

1.8.39. 18.9.1995: Case T-49/93 *SIDE v Commission*.

OJ C 286, 28.10.1995

**External relations**

*Article 173 of the EC Treaty*

1.8.40. 14.7.1995: Case T-166/94 *Koyo Seiko v Council*.

OJ C 268, 14.10.1995

1.8.41. 14.9.1995: Case T-171/94 *Descom Scales Manufacturing v Council*.

OJ C 286, 28.10.1995

*Articles 178 and 215 of the EC Treaty*

1.8.42. 18.9.1995: Case T-167/94 *Nölle v Council and Commission*.

OJ C 286, 28.10.1995

1.8.43. 18.9.1995: Case T-168/94 *Blackspur DIY v Council and Commission*.

OJ C 286, 28.10.1995

## 9. Institutional affairs

### Democracy, transparency and subsidiarity

*1.9.1.* Council code of conduct on public access to the minutes and statements in the minutes of the Council acting as legislator.

**Reference:** Council Decision 93/731/EC on public access to Council documents: OJ L 340, 31.12.1993; Bull. 12-1993, point 1.7.6

*Adopted on 2 October.* This code of conduct supplements the measures already taken by the Council to increase the transparency of its legislative work. It commits the Council to using statements in the minutes sparingly and, to this end, endeavouring to incorporate the content of such statements in the legislative act itself, in the statement of reasons (common position) or in the explanations of vote. It also provides for public access, in general, to these statements with the Council deciding, in principle, that they are not covered by the obligation of professional secrecy, save in cases where, at the request of one of its members, it establishes that it does not have the simple majority required by its Rules of Procedure to waive that obligation. Statements must be compatible with the text of the act.

With regard to minutes, the code of conduct commits the Council, when adopting them, to systematically examining whether to make public the references to documents submitted to it and the decisions taken or the conclusions reached by it which are contained in them. The object of the exercise will be to ensure the widest possible public availability of Council minutes.

*1.9.2.* Parliament resolution on the transparency of Council decisions and the Community's legislative procedures.

*Adopted on 12 October.* Referring to the code of conduct adopted by the Council on public access to its minutes and statements in them (→ point 1.9.1), Parliament noted that such statements were without any legal value and could lead to confusion, uncertainty and a lack of transparency in the enactment of Community law. It condemned the Council and Commission practice of adopting such statements on the implementation or interpretation of legislation in the process of enactment, in particular under the codecision procedure. It would like such statements to be used only in exceptional cases and subject to its prior agreement and then to be published in the Official Journal. Parliament regretted that the code of conduct was open to derogation and without legal force.

OJ C 287, 30.10.1995

### Interinstitutional relations

*1.9.3.* Parliament resolution on the Commission's response to its request for information on the 1994 activities of executive committees.

*Adopted on 26 October.* Anxious to prevent committee activity from undermining its budgetary and legislative powers, Parliament would like it to be made more transparent and pressed, in particular, for the dates and agendas of committee meetings to be published sufficiently in advance unless a duly reasoned decision were taken to the contrary and published in due course. It also requested that the principles agreed in the *modus vivendi* concerning the measures taken for the implementation of acts adopted under the codecision procedure be extended to all legislative procedures.

OJ C 308, 20.11.1995

# 10. Community institutions

## Parliament

### Strasbourg, 9 to 13 October

1.10.1. The key events of the first October part-session included debates on the Mediterranean partnership, French nuclear testing, relations with South Africa, the Green Paper on energy policy, and implementation of the current budget. In an address to the House which attracted considerable attention, Mr Herzog, the President of Germany, argued in favour of federalism and the single currency, and urged the demystification of the institutions *vis-à-vis* the citizens of Europe.

Speakers in the debate on the Mediterranean partnership included Mr Marín, for the Commission, and Mr Westendorp, Spanish State Secretary for European Affairs and President of the Council. Reminding the House that the Commission's aim in establishing the partnership was to develop in-depth security and stability in the region and foster economic and financial relations based on a three-pronged approach involving the setting-up of a free-trade zone, financial cooperation and sectoral cooperation, Mr Marín pointed out the financial framework for the partnership, namely the MEDA programme modelled on the PHARE programme, would help restore equilibrium and promote the parallel development of South and East relations. Mr Westendorp reviewed current work in the Council. At the close of the debates, during which the floor congratulated the Council and the Commission on having launched the Barcelona Conference, Parliament adopted a resolution (→ point 1.4.70).

Mr Santer, President of the Commission, made a statement explaining the Commission's position on French nuclear testing, reiterated the concern of the present Commission to ensure full application of the Euratom Treaty and informed Parliament of the measures taken to this end.

In the debate on South Africa, Mr Papoutsis, Member of the Commission, made an interven-

tion reviewing progress in the negotiations in the different areas; most of the other speakers agreed on the need for constructive cooperation.

A lively debate was held on the Commission Green Paper on a European Union energy policy, giving Parliament the opportunity to express its views prior to formulation of the White Paper, especially with regard to the problems of nuclear energy, the greenhouse effect, the relationship between the cost of energy and competitiveness, ecological taxes, security of supply and the future of renewable energy sources. A resolution was adopted (→ point 1.3.128).

Parliament gave its assent to the conclusion of Protocols on financial and technical cooperation with the Republic of Cyprus and the Republic of Malta (→ points 1.4.74 and 1.4.75).

On the budgetary front, Parliament debated implementation of the current budget mid-way through the budgetary year (Notenboom procedure), calling attention in particular to the generally low level of implementation, especially with respect to the Structural Funds, the non-utilization or partial utilization of the appropriations earmarked for the programmes to combat poverty and to promote renewable energy sources and the trans-European networks, the very uneven implementation of Community initiatives and the lacunae in the programmes designed to reinforce nuclear safety in Eastern Europe and the former Soviet Union. During the debate, after which Parliament adopted a resolution (→ point 1.6.1), Mr Liikanen, for the Commission, reported on the Commission's most recent budgetary decisions. In addition, the House adopted a decision giving discharge in respect of the implementation of Parliament's budget for 1993 and delivered an opinion on the draft amending ECSC operating budget for 1995 (→ points 1.6.3 and 1.6.4).

On the human rights front, Parliament adopted seven resolutions on the murder of missionaries in Burundi, the murder of peasant farmers in Guatemala, the case of Francisco Chaviano

Gonzalez, the indigenous peoples of Brazil and the situation in Belarus, Nigeria and Equatorial Guinea (→ points 1.2.4 and 1.2.10).

On the legislative front, under the consultation procedure Parliament delivered opinions on six proposals for Regulations relating to the European System of National and Regional Accounts (→ point 1.7.2), compensation for losses of agricultural income (→ point 1.3.172), the termination of service of Community officials and temporary staff, the supply of food for the most deprived (→ point 1.3.182) and the production of peaches and nectarines (→ point 1.3.177), on four proposals for Decisions relating to the conclusion of a fisheries agreement with Morocco (→ point 1.3.203) and education agreements with Canada and the United States (→ points 1.3.104 and 1.3.105), monitoring and control of the common fisheries policy (→ point 1.3.199) and, lastly, approval by the European Union of the International Grains Agreement of 1995 (→ point 1.3.197).

Under the cooperation procedure, Parliament delivered opinions at first reading on two proposals for Regulations, one relating to structural improvements in inland waterway transport (→ point 1.3.139) and one on development cooperation with South Africa (→ point 1.4.127), and on a proposal for a Directive on the assessment of the effects of certain projects on the environment (→ point 1.3.152).

Under the codecision procedure, Parliament delivered opinions at first reading on five proposals for Directives relating to the exploitation and marketing of natural mineral waters (→ point 1.3.33), foodstuffs intended for particular nutritional uses (→ points 1.3.34 and 1.3.35) and the legal protection of designs (→ point 1.3.50), and on a proposal for a Decision relating to the Raphael programme (→ point 1.3.233).

Resolutions were adopted on environmental indicators (→ point 1.3.151), economic growth and the environment (→ point 1.3.150), the transparency of Council decisions (→ point 1.9.2), the financial crisis of the United Nations (→ point 1.3.11), the European Environment Agency (→ point 1.3.148), education and training schemes in developing countries (→ point 1.4.43) and the conclusion of a cooperation agreement with South Africa (→ point 1.4.128), and on a series of natural disasters, including the

earthquakes in Turkey (→ point 1.4.55) and Sumatra (→ point 1.4.54), the storms in the Philippines (→ point 1.4.53) and in Liguria and Puglia (→ point 1.3.226), the flooding in southern France (→ point 1.3.224) and in Algeria (→ point 1.4.51), the hailstorms in Korinthia (→ point 1.3.225), the outbreak of cholera in Cape Verde (→ point 1.4.52), the risk of an accident following the restarting of a reactor at a Bulgarian nuclear power plant (→ point 1.4.59) and the depletion of Surinam's tropical forests (→ point 1.3.161).

Record of proceedings:

OJ Annex No 4-461

Full text of opinions and resolutions:

OJ C 287, 30.10.1995

## Strasbourg, 23 to 27 October

*1.10.2.* The second October part-session was dominated by debates on the applicability of Article 34 of the Euratom Treaty to the French nuclear tests and the reconstruction of former Yugoslavia. Parliament also completed its first reading of the 1996 budget and of the ECSC budget.

In the debate on French nuclear testing, at the end of which Parliament adopted a resolution (→ point 1.3.163), Mr Santer, President of the Commission, reiterated the Commission's support for determined action by the European Union with a view to the adoption of a treaty definitively banning nuclear testing worldwide. He stressed that Article 34 of the Euratom Treaty covered both civil and military experiments and then presented the Commission's position on its application to the French tests, concluding that in this case the provisions were not applicable but that long-term monitoring of the testing area was necessary.

In the debate on the reconstruction of former Yugoslavia, following which two resolutions were adopted (→ points 1.4.79 and 1.4.80), it was generally agreed that the task would be a long one, requiring considerable resources, and that the reconstruction programme should not stop at the reparation of war damage but should provide for long-term economic and political reconstruction, including measures aimed at promoting stability and pluralism, notably the granting of aid for the press and independent

media. Mr Van den Broek, Member of the Commission, announced that the Commission was hoping that an international conference of donor countries would be organized in the near future to do the necessary coordination.

On the budgetary front, Parliament debated and voted at first reading on the 1996 budget (→ point 1.6.2) and on the ECSC operating budget (→ point 1.6.5). It also adopted a resolution on the Commission's response to its request for information on the activities of executive committees in 1994 (→ point 1.9.3).

In the institutional field, Parliament adopted a decision amending Article 136(1) of its Rules of Procedure.

On the legislative front, under the consultation procedure, Parliament delivered opinions on five proposals for Decisions relating to pilot projects on the continuous position monitoring of fishing vessels (→ point 1.3.200), compensation for fishermen in Moroccan waters (→ point 1.3.118), implementation of an industrial competitiveness policy (→ point 1.3.84), the conclusion of an interim trade Agreement with Ukraine (→ point 1.4.90) and actions for older people (→ point 1.3.223), and on two proposals for Regulations relating to a support system for producers of certain arable crops (→ points 1.3.173 and 1.3.174).

Under the cooperation procedure, Parliament delivered opinions at second reading on Council common positions on the proposal for a Regulation relating to the implementation of the EC Investment Partners Financial Instrument (→ point 1.4.45) and the proposal for a Decision on a series of measures aimed at creating a more favourable context for the development of trans-European energy networks (→ point 1.3.124).

Under the codecision procedure, Parliament delivered opinions at first reading on two proposals for Directives, one on the energy efficiency of household appliances (→ point 1.3.129) and the other on emissions from non-road mobile machinery (→ point 1.3.158), and on a proposal for a Decision relating to the Customs 2000 programme (→ point 1.4.15). At second reading, Parliament approved amendments to the common positions on the proposal for a Directive on the application of open network provision to voice telephony (→ point 1.3.145) and the proposals for Decisions relating to the labelling of

foodstuffs (→ point 1.3.32), the action plan to combat cancer (→ point 1.3.229), the prevention of AIDS (→ point 1.3.230), health information (→ point 1.3.227) and guidelines on trans-European energy networks (→ point 1.3.123). It also approved without amendment the Council common position on the proposal for a Decision establishing an information procedure on measures derogating from the principle of the free movement of goods (→ point 1.3.24).

Applying for the first time the provisions of Article 138b of the EC Treaty, Parliament requested the Commission to submit a proposal for a Directive on the settlement of claims arising from traffic accidents outside the claimant's country of origin (→ point 1.3.48).

Resolutions were adopted on the fisheries agreement with Morocco (→ point 1.3.204), racism, xenophobia and anti-semitism (→ point 1.2.3), the policy on visas for citizens of Central and Eastern Europe (→ point 1.1.1), the prospects for cooperation in science and technology with the new independent States (→ point 1.3.97), delays in implementation of the Regulations on the protection of designations of origin (→ point 1.3.170), the Green Paper on the single currency (→ point 1.3.18), the adjustment of the own resources control system (→ point 1.6.10) and the implementation of a single market for postal services (→ point 1.3.147).

Record of proceedings:

OJ Annex No 4-462

Full text of opinions and resolutions:

OJ C 308, 20.11.1995

## Council

### 1871st meeting

1.10.3. General affairs (Luxembourg, 2 October).

**Previous meeting:** Bull. 7/8-1995, point 1.10.6

**President:** Mr Solana Madariaga, Spanish Foreign Minister.

**Commission:** Mr Santer, Sir Leon Brittan, Mr Marín and Mr Van den Broek.

*Main items*

- Euro-Mediterranean agreement with Lebanon: decision adopted (→ point 1.4.82).
- Middle East peace process: conclusions adopted (→ point 1.4.84).
- Relations with Cuba: conclusions adopted (→ point 1.4.108).
- Accession of Russia to the Council of Europe: statement adopted (→ point 1.4.9).
- Nigeria: statement adopted (→ point 1.4.7).
- Transparency of Council proceedings: code of conduct adopted (→ point 1.9.1).

*Other business*

- Association Agreements with Morocco, Egypt and Jordan: progress report on negotiations.
- Preparations for the Euro-Mediterranean Conference: draft declaration approved.
- Relations with Algeria: examined.
- Mercosur: progress report on negotiations.
- Relations with the United States: discussed in depth.
- Relations with China: exchange of views.
- Proceedings of the WTO — basic telecommunications: exchange of views.
- WTO Appellate Body: progress report.
- Future relations between the European Union and Russia: exchange of views.
- Situation in the former Yugoslavia: discussed.
- Angola: common position adopted.

**1872nd meeting**

*1.10.4.* Labour and social affairs (Luxembourg, 5 October).

**Previous meeting:** Bull. 6-1995, point 1.10.17

*President:* Mrs Alberti Alonso, Spanish Minister for Social Affairs.

*Commission:* Mr Flynn.

*Main item*

- Portrayal of women and men in advertising and the media: resolution adopted (→ point 1.3.221).

*Other business*

- Fourth World Conference on Women: public debate.
- Fourth programme on equal opportunities for men and women: general discussion.
- Programme to combat exclusion: discussed.
- Reconciliation of family and working life: progress report.

**1873rd meeting**

*1.10.5.* Environment (Luxembourg, 6 October).

**Previous meeting:** Bull. 6-1995, point 1.10.16

*President:* Mr Borell Fontelles, Spanish Minister for Public Works, Transport and the Environment.

*Commission:* Mrs Bjerregaard.

*Main items*

- Exchange of information on ambient air pollution: common position on the proposal for a Decision agreed (→ point 1.3.157).
- Third Pan-European Conference of Environment Ministers: conclusions adopted (→ point 1.3.164).
- Draft Protocol to the Convention on Biological Diversity: conclusions adopted (→ point 1.3.160).
- Preparations for the Euro-Mediterranean Conference in Barcelona: conclusions adopted (→ point 1.3.166).
- Draft amendment to the Montreal Protocol on substances that deplete the ozone layer: agreed (→ point 1.3.159).
- Pollution by diesel engines: common position on the proposal for a Directive agreed (→ point 1.3.27).

*Other business*

- LIFE II: examined in depth.
- Waste landfill: discussed in depth.
- Assessment of the impact of certain public and private projects on the environment: general discussion.
- European Environment Agency: draft conclusions agreed.



**1874th meeting**

1.10.6. Economic and financial affairs (Luxembourg, 23 October).

**Previous meeting:** Bull. 9-1995, point 1.10.3

**President:** Mr Solbas Mira, Spanish Minister for the Economy and Finance

**Commission:** Mr de Silguy and Mr Monti.

*Main item*

- Convergence programme for Finland: conclusions adopted (→ point 1.3.16).

*Other business*

- Report on employment: exchange of views.
- Guarantee Fund for external Community operations: examined.
- CO<sub>2</sub>/energy tax: progress report.
- Review of excise duty rates: progress report.
- Joint meeting with the Finance Ministers of the countries of Central and Eastern Europe: exchange of views.

**1875th meeting**

1.10.7. Education (Luxembourg, 23 October).

**Previous meeting:** Bull. 3-1995, point 1.10.13

**President:** Mr Saavedra Acevedo, Spanish Minister for Education and Science.

**Commission:** Mrs Cresson.

*Main items*

- Social participation as a factor for quality in education prior to university education: conclusions adopted (→ point 1.3.101).
- Response of educational systems to the problems of racism and xenophobia: resolution adopted (→ point 1.2.2).
- Conclusion of cooperation Agreements in the field of higher education and training between the European Community and the United States: Decision adopted (→ point 1.3.105).
- Conclusion of cooperation Agreements in the field of higher education and training between the European Community and Canada: Decision agreed (→ point 1.3.104).

- Novel foods: common position on the proposal for a Regulation adopted (→ point 1.3.31).

*Other business*

- European Year of Lifelong Learning (1996): progress report on preparations.
- Educational multimedia software: discussed.
- Education and training aspects of the Euro-Mediterranean Conference: examined.
- White Paper on education and training: progress report on preparations.
- Joint Council meeting with the associated countries of Central and Eastern Europe: discussed.

**1876th meeting**

1.10.8. Agriculture (Luxembourg, 24 and 25 October).

**Previous meeting:** Bull. 9-1995, point 1.10.5

**President:** Mr Atienza Serna, Spanish Minister for Agriculture, Fisheries and Food.

**Commission:** Mr Fischler.

*Main item*

- National aid to compensate for losses of agricultural income caused by monetary movements: following a lengthy discussion during which references were made to the 'Ioiannina compromise', Regulation adopted by qualified majority; United Kingdom delegation abstained and Italian delegation voted against (→ point 1.3.172).

*Other business*

- Rice: discussed.
- Fruit and vegetables: discussed.
- Arable crops — extraordinary set-aside: exchange of views.
- Preserved mushrooms originating in China: exchange of views.

**1877th meeting**

1.10.9. Fisheries (Luxembourg, 26 October).

**Previous meeting:** Bull. 6-1995, point 1.10.10

**President:** Mr Atienza Serna, Spanish Minister for Agriculture, Fisheries and Food.

*Commission:* Mrs Bonino.

*Main items*

- Control system applicable to the common fisheries policy: proposal for a Regulation agreed (→ point 1.3.198).
- Community financial contribution towards implementing the monitoring of the control system applicable to the common fisheries policy: proposal for a Decision agreed (→ point 1.3.199).
- Commission report on the sardine market: conclusions adopted (→ point 1.3.210).
- United Nations Conference on straddling stocks and highly migratory species: conclusions adopted (→ point 1.3.206).
- Compensation for fishermen affected by the interruption of activities in Moroccan waters: Decision adopted (→ point 1.3.118).
- Multiannual guidance programmes for fishing fleets: conclusions adopted (→ point 1.3.202).

*Other business*

- EC-Morocco fisheries agreement: progress report on negotiations.
- Tariff quotas for certain fishery products: exchange of views.

**1878th meeting**

*1.10.10.* General affairs (Luxembourg, 30 and 31 October).

**Previous meeting:** point 1.10.3 of this Bulletin

*President:* Mr Solana Madariaga, Spanish Foreign Minister.

*Commission:* Mr Santer, Sir Leon Brittan, Mr Marín and Mr Van den Broek.

*Main items*

- Application for accession from Latvia: Decision adopted (→ point 1.4.60).
- Former Yugoslavia: conclusions adopted (→ point 1.4.78).

*Other business*

- Relations with Turkey: examined.
- Euro-Mediterranean Conference: action programme approved.

- Euro-Mediterranean association agreement with Morocco: progress report on negotiations.
- Middle East peace process: examined.
- Relations with Latin America: statement presented.
- WTO Appellate Body: examined.
- Trade with the United States, Canada and Japan: report noted.
- Relations with the United States: report presented.
- Meeting with the associated countries of Central and Eastern Europe: discussed.

**1879th meeting**

*1.10.11.* Research (Luxembourg, 30 October).

**Previous meeting:** Bull. 6-1995, point 1.10.7

*President:* Mr Saavedra Acevedo, Spanish Minister for Education and Science.

*Commission:* Mrs Cresson and Mr Bangemann.

*Main items*

- Adaptation of the EC research framework programme following enlargement: common position on the proposal for a Decision agreed (→ point 1.3.90).
- Adaptation of the Euratom research framework programme following enlargement: common position on the proposal for a Decision agreed (→ point 1.3.91).
- ITER: conclusions adopted (→ point 1.3.94).

*Other business*

- Communication *Perspectives for international cooperation in research and technological development:* exchange of views.
- Cooperation with Mediterranean non-member countries: exchange of views.
- Research and industry task forces: progress report on proceedings.
- 1995 annual report on the Union's R & TD activities: presented.
- Green Paper on innovation: examined.
- Scientific and technical cooperation agreements with Israel and Switzerland: progress report on negotiations.

## Commission

### Commission work programme

*1.10.12.* Commission report on implementation of its work programme in 1995.

**References:**

Commission work programme for 1995: OJ C 225, 30.8.1995; COM(95) 26; Bull. 1/2-1995, point 1.9.14; Supplement 1/95 — Bull.

Presentation of Commission work programme for 1995 to Parliament by President Santer: Bull. 1/2-1995, point 1.9.3; Supplement 1/95 — Bull.

Parliament resolution on the Commission work programme and legislative programme for 1995: OJ C 225, 30.8.1995; Bull. 3-1995, point 1.10.15; Supplement 1/95 — Bull.

*Adopted on 31 October.* This report, promised by President Santer when he presented the work programme to the House in February, has been transmitted to Parliament.

COM(95) 513

### Proposals adopted

*1.10.13.* The Commission adopted a proposal for a Directive on the supplementary supervision of insurance undertakings in an insurance group (→ point 1.3.44). It also adopted proposals for Regulations on the reform of the common organization of the markets in fruit and vegetables (→ point 1.3.176). Finally, it adopted a proposal for a Parliament and Council Decision on the Community action programme on health monitoring (→ point 1.3.228).

### Communications, Green Papers and reports

*1.10.14.* The Commission adopted two communications on enterprise policy, one on the feasibility of the creation of a European capital market for small entrepreneurially-managed growing companies (→ point 1.3.86), the other entitled *The craft industry and small enterprises, keys to growth and employment in Europe* (→ point 1.3.87). It also adopted communications

on international cooperation in R & TD (→ point 1.3.96) and on gas supply and prospects (→ point 1.3.130). On the employment and social policy front it adopted a communication on trends and developments in employment systems in the European Union (→ point 1.3.211) and a report and a communication on social protection in Europe (→ points 1.3.218 and 1.3.219). It also adopted communications on priorities for consumer policy (1996-98) (→ point 1.3.231) and on European Union assistance to the West Bank and the Gaza Strip (→ point 1.4.85). Finally, it adopted a communication on strengthening relations with Latin America (→ point 1.4.102).

### Other decisions

*1.10.15.* The Commission adopted a draft Decision on the allocation of the reserve for Community initiatives (→ point 1.3.117) and a Directive amending Directive 90/388/EEC on the abolition of the restrictions on the use of cable television networks for the provision of telecommunications services (→ point 1.3.143). Finally, it adopted a recommendation for a Decision on a draft agreement with Mexico (→ point 1.4.109).

## Court of Auditors

### Annual report

*1.10.16.* Eighteenth annual report (1994).

**References:** Observations: Bull. 7/8-1995, point 1.10.15

*Adopted at the Court's 513th meeting on 25 and 26 October.* Pursuant to Article 88(4) of the Financial Regulation the report, together with the institutions' replies, has been sent to the discharge authorities and to the other institutions.

OJ C 303, 14.11:1995

### Specific annual report

*1.10.17.* 1994 ECSC annual report.

*Adopted at the Court's 513th meeting on 25 and 26 October.* Pursuant to Article 45c of the

ECSC Treaty, the report, together with the Commission's replies, has been sent to the discharge authorities and to the other institutions. It will be published in the Official Journal.

## Statement of assurance

*1.10.18.* Statement of assurance relating to the activities financed from the general budget for the financial year 1994, together with a special report.

*Adopted at the Court's 513th meeting on 25 and 26 October.* Pursuant to the second paragraph of Article 188c(1) of the EC Treaty, which states that 'the Court of Auditors shall provide the European Parliament and the Council with a statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions', the Court of Auditors adopted the statement of assurance relating to the activities financed from the general budget for 1994, together with the special report in support of the statement. The texts will be published in the Official Journal.

## Special report

*1.10.19.* Special report No 4/95 on EAGGF Guidance Section expenditure in Portugal between 1988 and 1993.

*Adopted at the Court's 512th meeting on 11 and 12 October.* The report, produced at the request of the European Parliament, has been transmitted to all the institutions and to the national audit boards and will be published in the Official Journal.

## Opinion

*1.10.20.* Opinion No 7/95 on the draft Financial Regulation applicable to the European Agency for the Evaluation of Medicinal Products.

*Adopted at the Court's 513th reunion on 25 and 26 October.* The opinion has been transmitted to the European Agency for the Evaluation of Me-

dicinal Products and to the other institutions; it will not be published in the Official Journal.

# European Investment Bank

## Financing

*1.10.21.* In October, the European Investment Bank granted loans totalling ECU 1 522 million, of which ECU 308 million went outside the European Union.

### *European Union*

#### Links with Union policies

Loans were made for the following measures:

- ECU 549 million for the economic development of disadvantaged regions;
- ECU 532 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- ECU 274 million for environmental protection and improvement of the quality of life;
- ECU 159 million for the pursuit of Community objectives in the field of energy;
- ECU 15 million for the enhancement of the international competitiveness of industry and its integration within the Community.

The Bank also continued its operations to support small businesses: a total of ECU 2 201 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 42.5 million in the form of global loans for the financing of small and medium-scale

projects by small businesses, projects in energy, international competitiveness and European integration, and regional or Community infrastructure projects.

#### *Germany*

- ECU 32 million for the modernization and transfer of installations for the manufacture of cables in plants in Berlin (East) and Schönnow (Brandenburg);
- ECU 53.3 million in the form of global loans for the financing of small and medium-scale projects relating to infrastructures, environmental protection and energy throughout Germany and in the other countries of the European Union;
- ECU 53.3 million, again in the form of global loans, for the financing of small and medium-scale projects in the environment, energy and infrastructure sectors;
- ECU 26.6 million, again in the form of global loans, for the financing of small and medium-scale projects by small businesses and environmental projects in the new *Länder*;
- ECU 18 million for the extension of the container vessel terminal in the port of Bremen;
- ECU 53.3 million for the modernization and extension of a combined heat and electricity power plant operating on natural gas in Berlin (East).

#### *Spain*

- ECU 273.9 million (including ECU 58.7 million under the EEA financial mechanism) for the modernization of the rolling stock and infrastructure of the suburban rail network in the nine largest cities, the acquisition of high-speed rolling stock and the modernization of infrastructure;
- ECU 61.5 million in the form of global loans under the EEA financial mechanism for the financing of small and medium-scale projects concerning environmental protection and infrastructure;
- ECU 24.6 million for the construction of a section of highway in the province of Alava (Basque country);
- ECU 27.7 million for the construction of a new passenger terminal at Palma de Mallorca (Balearic Islands) and the extension of the exist-

ing passenger terminals at Barcelona and Malaga airports.

#### *France*

- ECU 23.2 million for the French section of the route linking the Midi-Pyrénées region with the autonomous community of Aragon in Spain.

#### *Italy*

- ECU 10.6 million for the new average-density wood-fibre panels production line at Rivoli di Osoppo, near Udine (Friuli-Venezia Giulia);
- ECU 11.8 million for the modernization of two factories producing household electrical goods, refrigerators and washing machines at Carinaro and Teverola (Campania);
- ECU 37.7 million in the form of global loans for small and medium-scale projects by small businesses and projects relating to energy-saving, environment and regional or Community infrastructure;
- ECU 16.5 million, again in the form of global loans for small and medium-scale projects by small businesses and projects relating to energy-saving, environmental protection, the international competitiveness of industry and regional or Community infrastructure;
- ECU 4.7 million for the modernization of ceramic tile plants near Bologna and Modena (Emilia-Romagna);
- ECU 82.4 million for the extension and expansion of the natural gas distribution network in the north and the south of the country;
- ECU 23.5 million for the extension and modernization of the natural gas distribution network in Rome;
- ECU 23.5 million in the form of global loans for small and medium-scale projects by small businesses and projects relating to energy, environment, advanced technologies and regional or Community infrastructure;
- ECU 28.2 million in the form of global loans for small and medium-scale projects by small businesses and projects relating to energy-saving, environmental protection, the international competitiveness of industry and regional or Community infrastructure.

#### *Netherlands*

- ECU 166.6 million for the construction of a new container terminal in the port of Rotterdam.

### *United Kingdom*

- ECU 119.8 million in the form of global loans for small and medium-scale projects by small businesses and projects relating to the environment, energy-saving, regional or Community infrastructure and the competitiveness of industry.

### *Outside the European Union*

#### **ACP countries**

##### *Antigua and Barbuda*

- ECU 3.4 million for a regional solid waste management system.

##### *Botswana*

- ECU 40 million for the country's water supply.

##### *Burkina Faso*

- ECU 7 million for the modernization and restructuring of the railway line linking Ouagadougou and Kaya with Abidjan (Côte d'Ivoire).

##### *Côte d'Ivoire*

- ECU 6 million for the modernization and restructuring of the railway line linking Abidjan with Ouagadougou and Kaya (Burkina Faso);
- ECU 1 million for a plastics production plant.

##### *Ghana*

- ECU 1 million for a new leasing company.

##### *Grenada*

- ECU 1.8 million for a regional solid waste management system.

##### *Guinea*

- ECU 25 million for the Garafiri hydroelectric project.

##### *Saint Kitts and Nevis*

- ECU 2 million for the extension of Nevis airport.

### *Senegal*

- ECU 15 million for Dakar's water supply.

### *Suriname*

- ECU 0.7 million for an agricultural project.

### *Tanzania*

- ECU 0.3 million for hotel renovation and expansion.

### *Zambia*

- ECU 6 million for the extension of a cotton-mill.

#### **Mediterranean countries**

##### *West Bank and Gaza Strip*

- ECU 26 million in the form of global loans for small and medium-scale projects.

##### *Egypt*

- ECU 70 million for the modernization of an aluminium production plant in Upper Egypt.

##### *Israel*

- ECU 33 million in the form of global loans for small and medium-scale projects relating to industry, tourism and services.

##### *Tunisia*

- ECU 10 million for roads in Greater Tunis.

#### **Cooperation with the countries of Central and Eastern Europe**

##### *Romania*

- ECU 60 million for an urban heating and electricity project.

## **Economic and Social Committee**

### **329th plenary session**

1.10.22. The Economic and Social Committee held its 329th plenary session on 25 and 26 October, chaired in turn by Mr Ferrer, Mr Nielsen

and Mr Laur and attended by Mr Flynn, Member of the Commission.

Presenting the Commission communication on the European employment strategy, Mr Flynn pointed out that the many favourable economic indicators gave grounds for hope of a reduction in unemployment figures. He also mentioned the commitment by the social partners to work together to consolidate price stability, the determination of governments to pursue an active employment policy and the efforts of business circles to transform high profits into job-creating investment. In conclusion, he stressed the importance of restoring a climate of confidence in Europe to encourage companies to reinvest within the Union. He also highlighted the importance of a highly qualified workforce.

*1.10.23.* The Economic and Social Committee adopted own-initiative opinions on:

- youth unemployment (→ point 1.3.215);
- local development initiatives and regional policy (→ point 1.3.108);
- the coordination of R&TD policies (→ point 1.3.88);
- the impact of the CAP on the employment and social situation of farmers and farmworkers in the European Union (→ point 1.3.168);
- working time (→ point 1.3.214);
- the 1995 economic situation and employment in Europe (→ point 1.3.213).

*1.10.24.* The Economic and Social Committee debated and adopted:

- opinions on the following:
  - the Community financial contribution towards implementing the monitoring and control system applicable to the common fisheries policy (→ point 1.3.199);
  - the monitoring and control system applicable to the common fisheries policy (→ point 1.3.198);
  - the revision of Community legislation in the energy sector (→ point 1.3.126);
  - investment projects of Community interest in the petroleum, natural gas and electricity sectors (→ point 1.3.127);
  - the Commission's activities of analysis, research, cooperation and action in the field of employment (→ point 1.3.212);

- the Green Paper on the practical arrangements for the introduction of the single currency (→ point 1.3.19);
- equal treatment for men and women in occupational social security schemes (→ point 1.3.222);
- an own-initiative opinion entitled 'The European Union and Mercosur: an enhanced policy' (→ point 1.4.104).
- an information report on the evaluation of the PHARE programme (→ point 1.4.66).

*1.10.25.* The Economic and Social Committee adopted without debate:

- opinions on:
  - *in vitro* diagnostic medical devices (→ point 1.3.29);
  - establishing a financial instrument for the environment (LIFE) (→ point 1.3.153);
  - the supervision and control of shipments of waste within, into and out of the European Community (→ point 1.3.155);
  - food additives other than colorants and sweeteners (→ point 1.3.36);
  - the amendment to the statutes of the Joint European Torus (JET) Joint Undertaking (→ point 1.3.93);
  - the merger Regulation (→ point 1.3.54);
- own-initiative opinions on:
  - the Energy Charter Treaty (→ point 1.3.132);
  - Sustainable development — an interim evaluation of the Fifth Action Programme on the Environment (→ point 1.3.149);
  - the fifth Annual Report on the implementation of the Structural Funds (→ point 1.3.109);
  - derivatives (→ point 1.3.47);
  - road freight transport (→ point 1.3.137);
  - telematics applications for transport in Europe (→ point 1.3.136).

## ECSC Consultative Committee

### 323rd meeting (ordinary)

*1.10.26.* Luxembourg, 5 October.

*Chairman:* Mr Detaille.

*Main items*

- Proposal for a Decision of the Council and the Commission on the conclusion of the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Slovenia, of the other part: consultation (→ point 1.4.64).
- Review of outlook for the Community solid fuels markets in 1995: consultation (→ point 1.3.131).
- Draft Commission Decision on the adoption of a reserve list of projects for technical steel research, to be financed as budgetary possibilities permit: consultation.
- Direction of Community energy policy: exchange of views.
- Future of programmes for the financing of housing for workers in the ECSC industries: exchange of views.
- Report on the application, in 1994, of Decision 3855/91/ECSC establishing Community rules for aid to the steel industry: exchange of views.

**324th meeting (extraordinary)**

1.10.27. Luxembourg, 25 October.

*Chairman:* Mr Detaille.

*Main items*

- State aid for Irish Steel, Ireland: discussion with a view to consultation.
- State aid for Voest Alpine Erzberg GmbH (iron ore mining), Austria: discussion with a view to consultation.

**325th meeting (extraordinary)**

1.10.28. Luxembourg, 25 October.

*Chairman:* Mr Detaille.

*Main items*

- State aid for Irish Steel, Ireland: consultation (→ point 1.3.82).
- State aid for Voest Alpine Erzberg GmbH (iron ore mining), Austria: consultation (→ point 1.3.83).



**PART TWO**

**DOCUMENTATION**

# 1. The ecu

## Values in national currencies of ECU 1

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October 1995<sup>1</sup>

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BFR/ LFR	Belgian franc and Luxembourg franc	38.4768
DKR	Danish krone	7.26266
DM	German mark	1.87029
DR	Greek drachma	307.488
ESC	Portuguese escudo	196.930
FF	French franc	6.53262
FMK	Finnish markka	5.64122
HFL	Dutch guilder	2.09482
IRL	Irish pound	0.819444
LIT	Italian lira	2 122.95
OS	Austrian schilling	13.1617
PTA	Spanish peseta	162.012
SKR	Swedish krona	9.03011
UKL	Pound sterling	0.837881
AUD	Australian dollar	1.74535
CAD	Canadian dollar	1.77939
ISK	Icelandic króna	85.4491
NKR	Norwegian krone	8.24762
NZD	New Zealand dollar	2.00671
SFR	Swiss franc	1.51443
USD	United States dollar	1.32217
YEN	Japanese yen	133.184
ZAR	South African rand	4.82647

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<sup>1</sup> Average for the month: OJ C 290, 1.11.1995.

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*

October 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	304.136 307.247 on 15.10.1995	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 9.2424 on 30.10.1995
FMK	Finnish markka All products	5.88000	UKL	Pound sterling All products	0.843954

## 2. Council conclusions on guidelines for former Yugoslavia

2.2.1. On 30 October, the Council adopted the following conclusions:

'With a view to the peace negotiations to be held in the near future, the Council adopted the conclusions set out below.

### 1. Introduction

Since the beginning of the conflict in former Yugoslavia, the European Union has spared no effort to promote peaceful and lasting solutions. The Union has also been the principal contributor in the work to relieve the terrible suffering of the civilian population.

The European Union reaffirms its determination to do everything possible to help achieve a successful outcome in the forthcoming negotiations.

The European Union, represented by the European mediator Mr Carl Bildt, will devote special attention both to questions relating to the constitutional framework of Bosnia-Herzegovina and to the solving of territorial issues. The clear definition and implementation of structures for the State of Bosnia-Herzegovina will be essential for the development of relations with the European Union. The Union also calls on the parties to make every effort to agree on all remaining questions relating to the map. It reaffirms its full readiness to help on these important issues.

The European Union will work, on the basis of the agreements reached in Geneva and New York, to achieve the following goals:

1. the continuing existence of Bosnia-Herzegovina as a single State in its internationally recognized borders, consisting of two entities: the Federation of Bosnia-Herzegovina and the Republica Srpska;
2. Bosnia-Herzegovina must be a multiethnic State, a democracy founded on respect for the human person and the rule of law;
3. basic human rights and the rights of minorities as enshrined in international law have to be fully recognized and respected;
4. full respect for the rights of refugees and displaced persons, in particular the right of voluntary return;
5. a framework for early, free and fair elections in Bosnia-Herzegovina;

6. economies based on market principles and regional cooperation;

7. mutual recognition among all the States of the former Yugoslavia, within their internationally recognized borders;

8. the establishment of a process to define arms control, disarmament and confidence building measures.

The European Union will give its full support to the implementation of the peace process, in coordination with other members of the international community. In this context, the representative of the European Union acts in close cooperation with the Presidency and the Commission within their respective competences.

The European Union wishes to confirm its willingness to contribute to the international effort aimed at the reconstruction of the regions devastated by the war, once peace is established. To that end, the European Union will coordinate its action with other members of the international community in order to provide long-term assistance with the objectives of supporting economic development, reinforcement of civil society, reconciliation and regional economic cooperation.

In the perspective of peace, the European Union is developing its long-term policy towards the region, to help build stability and prosperity.

The European Union is concerned that failure to resolve the question of Eastern Slavonia would be a serious threat to hopes of ending the fighting in the region. The EU reminds the parties of their responsibility for reaching a peaceful solution on the basis of respect for the internationally recognized borders of the Republic of Croatia and respect for the rights of the local Serb population. The EU will consider taking part in the future transitional arrangements. Failure to reach a negotiated solution will have serious consequences in future relations with the EU.

The European Union believes it is necessary to create the conditions for the early return of the displaced Serb population from the United Nations protected areas in the Republic of Croatia. The government of Croatia must fully restore them in their civil and political rights as well as their properties.

The European Union remains deeply concerned about the other outstanding issues in the region and consid-

ers that success in the efforts to achieve peace in Bosnia and Eastern Slavonia should be exploited to accelerate their resolution. The question of Kosovo has to be solved on the basis of both the granting of a large degree of autonomy and the respect for the internationally recognized borders of the Federal Republic of Yugoslavia (FRY) (Serbia and Montenegro). The EU considers that the immediate and full respect of human rights in Kosovo has to be safeguarded. The rights of the minorities in Vojvodina and Sandzak, as in all other areas of former Yugoslavia, must also be fully respected. A solution to these questions will be essential for the full integration of the FRY (Serbia and Montenegro) in the international community and the stabilization of the whole area. The work in this field carried out by the International Conference on former Yugoslavia (ICFY) must be continued and intensified in an appropriate framework.

## 2. Humanitarian assistance

The EU reaffirms its determination to provide humanitarian assistance as long as the need exists. This assistance will seek to overcome humanitarian dependence as soon as possible and to assure a 'continuum' with the reconstruction effort. From the beginning of the conflict, the European Union has made a great effort, contributing with ECU 1.6 billion, and will continue to do so.

Humanitarian aid must reach all those who need it throughout the entire territory of former Yugoslavia, impartially and without conditionality. All interested parties should cooperate fully in its delivery.

The European Union will coordinate all different stages of its humanitarian aid with the United Nations High Commissioner for Refugees (UNHCR), which is the lead agency.

## 3. Refugees and displaced persons

The right of refugees and displaced persons to return freely to their homes throughout the whole territory of former Yugoslavia in conditions of security or to receive just compensation is a fundamental principle. This right must be enshrined in the peace agreement. The practical application of these rights should be ensured in cooperation with the UNHCR as the lead agency and other institutions. The European Union will in any case encourage the return of refugees by the means at its disposal, including the channelling of international aid.

The European Union will seek the commitment of the countries of origin to accept the return of their citizens and those others who have left their territory and have been accorded temporary protection by third countries.

The readiness of the countries of origin to allow the return of all refugees is one of the criteria for partici-

pation in the reconstruction and development programmes.

## 4. High Representative

In order to ensure the overall political coordination and coherence of the implementation of the peace settlement, the European Union considers necessary the designation of a High Representative who should be entrusted by the UN Security Council with the tasks referred to in the peace settlement.

In view of the contribution of the European Union in these aspects, the High Representative should come from the EU. The High Representative would report regularly, as required, to the Council of the European Union and to the international organizations involved in the implementation process.

The functions of the High Representative should include:

- to assure the coordination of all civil aspects of the implementation of the peace plan, without prejudice to the competences of lead agencies in their respective fields;
- to liaise closely and on a regular basis and exchange information with the IFOR;
- to keep a close contact with the parties, to pursue full compliance with all civil aspects of the peace plan.

## 5. Constitutional issues and free elections in Bosnia

On the basis of Geneva and New York documents, the EU calls on all parties to continue the negotiations aimed to agree on a basic constitutional framework for Bosnia-Herzegovina.

The future constitution of Bosnia-Herzegovina must contain provisions for:

- a democratic political system based on free and fair elections;
- institutional arrangements at central government level, adequate to ensure effective functioning of the State, *inter alia* with structures responsible for foreign relations and foreign trade. It must have the possibility of concluding and implementing international treaties;
- a functioning market economy.

Free and democratic elections should take place as soon as conditions permit. The signatories of the peace agreement should undertake firm commitments in this regard. In this context, the European Union calls on the OSCE to adopt an early decision to send missions to Bosnia-Herzegovina in order both to evaluate when conditions allow for elections to take place and to monitor the electoral process itself.

When the elections take place the return of refugees should already be under way allowing them to participate in the elections in their places of origin.

The European Union intends to make a major contribution to the electoral process, mainly through ECMM. In this context, the Union will redefine the future tasks of the European Union Monitoring Mission in former Yugoslavia in the perspective of peace. The ECMM has been deployed in the region since 1991 and has a unique experience in dealing with the many different aspects of the conflict. ECMM is already present in the Federation and should deploy when conditions allow throughout the whole territory of Bosnia-Herzegovina.

## 6. Reconstruction and regional development

A. Reconstruction is a major task for the international community. The European Union is willing to contribute to this task in the context of the widest possible burden-sharing with other donors and in the light of detailed identified needs.

Reconstruction should be concentrated in those areas most affected by war: the whole territory of Bosnia-Herzegovina and certain areas of Croatia.

Reconstruction assistance for Bosnia-Herzegovina depends on the implementation of the provisions of the peace plan.

The granting of reconstruction assistance to Croatia should be linked to the creation of real return options by the Croat Government for the Serbs in the UN protected areas and to strict respect for human and minority rights, as well as to a constructive attitude to the implementation of the peace plan.

Since the international financial institutions, and in particular the IMF and the World Bank can play a major role in reconstruction, it is important that Bosnia-Herzegovina does become a member of both institutions as soon as possible. To that end, a maximum effort should be made to help Bosnia-Herzegovina to clear its arrears with these institutions.

B. The European Union is convinced of the need to support economic development and the establishment of normal relations among all the States and the peoples of the former Yugoslavia. Only the granting of longer term measures in the region at a later stage will enable it to enjoy a sustained economic recovery.

The objectives of the EU should include:

- the establishment and reinforcement of democratic political institutions which guarantee the rule of law, human rights and fundamental freedoms;
- the reinforcement of civil society and the strengthening of non-governmental bodies and cultural and educational institutions;
- support for economic stabilization and transition to market economies;
- the rebuilding and modernization of energy, water, transport and telecommunications networks;

- the development of the private sector, especially smaller firms and the promotion of investments;
- the establishment of open, free and normal economic relations between the States of former Yugoslavia;
- the participation of the countries concerned in the open international economic system;
- the development of trade and cooperation with the European Union and other international partners.

The granting of longer term measures will be subject to criteria of conditionality which should include the following elements:

- implementation of the terms of the peace agreement;
- respect for human rights, minority rights and the right to return of all the refugees and displaced persons;
- with respect to the FRY (Serbia and Montenegro), the granting of a large degree of autonomy within it for Kosovo;
- respect for the principles of market economy;
- cooperation with the international war crimes tribunal.

C. The Community contribution would be met exclusively from within Category IV of the existing financial perspective. The sources of the Community financing would come from PHARE, from the budgetary lines already existing for former Yugoslavia or lines where limited actions could be envisaged for the same area, and from the amounts not allocated under Category IV of the financial perspective.

These instruments would not modify the budgetary perspective of the Community and would respect the orientations agreed by the European Council with regard to financial assistance to Central and East European countries and Mediterranean third countries. To these sources could be added possible loans from EIB and EBRD.

D. Support for reconstruction will come from many different sources. Efforts would be complementary and mutually reinforcing and coordination at different levels will be essential. Such coordination must respond to certain parameters: the efficient use of the available funds, notably in avoiding duplication and non-coverage of sectors, the use of the expertise and know-how of the fund-raising organizations themselves, the largest possible number of donors, transparency regarding information on needs and actions undertaken and the establishment of structures able to absorb aid in the beneficiary countries.

The European Union will be requested to contribute substantially to this reconstruction effort. Bearing in mind the magnitude of its effort, the coordination mechanism must ensure that the Union will be able to play a role commensurate with its experience in the

field of aid and its political interest in the successful development of the region. It should also permit full advantage to be taken of the experience and influence of the international financial institutions, notably the World Bank.

Finally, the European Union considers that the International Management Group (IMG) should play an important role in the evaluation of needs and local co-ordination of reconstruction efforts.

## **7. Future agreements**

As a follow-up to the European Union efforts to bring peace and stability to the region, the EU seeks to establish, as soon as conditions permit, a long-term relationship with the countries of the region. These relationships should take the form of agreements in the framework of a regional approach.

The conclusion of these agreements should be preceded by a clear analysis of all problems and possibilities concerning the EU relations with the regions and with each of these countries.

These agreements should include the following objectives:

- the improvement and intensification of relations with the EU, taking into account, as far as possible, the aspirations of the countries concerned;
- the fostering of reconciliation and the establishment of open and cooperative relations among these countries and their closest neighbours;
- the overall contribution of the EU to peace and stability in the region.

The agreements should be based on experience gained from previous agreements with the EU and should

have an element of clear political and economic conditionality, including in particular respect for human rights, minority rights, the right to return of displaced persons and refugees, democratic institutions, political and economic reform, readiness to establish open and cooperative relations between these countries, full compliance with the terms of the peace agreement and, with regard to the FRY (Serbia and Montenegro), the granting of a large degree of autonomy within it to Kosovo.

The willingness of the concerned States to engage in regional cooperation and to speed the process of economic and political reform will be determining factors in the future relations with the European Union.

## **8. Arms control and Confidence-and Security-Building Measures (CSBM) in the region**

Following the signing of the peace agreement, the establishment of a stable military balance based on the lowest possible level of armaments will be a necessary element in preventing the recurrence of conflict in the former Yugoslavia.

The European Union considers urgent that a process be started in the context of OSCE to define arms control, disarmament and confidence and security building measures. The EU will seek the commitment of the governments concerned, on signing the peace agreement, to begin constructive and bona fide negotiations on confidence and security measures, arms control and reduction as well as regional security.'

### 3. Additional references in the Official Journal

2.3.1. This section lists the titles of legal instruments, communications and notices that have appeared recently in the Official Journal but relate to items appearing in earlier issues of the Bulletin; the references were not available when those issues went to press.

The number of the Bulletin and the point to which this additional information refers are followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

#### **Bull. 12-1994**

##### *Point 1.2.57*

Commission Decision 95/421/EC of 21 December 1994 declaring a concentration to be compatible with the common market  
OJ L 251, 19.10.1995

##### *Point 1.7.1*

*Modus vivendi* of 20 December 1994 between the European Parliament, the Council and the Commission concerning the implementing measures for acts adopted in accordance with the procedure laid down in Article 189b of the EC Treaty

Interinstitutional Agreement of 20 December 1994: Accelerated working method for official codification of legislative texts  
OJ C 293, 8.11.1995

#### **Bull. 1/2-1995**

##### *Point 1.3.57*

Commission Decision 95/437/ECSC of 1 February 1995 concerning a German proposal to grant State aid to Georgsmarienhütte GmbH  
OJ L 257, 27.10.1995

##### *Point 1.3.92*

Proposal for a Council Regulation on the safety management of ro-ro passenger vessels  
OJ C 298, 11.11.1995

#### **Bull. 3-1995**

##### *Point 1.3.44*

Commission Decision 95/455/EC of 1 March 1995 on the arrangements for reducing the social security contributions paid by firms in the Mezzogiorno and for assigning to the State some of those contributions  
OJ L 265, 8.11.1995

##### *Point 1.3.56*

Commission Decision 95/438/EC of 14 March 1995 concerning investment aid granted by Spain to the company Piezas y Rodajes SA, a steel foundry located in Teruel province (Aragon), Spain  
OJ L 257, 27.10.1995

##### *Point 1.3.57*

Commission Decision 95/456/EC of 1 March 1995: Greek aid scheme in the pharmaceutical sector, financed by means of levies on pharmaceutical and other related products  
OJ L 265, 8.11.1995

##### *Point 1.3.137*

Proposal for a Council Regulation (EC) 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  
OJ C 302, 14.11.1995 (cancels and replaces OJ C 91, 12.4.1995)

##### *Point 1.6.1*

Declaration by the European Parliament, the Council and the Commission of 6 March 1995 on the incorporation of financial provisions into legislative acts  
OJ C 293, 8.11.1995

#### **Bull. 4-1995**

##### *Point 1.3.41*

Commission Decision 95/452/EC of 12 April 1995 on State aid in the form of tax concessions to under-



takings operating in the Centro di Servizi Finanziari ed Assicurativi di Trieste pursuant to Article 3 of Italian Law No 19 of 9 January 1991  
OJ L 264, 7.11.1995

*Point 1.3.55*

Commission Decision 95/422/ECSC of 4 April 1995 concerning State aid that the Freistaat Bayern, a regional authority of the Federal Republic of Germany, intends to grant to the ECSC steel undertakings Neue Maxhütte Stahlwerke GmbH, Sulzbach-Rosenberg, and Lech-Stahlwerke GmbH, Meitingen-Herbertshofen  
OJ L 253, 21.10.1995

*Point 1.3.87*

Commission Decision 95/464/ECSC of 4 April 1995 on German aid to the coal industry for 1995  
OJ L 267, 9.11.1995

*Point 1.3.94*

Commission communication to the European Parliament and the Council on the status and implementation of Directive 90/388/EEC on competition in the markets for telecommunications services  
OJ C 275, 20.10.1995

**Bull. 5-1995**

*Point 1.3.73*

Proposal for a Council Regulation amending Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport  
OJ C 292, 7.11.1995

*Point 1.3.78*

Proposal for a European Parliament and Council Decision on a series of guidelines for trans-European telecommunications networks  
OJ C 302, 14.11.1995

*Point 1.3.120*

Amended proposal for a Council Regulation (EC) 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  
OJ C 302, 14.11.1995

**Bull. 6-1995**

*Point 1.3.130*

Amended proposal for a Council Regulation on the safety management of ro-ro passenger vessels  
OJ C 298, 11.11.1995

*Point 1.3.222*

Common position (EC) No 19/95 of 29 June 1995 adopted by the Council with a view to adopting a Directive of the European Parliament and of the Council on the protection of consumers in respect of distance contracts  
OJ C 288, 30.10.1995

*Point 1.4.38*

Council Decision 95/440/EC of 13 June 1995 on the conclusion of the Agreement between the European Community and the People's Republic of China on the modification of certain provisions of the 1988 MFA bilateral Agreement on trade in textile products between the European Community and the People's Republic of China  
OJ L 261, 31.10.1995

*Point 1.4.39*

Council Decision 95/441/EC of 13 July 1995 on the conclusion of the Agreement between the European Community and Mongolia on trade in textile products  
OJ L 261, 31.10.1995

**Bull. 7/8-1995**

*Point 1.1.2*

Proposal for a Council Directive on the elimination of controls on persons crossing internal frontiers  
OJ C 289, 31.10.1995

*Point 1.1.3*

Proposal for a Council Directive on the right of third-country nationals to travel in the Community  
OJ C 306, 17.11.1995

*Point 1.1.4*

Proposal for a European Parliament and Council Directive amending Directive 68/360/EEC on the abolition of restrictions on movement and residence within the Community for workers of Member States and their families and Directive 73/148/EEC on the abolition of restrictions on movement and residence within the Community for nationals of Member States with regard to establishment and the provision of services  
OJ C 307, 18.11.1995

*Point 1.3.25*

Common position (EC) No 20/95 of 10 July 1995 adopted by the Council with a view to adopting a

Directive of the European Parliament and of the Council on the legal protection of databases  
OJ C 288, 30.10.1995

*Point 1.3.49*

Commission Decision 95/477/EC of 12 July 1995 relating to a proceeding pursuant to Article 85 of the EC Treaty  
OJ L 272, 15.11.1995

*Point 1.3.54*

Proposal for a Council Regulation (EC) on aid to ship-building  
OJ C 304, 15.11.1995

*Point 1.3.83*

Proposal for a Council Decision concerning the conclusion of an Agreement between the European Community and Canada establishing a cooperation programme in higher education and training  
OJ C 305, 16.11.1995

*Point 1.3.108*

Commission Decision 95/465/ECSC of 19 July 1995 authorizing France to grant aid to the coal industry for 1994  
OJ L 267, 9.11.1995

*Point 1.3.129*

Common position (EC) No 17/95 of 12 July 1995 adopted by the Council with a view to adopting a Directive of the European Parliament and of the Council on the application of open network provision (ONP) to voice telephony  
OJ C 281, 25.10.1995

*Point 1.3.183*

Common position (EC) No 18/95 of 24 July 1995 adopted by the Council with a view to adopting a Council Directive amending Directive 89/655/EEC on the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)  
OJ C 281, 25.10.1995

*Point 1.3.187*

Proposal for a Council Decision on the fourth medium-term Community action programme on equal opportunities for women and men (1996 to 2000)  
OJ C 306, 17.11.1995

*Point 1.3.199*

Common position (EC) No 16/95 of 10 July 1995 adopted by the Council with a view to adopting a Decision of the European Parliament and of the Council establishing a programme to support artistic and cultural activities having a European dimension (Kaleidoscope)  
OJ C 281, 25.10.1995

Amended proposal for a European Parliament and Council Decision establishing a programme to support artistic and cultural activities having a European dimension (Kaleidoscope 2000)  
OJ C 278, 24.10.1995

*Point 1.3.201*

Amended proposal for a European Parliament and Council Decision establishing a support programme in the field of books and reading through translation (Ariane)  
OJ C 279, 25.10.1995

*Point 1.3.207*

Common position (EC) No 15/95 of 10 July 1995 adopted by the Council with a view to adopting a Council Decision on the implementation of a training programme for professionals in the European audiovisual programme industry (MEDIA II — Training)  
OJ C 281, 25.10.1995

**Bull. 9-1995**

*Point 1.3.77*

Common position (EC) No 23/95 of 28 September 1995 adopted by the Council with a view to adopting a Council Regulation on the safety management of roll-on/roll-off passenger ferries (ro-ro ferries)  
OJ C 297, 10.11.1995

*Point 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 Economic Community  
OJ C 307, 18.11.1995

*Point 1.10.11*

Special report No 3/95 on the implementation of the intervention measures provided for by the organization of the market in the sheepmeat and goatmeat sector  
OJ C 285, 28.10.1995

*Points 1.10.15 and 1.10.16*

Opinions adopted by the Economic and Social Committee at its 328th session on 13 and 14 September  
OJ C 301, 13.11.1995

## 4. Corrigenda

2.4.1. This section lists the corrigenda to earlier issues of the Bulletin. The corrections are shown in bold.

### **Bull. 5-1995**

#### *Point 1.3.101*

The Official Journal reference for the first amended Regulation to read: '[...] OJ L 145, 27.5.1992'.

### **Bull. 7/8-1995**

#### *Point 1.4.94*

'**COM/95/395**' to be added after the phrase '*Proposal formally adopted by the Commission on 25 July*'.

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