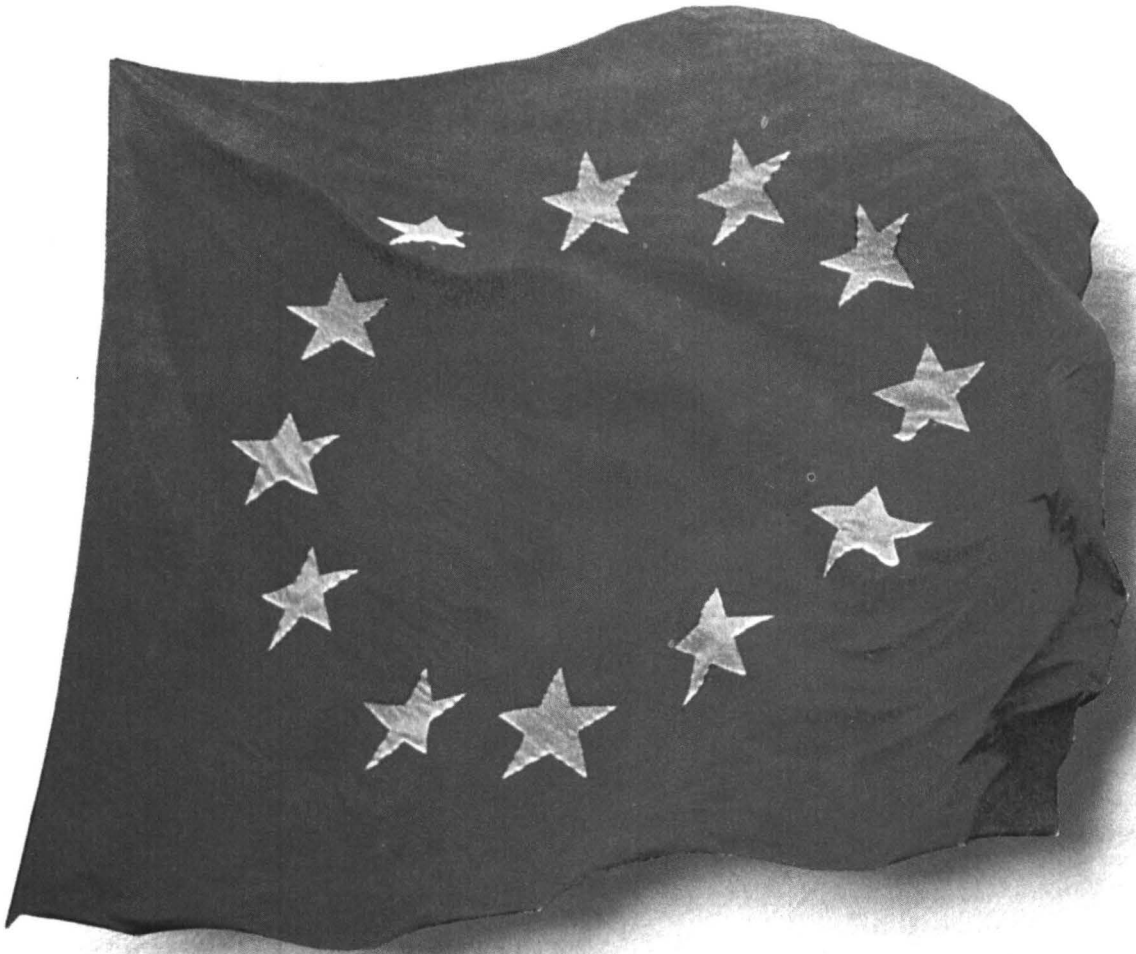


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Standardized abbreviations for the designation of certain monetary units in the different languages of the Community.

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

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PART ONE

ACTIVITIES IN MAY 1990

1. Political dimension of European integration

Implementation of the conclusions of the special meeting of the European Council held in Dublin

1.1.1. Implementation of the mandate to the Foreign Ministers.

- **Reference:** Conclusions of the Presidency at the close of the special meeting of the European Council held in Dublin on 28 April: Bull. EC 4-1990, point I.12

The following conclusions were adopted by the Council (General Affairs) on 7 May:

'It is recalled that the Foreign Ministers have been asked:

- (i) to examine and analyse the need for possible Treaty changes,
- (ii) to prepare proposals for discussion at the European Council in Dublin with a view to a decision on the holding of a second intergovernmental conference.

The following main areas have been identified in the context of political union by the Heads of State or Government:

- (i) strengthening of democratic legitimacy of the union,
- (ii) enabling the Community and its institutions to respond effectively and efficiently to the demands of the new situation,
- (iii) ensuring unity and coherence in the Community's international action.

The Foreign Ministers have decided that at their informal meeting on 19 and 20 May they will examine and analyse ideas of Member States and the Commission on political union.

Member States can submit their ideas before this meeting in special meetings of the Permanent Representatives and political directors as necessary. Member States will concentrate on specific subject areas to be covered under the three themes identified by the European Council. They will also submit ideas on how to apply the notion of subsidiarity in the field of political union.

The Foreign Ministers will decide at their informal meeting on 19 and 20 May how best to carry forward the process with a view to submitting proposals to the European Council in Dublin.'

Informal meeting of Foreign Ministers in Parknasilla on 19 and 20 May. Ministers continued their preparations for the June European Council with particular reference to the strengthening of the European political dimension. It was agreed that Ministers and the President of the Commission would each appoint a personal representative to work on the text to be placed before the European Council.

Interinstitutional preparatory conference

1.1.2. Interinstitutional preparatory conference held in Strasbourg on 17 May.

- **Reference:** Parliament resolution on the inter-governmental conference in the context of Parliament's strategy for European union: OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.3

Convened by Parliament and held on the fringe of its part-session (→ point 1.7.1), the conference brought together, in addition to a delegation of 12 MEPs from various political groups, the Foreign Ministers of the Member States or their deputies and, for the Commission, Mr Delors, President, Mr Andriessen and Mr Bangemann, Vice-Presidents, and Mr Dondelinger. Mr Masprone, Chairman of the Economic and Social Committee, also attended as an observer. Opened by the President of Parliament, Mr Barón Crespo, the conference took place in a positive atmosphere and produced constructive exchanges of views on the prospects for European integration. Several specific points were highlighted: the probable holding of a second intergovernmental conference in the same time frame as the one on economic and monetary union; increased powers for the European Parliament as part of the move to improve the decision-making process; clearer definition of the concept of subsidiarity; and greater involvement of the national parliaments in the process of Community integration.

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

Economic and monetary policy

Economic and monetary union

1.2.1. European Parliament resolution on economic and monetary union.

• **References:**

Report of the Delors Committee: Bull. EC 4-1989, points 1.1.1 to 1.1.5

European Council meeting in Madrid: Bull. EC 6-1989, point 1.1.11

European Council meeting in Strasbourg, Bull. EC 12-1989, point 1.1.11

Commission working paper on economic and monetary union: economic rationale and design of the system: Bull. EC 3-1990, point 1.1.2

Adopted by Parliament on 16 May. Objective: Parliament emphasizes the urgent need to complete the single market and to complement it by establishing economic and monetary union (EMU) with a view to introducing a single currency, the ecu, as soon as possible. It takes the view that instruments to implement a Community economic policy should be created and calls for close coordination of budgetary policies and for the Community budget to play a greater role in ensuring economic cohesion of the Member States. It considers that a European system of central banks (ESCB) should be created that would decide autonomously how to implement the monetary policy objectives agreed by the Council and approved by Parliament, while ensuring price stability and supporting general economic policy aims.

It believes that the authorities in charge of the ESCB should report to the Council and Parliament at least once a year on their management of the system. It recommends that a system of cooperation be established between the ESCB and those responsible for economic policy to help ensure that internal monetary policy is consistent with

exchange-rate policy and to promote coordinated economic policies. Finally, while hoping that all Member States can embark simultaneously on the task of achieving EMU, it concedes that the deadlines for their participation may differ.

OJ C 149, 18.6.1990

Internal market

I

Indirect taxation: abolition of tax frontiers

1.2.2. Proposals for Regulations and a Directive on the abolition of tax frontiers.

• **References:**

Commission proposals for abolishing intra-Community tax frontiers: OJ C 250, 18.9.1987; OJ C 251, 19.9.1987; OJ C 252, 22.9.1987; OJ C 262, 1.10.1987; COM(87) 320 to 328; Bull. EC 7/8-1987, points 1.2.1 to 1.2.5

Commission communication on completion of the internal market and approximation of indirect taxes: COM(89) 260; Bull. EC 5-1989, point 1.1.1

Council conclusions on the abolition of tax frontiers: Bull. EC 11-1989, point 2.1.27

Conclusions of European Council meeting in Strasbourg: Bull. EC 12-1989, point 1.1.4

Adopted by the Commission on 8 May. The three proposals (→ points 1.2.3 to 1.2.5) adopted by the Commission are in tune with the guidelines adopted by the Council (Economic and Financial Affairs) in November 1989 regarding the broad lines of the VAT arrangements to be applied after 1992 and form part of the process of completely abolishing tax frontiers initiated by the Commission in 1987. They give practical effect to the wish expressed by the European Council in Strasbourg that the decisions necessary to make the process of

completely abolishing tax frontiers irreversible be adopted as soon as possible. These proposals fulfil two needs in this regard: firstly, they set out transitional VAT arrangements to be applied from 1 January 1993 to 31 December 1996 under which all tax checks at intra-Community frontiers would be abolished and payment of VAT would be maintained temporarily in the country of destination only; secondly, they establish the principle that at the end of the transitional period, that is from 1 January 1997, VAT will be payable in the Member State in which goods originate.

1.2.3. Proposal for a Directive supplementing the common system of VAT and amending Directive 77/388/EEC.

- **Directive to be amended:** Sixth Council Directive (77/388/EEC) on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value-added tax: uniform basis of assessment; OJ L 145, 13.6.1977
- **Commission proposal:** OJ C 252, 22.9.1987; COM(87) 322; Bull. EC 7/8-1987, point 1.2.2
- **Economic and Social Committee opinion:** OJ C 237, 12.9.1988; Bull. EC 7/8-1988, point 2.4.56

Amended proposal adopted by the Commission on 8 May. This proposal aims to abolish the concept of importation in intra-Community trade. Intra-Community transactions between taxable persons (enterprises) would benefit, in the Member State of departure, from the exemption currently applied to exports. The corresponding purchase would be subject to VAT in the Member State of arrival, with the tax being payable by the purchaser. The burdens on firms engaging in trade between Member States would therefore be alleviated, since they would pay the VAT due in respect of an intra-Community transaction on the basis of their periodic VAT returns, as in the case of domestic transactions. In order to limit the main dangers of distortion of competition arising from differences in rates between Member States, three special sets of arrangements would be applied. The first concerns purchases by non-taxable institutions (public administrations) and exempt

taxable persons (banks, insurance companies, etc.), which would be subject to the same taxation arrangements in the country of arrival of the goods as those introduced in respect of transactions between taxable persons where their purchases exceeded ECU 35 000 annually (this threshold would rise to ECU 70 000 on 1 January 1995). The second proposed scheme concerns purchases of new private vehicles (cars and motorcycles), which would be taxed in the Member State of registration, whoever the purchaser was. The third scheme concerns mail-order sales, which would be taxed in the Member State of destination if the selling firm's turnover from intra-Community mail-order sales exceeded ECU 1 million. The scheme would primarily cover mail-order sales to individuals. Travellers' freedom to purchase goods taxed on a once-and-for-all basis in the Member State of purchase would be total, and they would be free to use goods purchased in this way in any other Member State.

COM(90) 182

1.2.4. Proposal for a Regulation on administrative cooperation in the field of indirect taxation.

Adopted by the Commission on 8 May. This proposal is intended to reinforce administrative cooperation between Member States' tax authorities. Once the internal market is complete and tax frontiers have been abolished, Member States will no longer be able to carry out tax checks on intra-Community trade in goods through frontier customs procedures. They will therefore have to base their checks mainly on traders' accounts, as is currently the case for VAT collection. It will therefore be necessary for them to be able to check information concerning sales and purchases made in other Member States, which can be done only through enhanced administrative cooperation. In order to provide an acceptable level of control, administrative cooperation will need to be organized on a more regular and routine basis and to have the capacity to handle larger volumes of requests than the existing arrangements. The

proposed Regulation would establish a legal framework capable of providing adequately for the requirements of cooperation; the operational details of the system would be a matter for subsequent consultation and coordination between Member States and the Commission under the procedures provided for in the proposal.

COM(90) 183

1.2.5. Proposal for a Regulation on the statistics relating to the trading of goods between Member States.

- **Commission proposal:** OJ C 41, 18.2.1989; COM(88) 810; Bull. EC 12-1988, point 2.5.1
- **Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.6.3

Amended proposal adopted by the Commission on 8 May. Through this proposal, the Commission intends to reduce the statistical burdens on firms substantially. Only 20% or so of firms in the Community (the larger ones) would be required to complete the new simplified statistical forms. The bulk of firms, and in particular small and medium-sized ones, would either be exempt from submitting any returns or would simply be required to indicate the value of intra-Community imports and exports on their regular VAT returns, which would be used for both tax and statistical purposes.

COM(90) 177

Measures to combat illicit trafficking in narcotic drugs and psychotropic substances

1.2.6. Proposal for a Regulation laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances.

- **References:**

Adoption of the United Nations Convention against illicit trafficking in narcotic drugs and psychotropic substances: Bull. EC 12-1988, point 2.2.69

Signing of the Convention by the Commission on behalf of the European Economic Community: Bull. EC 6-1989, point 2.2.50

Proposal for a decision concluding the Convention on behalf of the European Economic Community: COM(89) 654; Bull. EC 12-1989, point 2.1.118

Adopted by the Commission on 30 May. This proposal is designed to set up a monitoring system on a Community basis, as a means of implementing Article 12 of the 1988 United Nations Convention, which invites the contracting parties to take appropriate measures to prevent the diversion of precursors — chemical products frequently used for the illicit manufacture of drugs and psychotropic substances. The proposed system, based on cooperation between the competent authorities and economic operators, was preferred to a licensing system, which was considered to be less effective. The system chosen, which would not entail new obstacles to trade, would comprise notification of consignments, the keeping of a register of such consignments, their identification and measures to ensure that offences were adequately penalized.

COM(90) 215

Advertising of medicinal products for human use

1.2.7. Proposal for a Directive on advertising of medicinal products for human use.

- **Reference:** proposals for Directives concerning the rational use of medicinal products: OJ C 58, 8.3.1990; COM(89) 607; Bull. EC 1/2-1990, point 1.1.24

Adopted by the Commission on 28 May. This proposal, which supplements those concerning the rational use of medicinal products, is designed to promote such rational use by harmonizing national legislation on pharmaceutical advertising to the extent necessary for completion of the internal market. In order to do this, the Commission proposed separate arrangements for advertising to the general public and advertising intended for the health professions. The former would be authorized only in the case of certain medicinal products (self-medication) and under certain positive and negative conditions. Advertis-

ing addressed to health professionals would be subject to more detailed rules covering, in particular, medical sales representatives, financial inducements and the distribution of free samples. Measures concerning the monitoring of pharmaceutical advertising are also provided for.

COM(90) 212

Insurance against civil liability in respect of the use of motor vehicles

1.2.8. Third Directive (90/232/EEC) on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles.

- **Commission proposal:** OJ C 16, 20.1.1989) COM(88) 644; Bull. EC 12-1988, point 2.1.144
- **Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.1.14
- **European Parliament opinion (first reading):** OJ C 304, 4.12.1989; Bull. EC 10-1989, point 2.1.14
- **Amended Commission proposal:** OJ C 11, 17.1.1990; COM(89) 625; Bull. EC 12-1989, point 2.1.16
- **Council common position:** Bull. EC 12-1989, point 2.1.16
- **European Parliament opinion (second reading):** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.18

Re-examined proposal adopted by the Commission on 8 May. The Commission added to its proposal a new article requiring all Member States to take the necessary steps to ensure that accident victims could find out without delay the details of the insurer or insurers covering the liability of the vehicle or vehicles involved in the accident.

OJ C 134, 1.6.1990; COM(90) 202

Adopted by the Council (Internal Market) on 14 May. The aim of this Directive is to provide increased protection for accident victims and insured persons. It imposes compulsory cover for all passengers of the vehicle, including, where the passenger is the owner, the holder of the vehicle or the insured person himself. It stipulates that

each civil liability insurance policy, in addition to covering the entire territory of the Community, must guarantee, in each Member State, the cover imposed in the Member State where the vehicle is normally based or that imposed by the Member State in which the vehicle is moving, whichever is the greater. Finally, the Directive harmonizes national provisions concerning the guarantee funds which compensate victims where the vehicle which caused the accident was not insured or was not identified; the victim will thus no longer be responsible for establishing that the person liable is unable or refuses to compensate him.

OJ L 129, 19.5.1990

II

Removal of physical barriers

Inspection of goods

Simplification of customs formalities

1.2.9. Commission Regulation (EEC) No 1429/90 amending Regulation (EEC) No 1062/87 on provisions for the implementation of the Community transit procedure and for certain simplifications of that procedure.

- **Basic Regulation:** Council Regulation (EEC) No 222/77 on Community transit: OJ L 38, 9.2.1977
- **Regulation amended:** Commission Regulation (EEC) No 1062/87: OJ L 107, 22.4.1989; Bull. EC 3-1987, point 2.1.61
- **Reference:** Council Regulation (EEC) No 474/90 amending, with a view to abolishing lodgement of the transit advice note on crossing an internal frontier of the Community, Regulation (EEC) No 222/71 on Community transit: OJ L 51, 27.2.1990; Bull. EC 1/2-1990, point 1.1.8

Adopted by the Commission on 29 May. Objective: to implement certain additional measures for simplifying the Community

transit procedure following adoption of Council Regulation (EEC) No 474/90.

OJ L 137, 30.5.1990

products or goods in the unaltered state are released for free circulation.

OJ L 136, 29.5.1990

General legislation

1.2.10. Proposal for a Directive amending Council Directive 79/695/EEC on the harmonization of procedures for the release of goods for free circulation.

- **Directive to be amended:** Council Directive 79/695/EEC: OJ L 205, 13.8.1979
- **Commission proposal:** OJ C 235, 13.9.1989; COM(89) 385; Bull. EC 7/8-1989, point 2.1.24
- **Economic and Social Committee opinion:** OJ C 62, 12.3.1990; Bull. EC 12-1989, point 2.1.36
- **European Parliament opinion (first reading):** OJ C 38, 19.2.1990; Bull. EC 1/2-1990, point 1.1.11
- **Amended Commission proposal:** OJ C 54, 6.3.1990; COM(90) 74; Bull. EC 1/2-1990, point 1.1.11

Common position adopted by the Council on 14 May

Customs procedures with economic impact

1.2.11. Commission Regulation (EEC) No 1415/90 laying down rates of compensatory interest applicable during the second half of 1990 to customs debts incurred in relation to compensating products or goods in the unaltered state.

- **Basic Regulations:**
Council Regulation (EEC) No 1999/85 on inward processing relief arrangements: OJ L 188, 20.7.1985; Bull. EC 7/8-1985, point 2.1.40
Council Regulation (EEC) No 3677/86 laying down provisions for the implementation of Regulation (EEC) no 1999/85 on inward processing relief arrangements: OJ L 351, 12.12.1986; Bull. EC 11-1986, point 2.1.67

Adopted by the Commission on 28 May. Objective: to lay down, in the context of the inward processing relief arrangements, annual rates of compensatory interest applicable during the second half of 1990 to customs debts incurred when compensating

Common Customs Tariff and Combined Nomenclature

1.2.12. Commission Regulation (EEC) No 1119/90 amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

- **Regulation amended:** Council Regulation (EEC) No 2658/87: OJ L 256, 7.9.1987; Bull. EC 7/8-1987, point 2.1.80.

Adopted by the Commission on 2 May. Objective: to adopt measures concerning the classification of the 'ensembles' as defined in Chapters 61 and 62 of the Combined Nomenclature.

OJ L 112, 3.5.1990

1.2.13. Proposal for a Regulation on information given by the customs authorities of the Member States on the classification of goods in the customs nomenclature.

- **Commission proposal:** OJ C 256, 8.10.1981; COM(81) 485; Bull. EC 9-1981, point 2.1.25
- **Economic and Social Committee opinion:** OJ C 64, 15.3.1982; Bull. EC 12-1961, point 2.1.29
- **European Parliament opinion:** OJ C 46, 20.2.1984; Bull. EC 1-1984, point 2.1.27
- **First Commission amendment:** OJ C 81, 22.3.1984; COM(84) 111; Bull. EC 2-1984, point 2.1.36
- **Second Commission amendment:** OJ C 28, 3.2.1989; COM(88) 839; Bull. EC 12-1988, point 2.1.95
- **Council common position:** Bull. EC 4-1990, point 1.1.7
- **European Parliament opinion (second reading):** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.7

Re-examined proposal adopted by the Commission on 8 May. Objective: identification of expenditure chargeable to the applicant; limitation of any application for binding tariff information to one type of goods; deletion of the clause permitting a Member State to stipulate that applications for binding tariff information are valid only for certain customs offices in that Member

State; clarification of the declarant's position.

OJ C 142, 12.6.1990; COM(90) 198

Value for customs purposes

1.2.14. Commission Regulation (EEC) No 1264/90 amending Regulation (EEC) No 3179/80 on postal charges to be taken into consideration when determining the customs value of goods sent by post.

- **Basic Regulation:** Council Regulation (EEC) No 1224/80 on the valuation of goods for customs purposes: OJ L 134, 31.5.1980; Bull. EC 5-1980, point 2.1.14
- **Regulation amended:** Commission Regulation (EEC) No 3179/80: OJ L 335, 12.12.196; Bull. EC 1980, point 2.1.29

Adopted by the Commission on 14 May.

Objective: to exclude from the special treatment provided for in Regulation (EEC) No 3179/80 postal charges for certain express consignment services similar to those provided by private operators in order to prevent any discrimination between the postal services and private operators..

OJ L 124, 15.5.1990

1.2.15. Commission Regulation (EEC) No 1414/90 amending Regulation (EEC) No 3177/80 on the place of introduction to be taken into consideration in applying Article 14(2) of Council Regulation (EEC) No 1224/80 on the valuation of goods for customs purposes.

- **Basic Regulation:** Council Regulation (EEC) No 1224/90: OJ L 134, 31.4.1980; Bull. EC 5-1980, point 2.1.14
- **Regulation amended:** Commission Regulation (EEC) No 3177/90: OJ L 335, 12.12.1980; Bull. EC 12-1980, point 2.1.29

Adopted by the Commission on 28 May.

Objective: to add Czechoslovakia and Hungary to the list of countries mentioned in Regulation (EEC) No 3177/80 through which goods, having entered the customs territory of the Community are carried to their destination in another part of that territory; this addition was made necessary

by the fact that hauliers had been bypassing Austria for some time.

OJ L 136, 29.5.1990

Origin of goods

1.2.16. Draft Decision of the EEC-Ireland Joint Committee supplementing and amending, in the context of the Joint Decision concerning the review of the changes to the origin rules as a result of the introduction of the Harmonized System, Annex III to Protocol No 3 concerning the definition of the concept of originating products and methods of administrative cooperation.

- **Protocol to be amended and Joint Declaration:** OJ L 180, 9.7.1988
- **Community common position:** Bull. EC 3-1990, point 1.1.10

Amendment adopted by the Commission on 2 May.

Objective: to specify 1 July 1990 as the date of entry into force instead of 1 April 1990.

1.2.17. Draft Decisions of the EEC-EFTA Joint Committees (Austria, Finland, Iceland, Norway, Sweden, Switzerland) supplementing and amending, in the context of the Joint Declaration concerning the review of the changes to the origin rules as a result of the introduction of the Harmonized System, Annex III to Protocol No 3 concerning the definition of the concept of originating products and methods of administrative cooperation.

- **Protocols to be amending and Joint Declarations:** OJ L 149, 15.6.1988 (Austria, Finland); OJ L 180, 9.7.1988 (Iceland, Norway); OJ L 216, 8.8.1988 (Sweden, Switzerland)

- **References:**

Council Regulation (EEC) No 802/68 on the common definition of the concept of the origin of goods: OJ L 148, 28.6.1968

Council Directive 87/369/EEC concerning the conclusion of the International Convention on the Harmonized Commodity Description and Coding System and of the Protocol of Amendment thereto: OJ L 198, 20.7.1987; Bull. 4-1987, point 2.1.49

- **Community common position:** Bull. EC 3-1990, point 1.1.11

Amendment adopted by the Commission on 2 May. Objective: to specify 1 July 1990 as the date of entry into force instead of 1 April 1990.

International cooperation

1.2.18. Council Decision on the Community's participation in the negotiation, within the United Nations Economic Commission for Europe, of a convention on the customs arrangements applicable to containers used within an international pool.

- **Recommendation for a Decision:** Bull. EC 3-1990, point 1.1.13

Adopted by the Council on 14 May.

1.2.19. Proposal for a Regulation on the use in the Community of TIR carnets and, as transit documents, of ATA carnets.

- **Reference:** Council Regulation (EEC) No 2151/84 on the customs territory of the Community: OJ L 197, 27.7.1984; Bull. EC 7/8-1984, point 2.1.44

Adopted by the Commission on 16 May. Objective: to adapt the rules for applying the TIR Convention and the ATA Convention (Customs Convention on the ATA carnet for the temporary admission of goods) in line with the principle that the Community must be considered as a single territory once internal frontiers are abolished on 1 January 1993.

OJ C 142, 12.6.1990; COM(90) 203

Removal of technical and legal barriers

Free movement of goods

Removal of trade barriers

1.2.20. Proposal for a Directive on the harmonization of the laws of the Member States relating to non-automatic weighing instruments.

- **Commission proposal:** OJ C 55, 4.3.1989; COM(88) 780; Bull. EC 12-1988, point 2.1.22

- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.16
- **Economic and Social Committee opinion:** OJ C 194, 31.7.1989; Bull. EC 5-1989, point 2.1.17
- **Council common position:** Bull. EC 12-1989, point 2.1.29

European Parliament opinion (second reading), 16 May. Favourable, subject to various amendments concerning in particular in-service inspections of such instruments.

OJ C 149, 18.6.1990

1.2.21. Proposal for a Directive on the approximation of the laws of the Member States relating to active implantable electro-medical equipment.

- **Commission proposal:** OJ C 14, 18.1.1989; COM(88) 717; Bull. EC 12-1988, point 2.1.23
- **European Parliament opinion (first reading):** OJ C 120, 16.5.1989; Bull. EC 4-1989, point 2.1.21
- **Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.1.22
- **Amended Commission proposal:** COM(89) 418; Bull. EC 7/8-1989, point 2.1.19
- **Council common position:** Bull. EC 1/2-1990, point 1.1.17

European Parliament opinion (second reading) 16 May. Favourable, subject to certain amendments.

OJ C 149, 18.6.1990

1.2.22. Proposal for a Directive amending Directive 87/404/EEC on the harmonization of the laws of the Member States relating to simple pressure vessels.

- **Directive to be amended:** Council Directive 87/404/EEC: OJ L 220, 8.8.1987; Bull. EC 6-1987, point 2.1.14
- **Commission proposal:** OJ C 13, 19.1.1990; COM(89) 636; Bull. EC 12-1989, point 2.1.31
- **Economic and Social Committee opinion:** Bull. EC 4-1990, point 1.1.12

European Parliament opinion (first reading), 17 May. Favourable.

OJ C 149, 18.6.1990

1.2.23. Proposal for a Directive amending Directive 84/529/EEC on the approximation of the laws of the Member States relating to electrically operated lifts.

- **Directive to be amended:** Council Directive 84/529/EEC: OJ L 300, 19.11.1984; Bull. EC 9-1984, point 2.1.9
- **Commission proposal:** OJ C 17, 24.1.1990; COM(89) 638; Bull. EC 12-1989, point 2.1.14
- **Economic and Social Committee opinion:** Bull. EC 4-1990, point 1.1.13

European Parliament opinion (first reading), 17 May. Favourable, subject to certain amendments.

OJ C 149, 18.6.1990

1.2.24. Proposal for a Directive amending Directive 79/196/EEC on the approximation of the laws of the Member State concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection.

- **Directive to be amended:** Council Directive 79/196/EEC: OJ L 43, 20.2.1979
- **Commission proposal:** OJ C 111, 5.5.1990; COM(90) 13; Bull. EC 1/2-1990, point 1.1.18
- **Economic and Social Committee opinion:** Bull. EC 4-1990, point 1.1.14
- **Economic and Social Committee opinion:** Bull. EC 4-1990, point 1.1.14

European Parliament opinion (first reading), 17 May. Favourable.

OJ C 149, 18.6.1990

1.2.25. Proposal for a Regulation on the acceptance by the European Economic Community of standards or maximum limits for pesticide residues or maximum limits for veterinary medicinal product residues, drawn up under the Joint FAO/WHO Food Standards Programme.

Adopted by the Commission on 21 May. Objective: to introduce a Community procedure relating to the acceptance of the Codex standards or maximum limits for pesticide residues subject, where appropriate, to derogation in respect of the provisions of those standards.

COM(90) 216

Standardization, certification and testing

1.2.26. Commission Decision amending the lists of national standards institutions annexed to Directive 83/189/EEC.

- **Basic Directive:** Council Directive 83/189/EEC laying down a procedure for the provision of information in the field of technical standards and regulations: OJ L 109, 26.4.1983; Bull. EC 3-1983, point 2.1.8

Adopted by the Commission on 3 May. Objective: to update and, in some cases, amend the list of national standards institutions annexed to Council Directive 83/189/EEC.

1.2.27. Proposal for a Decision concerning the modules for the various phases of the conformity assessment procedures which are intended to be used in the technical harmonization directives.

- **References:**
 - Commission communication 'A global approach to certification and testing — quality measures for industrial products': COM(89) 209; Bull. EC 7/8-1989, point 2.1.22
 - Council Resolution on a global approach to conformity assessment: OJ C 10, 16.1.1990; Bull. EC 12-1989, point 2.1.33
 - **Commission proposal:** OJ C 231, 8.9.1989; COM(89) 209; Bull. EC 7/8-1989, point 2.1.22
 - **Economic and Social Committee opinion:** Bull. EC 3-1990, point 1.1.20

European Parliament opinion (first reading), 17 May. Favourable, subject to various amendments.

OJ C 149, 18.6.1990

Common market in services

Financial services

1.2.28. Commission communication on obstacles to takeover and other general bids.

- **Reference:** proposal for a 13th Directive on company law, concerning takeover and other general bids: OJ C 64, 14.3.1989; COM(88) 823, Bull. EC 12-1988, point 2.1.149; Supplement 3/89 — Bull. EC

Adopted by the Commission on 8 May. Objective: to specify the measures which the Commission intends to present to the Council with a view to removing obstacles to the acquisition of companies through takeovers or other general bids.

1.2.29. Proposal for a Directive amending Directive 69/335/EEC concerning indirect taxes on the raising of capital.

- **Directive to be amended:** Council Directive 69/335/EEC: OJ L 249, 3.10.1969; OJ L 269, 28.10.1969
- **Commission proposal:** OJ C 111, 5.5.1990, COM(90) 94; Bull. EC 3-1990, point 1.1.23

Economic and Social Committee opinion, 30 May. The Committee stressed the need for capital duty to be abolished as it considered that indirect taxes on the raising of capital had no part in a rational tax system. With the total abolition of this duty not possible for the moment, the Committee called for priority to be given to ensuring that such taxation did not cause distortion of competition or social inequalities. It therefore endorsed the proposal, which was designed to prevent taxes on the raising of capital from having such an impact.

Removal of tax barriers

Turnover tax (VAT)

1.2.30. Commission Directive 90/237/EEC amending the 17th Council Directive 85/362/EEC of 16 July 1985 on the harmonization of the laws of the Member States relating to turnover taxes — Exemption from value-added tax on the temporary importation of goods other than means of transport.

- **Directive amended:** Council Directive 85/362/EEC: OJ L 192, 24.7.1985; Bull. EC 7/8-1985, point 2.1.73
- **Reference:** Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (Combined Nomenclature): OJ L 256, 7.9.1987; Bull. EC 7/8-1987, point 2.1.80

Adopted by the Commission on 4 May. Objective: to amend Directive 85/362/EEC following the entry into force of the Combined Nomenclature.

OJ L 133, 24.5.1990

Competition

I

Unfair practices in air transport

1.2.31. Proposal for a Regulation amending Regulation (EEC) No 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector.

- **Regulation to be amended:** Council Regulation (EEC) NO 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector
- **Regulation to be amended:** Council Regulation (EEC) No 3975/87: OJ L 374, 31.12.1987; Bull. EC 12-1987, points 2.1.97 and 2.1.280

Adopted by the Commission on 2 May. In the interests of maintaining effective competition in air transport, the Commission proposes that its powers should be strengthened to enable it to take swifter action where an air service or the very existence of an airline, is threatened by anti-competitive practices. The Commission could then take interim measures to protect the victim of such practices, using a simplified procedure.

COM(90) 167

II

General rules applying to businesses

Air transport

1.2.32. Proposal for a Regulation amending Regulation (EEC) No 3976/87 on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector.

- **Regulation to be amended:** Council Regulation (EEC) No 3976/87: OJ L 374, 31.12.1987; Bull. EC 12-1987, point 2.1.280

- **Commission proposal:** OJ C 258, 11.10.1989; COM(89) 373; Bull. EC 9-1989, point 2.1.52

Economic and Social Committee opinion: OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.26

European Parliament opinion, 18 May. Favourable, subject to two amendments
OJ C 149, 18.6.1990

Insurance

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

- **Commission proposal:** OJ C 16, 23.1.1990; COM(89) 641; Bull. EC 12-1989, point 2.1.79

Economic and Social Committee opinion, 30 May. Favourable. The Committee considers it useful, however, to draw attention to those provisions which might help eliminate the risk of restrictive practices and dominant positions. It states its position on the categories of agreements, decisions and concerted practices the exemption of which is envisaged. It places the proposal in the wider context of relations between insurers and policy-holders.

Application of the competition rules: specific cases

Mergers

British Steel and C. Walker and Sons (Holdings) Ltd

1.2.34. Commission Decision under Article 66(2) of the ECSC Treaty authorizing the acquisition by British Steel plc, London, of the entire share capital of C. Walker and Sons (Holdings) Ltd, Blackburn.
OJ L 131, 23.5.1990

State aid

General schemes

Germany

1.2.35. Commission Decision not to object to the ERP (European Recovery Programme) Fund being extended to the German Democratic Republic.

Adopted by the Commission on 8 May. The ERP Fund investment loans programme is to be extended to the German Democratic Republic. Loans are granted to firms from all the Member States and from third countries for business creation, environmental protection and tourism infrastructure. The budget for the period 1990-93 comes to ECU 2 928 million.

United Kingdom

Energy

1.2.36. European Parliament resolution on electricity privatization in the United Kingdom.

Adopted on 17 May. Parliament questions the authorization given by the Commission to the British Government to subsidize the privatization of the nuclear electricity industry and asks the Commission for an assurance that, when the privatization is carried out, account will be taken of the competition rules and of issues connected with employment, safety and the protection of the environment.

OJ C 149, 18.6.1990

Regional schemes

Netherlands

1.2.37. Commission Decision to terminate the proceedings initiated under Article 93(2) of the EEC Treaty in respect of a scheme to support regional projects.

- **Reference:** proceedings initiated on 28 June 1989: OJ C 309, 8.12.1989; Bull. EC 6-1989, point 2.1.86

Adopted by the Commission on 22 May. Grants are to be made for regional projects in the fields of infrastructure, education and R&D. The Dutch Government agrees to observe the limits set as regards eligible areas, maximum rates of grant and combination with other types of aid.

Industry schemes

Shipbuilding

1.2.38. Proposal for a Seventh Directive on aid to shipbuilding.

- **Directive to be extended:** Council Directive 87/167/EEC on aid to shipbuilding: OJ L 69, 12.3.1987; Bull. EC 1-1987, point 2.1.49
- **Reference:** Commission communication on the negotiation of an international agreement on adherence to normal and fair conditions of competition in the shipbuilding sector (→ point 1.3.68)

Adopted by the Commission on 2 May. The policy underlying the Sixth Directive would be extended for two years. The proposal must be viewed against the background of the negotiations within the OECD aimed at the conclusion of an agreement between the majority of shipbuilding countries on the gradual and balanced elimination of aid and other obstacles to normal competition in the shipbuilding and ship-repair industries.

COM(90) 248

Germany

Textiles

1.2.39. Commission Decision to initiate proceedings under Article 92(2) of the EEC Treaty in respect of a proposal by the German Government to assist Textilwerke Deggendorf GmbH.

Adopted by the Commission on 2 May. A total of ECU 22 million is being invested in plant extensions. The aid will consist of a

grant of ECU 2.2 million and two soft loans totalling ECU 9.76 million.

France

Motor vehicles

1.2.40. Commission Decision under Article 93(2) of the EEC Treaty on aid granted by the French Government to Renault.

- **References:**

Proceedings initiated under Article 93(2) of the EEC Treaty on 4 November 1987: OJ C 39, 11.2.1988; Bull. EC 11-1987, point 2.1.102

Conditional final decision on 29 March 1988: OJ L 220, 11.8.1988; Bull. EC 3-1988, point 2.1.82

Review of the conditional decision on 15 November 1989: Bull. EC 11-1989, point 2.1.77

Adopted by the Commission on 22 May. Following talks with the French Government the Commission decided that the amount of aid to be recovered from Renault would be adjusted to ECU 872.7 million to take account of the change in Renault's status and the reductions in capacity actually carried out.

Greece

Cement

1.2.41. Final negative Commission Decision under Article 92(2) of the EEC Treaty in respect of aid granted by the Greek Government to Halkis Cement Company.

- **Reference:** Proceedings initiated under Article 93(2) of the EEC Treaty on 5 April 1989: OJ C 156, 24.6.1989; Bull. EC 4-1989, point 2.1.85

Adopted by the Commission on 2 May. Halkis Cement Company has been able to increase its indebtedness to Greek banks, power companies, etc. to ECU 278 million; such indulgence is inconsistent with normal commercial behaviour.

Decisions to raise no objection

Germany

1.2.42. *Adopted by the Commission on 4 May.* Provision of counter-guarantees for credit and investment companies.

1.2.43. *Adopted by the Commission on 8 May.* Amendment of two shipbuilding aid schemes approved in 1987 and 1989.

1.2.44. *Adopted by the Commission on 22 May.* Extension of the loan guarantees scheme of the Land of Lower Saxony to cover investments carried out in Poland by small businesses.

1.2.45. *Adopted by the Commission on 28 May.* Assistance to the World Trade Center (WTC) Ruhrgebiet, at Gelsenkirchen, to help promote exports, mainly to South-East Asia and the Pacific region, by small businesses.

Belgium

1.2.46. *Adopted by the Commission on 2 May.* New guidelines for implementing the Economic Expansion Act of 30 December 1970 in Wallonia.

1.2.47. *Adopted by the Commission on 8 May.* Capital grants scheme, known as AIDE (aide, investissement, développement, emploi), to encourage investment in certain parts of Wallonia.

Denmark

1.2.48. *Adopted by the Commission on 2 May.* Shipbuilding aid to Danske Statsbaner and Scandinavian Ferry Line A/B.

Spain

1.2.49. *Adopted by the Commission on 2 May.* Small-business investment aid scheme.

1.2.50. *Adopted by the Commission on 22 May.* Scheme operated by the Autonomous Community of Valencia to assist

small businesses in the industrial, craft, advanced tertiary and tourism sectors.

1.2.51. *Adopted by the Commission on 22 May.* Small business aid scheme operated by the Autonomous Community of Asturias.

France

1.2.52. *Adopted by the Commission on 8 May.* Refinancing for 1990 of the R&D aid scheme known as the 'large innovative projects' scheme.

1.2.53. *Adopted by the Commission on 8 May.* Changes to the Regional Consultancy Grant Fund (Fonds régionaux d'aide au conseil — FRAC) scheme, approved in 1989.

Italy

1.2.54. *Adopted by the Commission on 22 May.* Scheme of the Region of Calabria to assist craft businesses and cooperatives.

Netherlands

1.2.55. *Adopted by the Commission on 2 May.* Measures to encourage energy conservation and the development of alternative energy sources.

1.2.56. *Adopted by the Commission on 8 May.* Aid to Nederlandse Philips Bedrijven BV in respect of its participation in Eureka project EU-95 HDTV, in the high definition television sector, and Eureka project EU-127, in the semiconductor field.

1.2.57. *Adopted by the Commission on 10 May.* Refinancing for 1990 of the scheme of aid in the form of grants for the technological stimulation of enterprises in international programmes.

Portugal

1.2.58. *Adopted by the Commission on 2 May.* Aid to Delco Remy (a General Motors subsidiary making electronic com-

ponents for motor vehicles) granted under the regional aid scheme (Sistema de incentivos de Base Regional — SIBR) approved in 1988.

United Kingdom

1.2.59. *Adopted by the Commission on 21 May.* Refinancing of the Oil and Gas scheme approved in 1988.

1.2.60. *Adopted by the Commission on 22 May.* Aid to research by small businesses in the oil technology field.

Social dimension

I

Protection of workers' health

1.2.61. Commission Recommendation 90/326/EEC to the Member States concerning the adoption of a European schedule of occupational diseases.

- **Basic Decision:** Communication from the Commission concerning its action programme relating to the implementation of the Community Charter of Basic Social Rights for Workers — COM(89) 568 final; Bull. EC 11-1989, point 2.1.80
- **Previous schedules:** OJ L 80, 31.8.1962; OJ L 147, 9.8.1966

Adopted by the Commission on 22 May. Objective: to update the 1962 and 1966 recommendations. There is some disparity between the Member States' schedules of occupational diseases and their procedures for having such diseases recognized, and compensation paid, by sickness insurance or social security schemes. Recognition, declaration and/or compensation for a disease are, in all cases, closely linked to the current national systems of compensation for occupational diseases. The Commission's new recommendations reflect changes in the Member States' schedules of diseases carrying entitlement to compensation and

certain factors such as different techniques, new substances, different activities and more varied constraints at the workplace.

OJ L 160, 26.6.1990

Continuing vocational training

1.2.62. Council Decision 90/267/EEC establishing an action programme for the development of continuing vocational training in the Community (Force).

- **Reference:** Council Resolution on continuing vocational training: OJ C 148, 15.6.1989; Bull. EC 6-1989, point 2.1.109
- **Commission proposal:** OJ C 12, 18.1.1990; COM(89) 567; Bull. EC 11-1989, point 2.1.106
- **European Parliament opinion:** OJ C 95, 17.4.1990; Bull. EC 3-1990, point 1.1.56
- **Economic and Social Committee opinion:** OJ C 124; 21.5.1990; Bull. EC 3-1990, point 1.1.46
- **Amended Commission proposal:** COM(90) 188; Bull. EC 4-1990, point 1.1.49

Adopted by the Commission on 29 May. The programme is set to run for four years (1 January 1991 to 31 December 1994) and is intended to support and complement the policies and activities developed by and in the Member States in the area of continuing vocational training. ECU 24 million is the estimated amount needed to finance the first two years of the programme.

The main aims of the Force programme are:

- (i) to encourage greater investment in continuing vocational training by developing innovatory partnerships;
- (ii) to encourage innovations in the management of continuing vocational training, methodology and equipment;
- (iii) to support the demonstration and dissemination of sound practices;
- (iv) to take better account of the consequences of the completion of the internal market;
- (v) to contribute to greater effectiveness of continuing vocational training mechanisms and their capacity to respond to changes in the European labour market.

With a view to achieving these aims, the programme comprises two complementary parts:

(a) a common framework of guidelines designed to support and complement the policies and measures adopted by the Member States with a view to promoting the coherent development of continuing vocational training;

(b) a number of transnational measures implemented at Community level, designed to support and complement activities developed by and in the Member States.

In implementing the programme, the Commission will be assisted by an advisory committee made up of 24 representatives of the Member States. Twelve representatives of the social partners will participate in the work of the committee as observers.

OJ L 156, 21.6.1990

II

Financial instruments

European Social Fund

1.2.63. Commission Decision 90/260/EEC concerning the establishment of a Community support framework for assistance from the European Social Fund for Objectives 3 and 4 in Spain.

• **References:**

Regulation (EEC) No 2052/88 on the tasks of the structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159

Council Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Council Regulation (EEC) N 4255/878 on the European Social Fund: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Adopted by the Commission on 4 May. The Community support framework in question covers all the Spanish territory except for the regions covered by Objective 1 within the meaning of Regulation No 2052/88 and provides for measures to combat long-term unemployment and to facilitate the occupational integration of young people, for the period 1990-91.

OJ L 146, 9.6.1990

Labour market

Unemployment

1.2.64. Council Resolution on action to assist the long-term unemployed.

- **Reference:** Council Regulation (EEC) No 4253/88 on the European Social Fund: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Adopted by the Council (Social Affairs) on 29 May. The Council stressed the serious nature of long-term unemployment in the Community (affecting 7 million people) and noted the Commission's intention to take action under a Community initiative within the meaning of Regulation (EEC) No 4253/88 and to involve the Member States in laying down guidelines and selecting projects.

OJ C 157, 27.6.1990

Standing Committee on Employment

1.2.65. Thirty-ninth meeting of the Standing Committee on Employment devoted to the problem of long-term unemployment.

- **Previous meeting:** Bull. EC 11-1989, point 2.1.82

Chairman's conclusions, 8 May. Despite improved economic growth and the creation of more jobs over recent years, long-term unemployment remains a significant factor and is concentrated on the disadvantaged urban areas, the economically backward or declining regions and the disadvantaged rural areas. In view of the fact that programmes designed to accelerate the inte-

gration of the long-term unemployed have helped to prevent the situation getting any worse, the committee recommended persevering with the following aims: continued growth and job creation, active involvement of the social partners, national authorities and Community organizations, taking account of the needs of small and medium-sized businesses in terms of occupational qualifications, early identification of categories of the population at risk, preventive measures by way of information and guidance, continuation of specific programmes, integrated approach to pockets of unemployment.

Freedom of movement

1.2.66. Proposal for a Directive on a second general system for the recognition of professional education and training which complements Directive 89/48/EEC.

- **Reference:** Council Directive 89/48/EEC on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration: OJ L 19, 24.1.1989; Bull. EC 12-1988, point 2.1.10
- **Commission proposal:** OJ C 263, 16.10.1989; COM(89) 372; Bull. EC 7/8-1989, point 2.1.3
- **Economic and Social Committee opinion:** OJ C 75, 26.3.1990; Bull. EC 1/2-1990, point 1.1.95

European Parliament opinion (first reading), 17 May. Favourable, subject to certain amendments centring on greater transparency and more information for the migrant and on his status in respect to an adaptation period, and on taking more account of the real level of certain paramedical and health operative training courses, especially in Germany and Luxembourg.

OJ C 149, 18.6.1990

Living and working conditions

1.2.67. Council Resolution on the protection of the dignity of women and men at work.

• References:

Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions: OJ L 39, 14.2.1976

Council Recommendation of 13.12.1984 on the promotion of positive action for women: OJ L 331, 19.12.1984; Bull. EC 12-1984, point 2.1.81

European Parliament Resolution of 11 June 1986 on violence against women: OJ C 176, 14.7.1986; Bull. EC 6-1986, point 2.4.9

Adopted by the Council (Social Affairs) on 29 May. The Social Affairs Council called on the Member States to launch information and awareness campaigns for workers and employers and to institute positive measures in the public sector to serve as an example for the private sector, and to consider including in the agreements specific clauses designed to create a working climate respectful of the dignity of the individual. The Commission was called upon to pursue its information and awareness efforts and to draw up by 1 July 1991, in consultation with both sides of industry and after consulting the Member States, a code of conduct on the protection of the dignity of men and women at work.

OJ C 157, 27.6.1990

Health and safety at work

1.2.68. Proposal for a Directive on the protection of workers from the risks related to exposure to carcinogens at work (sixth individual Directive within the meaning of Article 16 of Directive 89/391/EEC).

- **Basic Directive:** Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work: OJ L 183, 19.6.1989; Bull. EC 6-1989, point 2.1.105
- **Commission proposal:** OJ C 34, 8.2.1987; COM(87) 641 final; Bull. EC 12-1987, point 2.1.153
- **Economic and Social Committee opinion:** OJ C 208, 8.8.1988; Bull. EC 6-1988, point 2.4.45
- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.117

- Amended Commission proposal: OJ C 229, 6.9.1989; COM(89) 405 final; Bull. EC 7/8-1989, point 2.1.111
- Council common position: Bull. EC 1/2-1990, point 1.1.98

European Parliament opinion (second reading), 16 May. Favourable, subject to certain amendments. In particular, Parliament recommended fixing limit values for all carcinogens and prohibiting the exposure of certain risk groups, such as pregnant women and young people, to carcinogenic hazards.

OJ C 149, 18.6.1990

Re-examined proposal adopted by the Commission on 22 May. Objective: to incorporate some of the amendments proposed by the European Parliament. The Commission has introduced the principle of compulsory fixed limit values.

COM(90) 221

1.2.69. Council Directive 90/269/EEC on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC).

- Commission proposal: OJ C 117, 4.5.1988; COM(88); Bull. EC 2-1988, point 1.2.9
- Economic and Social Committee opinion: OJ C 318, 12.12.1988; Bull. EC 9-1988, point 2.4.35
- European Parliament opinion (first reading): OJ C 326, 19.12.1988; Bull. EC 11-1988, point 2.1.134
- Amended Commission proposal: OJ C 129, 2.5.1989; COM(89) 213; Bull. EC 4-1988, point 2.1.91
- Council common position: Bull. EC 10-1989, point 2.1.92
- European Parliament opinion (second reading): OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.51
- Re-examined Commission proposal: OJ C 118, 12.5.1990; COM(90) 131; Bull. EC 4-1990, point 1.1.46

Adopted by the Council (Social Affairs) on 29 May. The text as adopted lays down minimum health and safety requirements for the manual handling of loads where

there is a risk, particularly of back injury, for workers.

OJ L 156, 21.6.1990

1.2.70 Council Directive 90/270/EEC on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16(1) of Directive 87/391/EEC).

- Commission proposal: OJ C 113, 29.4.1988) COM(88) 77; Bull. EC 2-1988, point 1.2.8
- Economic and Social Committee opinion: OJ C 318, 12.12.1988; Bull. EC 9-1988, point 2.4.34
- European Parliament opinion (first reading): OJ C 12, 16.1.1989; Bull. EC 12-1988, point 2.1.179
- Commission amended proposal: OJ C 130, 26.5.1989, COM(89) 195; Bull. EC 4-1989, point 2.1.91
- Council common position: Bull. EC 11-1989, point 2.1.102
- European Parliament opinion (second reading): OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.47

Re-examined proposal adopted by the Commission on 22 May. Objective: to incorporate certain amendments made by the European Parliament.

COM(90) 199

Adopted by the Council (Social Affairs) on 29 May. The Directive provides for employers to take a look at workstations and ensure that they meet the minimum requirements laid down in the Annex in terms of equipment, environment and operator/computer interface. Workers' activities have to be designed such that the daily work on screen is interrupted periodically. Finally, workers are entitled to an eye and eyesight test and, where necessary, to an ophthalmological examination.

OJ L 156, 21.6.1990

1.2.71. Proposal for a Directive on the protection of workers from the risks related to exposure to biological agents at work (seventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC).

- **Commission proposal:** OJ C 150, 8.6.1988, COM(88) 165; Bull. EC-3-1988, point 2.1.105
- **Economic and Social Committee opinion:** OJ C 56, 6.3.1989; Bull. EC 12-1988, point 2.1.181
- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.117
- **Commission amended proposal:** OJ C 218, 24.8.1989; COM(89) 404; Bull. EC 7/8-1989, point 2.1.111

Common position adopted by the Council (Social Affairs) on 29 May.

1.2.72. Proposal for a Directive amending Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work.

- **Directive to be amended:** Council Directive 83/477/EEC; OJ L 263, 24.9.1983; Bull. EC 9-1983, point 2.1.55

Adopted by the Commission on 30 May. The new draft is intended to reflect progress in scientific knowledge and technology as well as experience gained in the application of Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work. Article 9 of the 1983 Directive provides for re-examination by the Council, on a proposal from the Commission, of the provisions in Articles 3 and 8 by 1 January 1990. The draft Directive as adopted is intended to meet these obligations.

COM(90) 184

Vocational training

1.2.73. Council Decision 90/268/EEC amending Decision 84/636/EEC establishing a third joint programme to encourage the exchange of young workers within the Community.

- **Decision amended:** Council Decision 84/636/EEC; OJ L 331, 19.12.1984; Bull. EC 12-1984, point 2.1.93
- **Commission proposal:** OJ C 89, 7.4.1990; COM(90) 79; Bull. EC 3-1990, point 1.1.55
- **Economic and Social Committee opinion:** Bull. EC 4-1990, point 1.1.50

European Parliament opinion, 18 May. Favourable.

OJ C 149, 18.6.1990

Adopted by the Council on 29 May. Objective: to extend the life of the third joint programme on the exchange of young workers to 31 December 1991. The Commission wishes to synchronize the various stages of this programme with the Youth for Europe action programme to enable it to evaluate all the programmes for young people and to produce coherent proposals. Thus, the Commission will be preparing an evaluation of these two programmes along with new proposals for young people by 31 December 1991.

OJ L 156, 21.6.1990

Regional policies

I

Strengthening of energy infrastructures

1.2.74. Plan for a Community initiative on energy networks (Regen).

- **Basic Regulation:** Council Regulation (EEC) No 2052/88 on the tasks of the structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments; OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.59

Commission first reading on 2 May. Purpose: to implement a Community initiative, called Regen, for natural gas and electricity transportation networks in regions whose development is lagging behind (objective 1 of the structural Funds). The financial package for this initiative is estimated at ECU 300 million for 1990-93. The measure will contribute to the implementation of the internal energy market in these regions by facilitating the penetration of natural gas in Member States which do not yet have it

and by strengthening links between major European gas and electricity networks. It will also contribute to achieving the Community's energy objectives for 1995, since the introduction of gas will enable the countries concerned to diversify their energy supply and so reduce their dependence on oil, and the development of network links will enhance the flexibility of energy systems. Projects eligible under the Regen initiative will qualify for Community funding for feasibility studies and where appropriate for the work itself, depending on their state of advance.

II

Financial instruments

ERDF

1.2.75. Fourteenth annual report on the activities of the European Regional Development Fund in 1988.

- **Previous report:** COM(88) 728; Bull. EC 12-1988, point 2.1.194

Adopted by the Commission on 10 May. This document reviews the Fund's activities since its creation in 1975 and reports on its activities in 1988, when the transition was made from application of the old rules to implementation of the reform of the structural Funds. ERDF contributions to programmes in 1988 were for the first time equal to contributions to projects.

COM(90) 136

Structural measures in declining industrial regions

Spain

1.2.76. Commission financial decision concerning an ERDF operational programme for the Basque Country (Spain) for the period 1989-91.

- **Basic Decision:** Commission Decision concerning the Community support framework for Spain: OJ L 141, 2.6.1990; Bull. EC 3-1990, point 1.1.62

Adopted by the Commission on 29 May. The adopted measures come under four of the five priorities defined in the Community support framework and entail investments of more than ECU 426 million for the period concerned. The contribution of the ERDF amounts to ECU 140 million.

Commission initiatives

Envireg

1.2.77. Commission notice to the Member States laying down guidelines for operational programmes which Member States are invited to establish within the framework of a Community initiative concerning the environment (Envireg).

- **Basic Regulation:** Council Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different structural Funds between themselves and with the operation of the European Investment Bank and the other existing financial instruments: OJ L 374, 31.12.1988; Bull. EC 11-1989, point 2.1.200
- **Commission first reading:** Bull. EC 11-1989, point 2.1.112
- **Economic and Social Committee opinion:** Bull. EC 3-1990, point 1.1.67
- **European Parliament resolution:** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.67

Adopted by the Commission on 2 May. In contrast to the previous guidelines, the coastal area has been defined as the seaboard to a width of 10 kilometres. A few changes have also been made to the list of eligible measures.

OJ C 115, 9.5.1990

Resider

1.2.78. Commission financial decisions concerning two French regional pro-

grammes, for Lorraine and Nord/Pas-de-Calais.

- **Basic Regulation:** Council Regulation (EEC) No 328/88 instituting a Community programme to assist the conversion of steel areas (Resider programme): OJ L 33, 5.2.1988; Bull. EC 2-1988, point 2.1.92
- **Decision determining eligibility under Resider programme:** Commission Decision 89/30/EEC concerning the areas referred to in Article 3(2) of Council Regulation (EEC) No 322/88: OJ L 14, 18.1.1989; Bull. EC 12-1988, point 2.1.195

Adopted by the Commission on 29 May. ECU 42.63 million of the total of ECU 247.8 million for the Resider programme for Lorraine will be met by the ERDF. The programme covers the departments of Moselle and Meurthe-et-Moselle. The Nord/Pas-de-Calais programme covers the whole of the Nord department except the employment areas of Lille and Roubaix-Tourcoing. The ERDF contribution up to the end of 1992 will be ECU 15.64 million.

Interreg

1.2.79. Commission plans for a Community initiative for the development of internal and external border areas (Interreg programme).

- **Basic Regulation:** Council Regulation (EEC) No 2052/88 on the tasks of the structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159
- **Commission financial decisions:** Bull. EC 11-1989, point 2.1.110
- **Commission approval of general guidelines:** Bull. EC 3-1990, point 1.1.58

Economic and Social Committee opinion, 30 May. Favourable. The Committee emphasized the need for a clear system and monitoring arrangements.

Regis

1.2.80. Commission plan for a Community initiative to assist the more remote regions (Regis programme).

- **Basic Regulation:** Council Regulation (EEC) No 2052/88 on the tasks of the structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159
- **Commission financial decisions:** Bull. EC 11-1989, point 2.1.110
- **Commission approval of general guidelines:** Bull. EC 3-1990, point 1.1.58

Economic and Social Committee opinion, 30 May. Favourable. The Committee suggested that the focus should be on specific fields so as to avoid dispersion and that the Irish islands be included.

Stride

1.2.81. Commission plan for a Community initiative to boost regional research and technological development capacity (Stride programme).

- **Basic Regulation:** Council Regulation (EEC) No 2052/88 on the tasks of the structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159
- **Commission financial decisions:** Bull. EC 11-1989, point 2.1.110
- **Commission approval of general guidelines:** Bull. EC 3-1990, point 1.1.58

Economic and Social Committee opinion, 30 May. Favourable but the Committee was concerned at the limited attention paid to economic and social cohesion and the absence of patents and Community standards.

Transitional measures

1.2.82. Commission Decisions granting aid from the ERDF for measures to develop the indigenous potential of regions in Belgium (Wallonia).

- **Basic Regulation:** Council Regulation (EEC) No 1787 on the European Regional Development Fund: OJ L 169, 28.6.1984; Bull. EC 6-1984, point 1.3.1

- **Reference:** Council Regulation (EEC) No 2052/88 on the tasks of the structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159

Adopted by the Commission on 28 May. The Community contribution, totalling ECU 1.8 million, is to three projects to assist SMEs in the Province of Luxembourg (ECU 1.5 million) and the *arrondissements* of Thuin-Chimay (ECU 0.17 million) and Dinant (ECU 0.17 million).

1.2.83. Commission Decisions granting aid from the ERDF for investments in infrastructure in Belgium (Wallonia).

- **Basic Regulation:** Council Regulation (EEC) No 1787 on the European Regional Development Fund: OJ L 169, 28.6.1984; Bull. EC 6-1984, point 1.3.1
- **Reference:** Council Regulation (EEC) No 2052/88 on the tasks of the structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159

Adopted by the Commission on 29 May. The Community aid, amounting to ECU 1.5 million, is for four infrastructure investment projects at Malmédy, Stavelot, Stoumont and Saint-Vith.

Coordination of structural instruments

Commission initiatives

1.2.84. Projected initiatives of Community interest (second set) in the field of regional policy.

- **Basic Regulation:** Council Regulation (EEC) No 2052/88 on the tasks of the structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159

- **References:**
 General guidelines for programmes of Community interest: Bull. EC 11-1989, point 2.1.115
 Financial decision of 22 November 1989 concerning the first set of Community initiatives: Bull. EC 11-1989, point 2.1.110

Principles agreed by the Commission on 2 May. This second set of initiatives is intended to promote the objectives of the Single Act as regards economic and social cohesion. The proposals selected form a coherent whole, based on initiatives which have already been taken and complementing the Community support frameworks. The focus is on those regions and communities which most need assistance to integrate into the dynamic of the single market. Three spheres of action have therefore been defined: the integration of basic infrastructure (natural gas networks, extension of the STAR programme, centres for measurement and certification, measures to facilitate access to public contracts, increased funding for the Interreg programme), strengthening of human resources (promotion of new qualifications and competences, equal opportunities, social and professional integration of the disabled), strengthening the integration of rural areas (creation of local regional development agencies, centres to promote new technologies, tourism and leisure activities, small-scale manufacturing, services and crafts).

For the period 1990-93, ECU 1 700 million will be allocated to the following initiatives:

	<i>million ECU</i>	
Integration of basic infrastructure:		700
— natural gas networks	300	
— extension of Star programme	200	
— measurement and certification centres, measures to facilitate access to public contracts	100	
— increase in Interreg funds	100	
Strengthening of human resources		600
Strengthening the integration of rural areas		400

Research and technological development

I

Coordinated introduction of digital European cordless telecommunications (DECT)

1.2.85. Proposal for a Recommendation on the coordinated introduction of digital European cordless telecommunications in the Community; proposal for a Directive on the frequency bands to be designated for the coordinated introduction of digital European cordless telecommunications (DECT) in the Community.

- **References:**

Recommendation 87/371/EEC on the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community: OJ L 196, 17.7.1987; Bull. EC 6-1987, point 2.1.53

Proposal for a Council Recommendation on the coordinated introduction of pan-European land-based public radio paging in the Community; proposal for a Council Directive on the frequency bands to be reserved for the coordinated introduction of pan-European land-based public radio paging in the Community: OJ C 193, 31.7.1989; Bull. EC 4-1989, point 2.1.64

Adopted by the Commission on 8 May. These proposals aim to create a suitable framework for the development and spread of sophisticated mobile communications equipment in the Community. In line with the Commission's proposal for a European radio messaging system (Ermes) and the Council Recommendation on the introduction of a pan-European cellular digital communications system, they are an essential element in the development of the internal market for telecommunications services in the Community. Since the DECT standard should allow full compatibility and interworking between different digital cordless telephone applications, the Commission's intention with these two proposals is to?

(a) initiate the transition from the present incompatible cordless telephone applications to an advanced, fully harmonized European system in the Community, which will offer a broader range of services at much lower cost;

(b) contribute to the economic well-being of individuals and businesses by the availability of a harmonized cordless system throughout the Community;

(c) encourage technical progress as an integral part of the evolution of an advanced mobile communications service in the Community;

(d) encourage the necessary investment in the system by manufacturers and operators;

(e) provide entry for manufacturers into a truly Europe-wide market, enabling them to benefit from the economies of scale, lower costs, and increased competitiveness in world markets;

(f) provide a mechanism whereby network operators can substantially increase business opportunities.

COM(90) 139

Coordination of radio frequencies

1.2.86. Proposal for a resolution on the strengthening of Europe-wide cooperation on radio frequencies, in particular with regard to services with a pan-European dimension.

Adopted by the Commission on 8 May. The purpose of this proposal is to define an appropriate framework for the development of cooperation at European level regarding the allocation of radio frequencies. Indeed, the radio-frequency spectrum is a key resource for the future development of telecommunications and the Commission considers that it is essential to set out a framework and major policy goals in this area. The planning, allocation and use of the frequency spectrum have so far been coordinated at international level through the proven mechanisms established by the International Telecommunications Union (ITU)

and, in Europe, by the European Conference of Postal and Telecommunications Administrations (CEPT). Given the new requirements, the Commission considers that it has become necessary to improve coordination of radiocommunications in Europe, notably in the following areas:

- (i) the new structures must meet the new requirements;
- (ii) they must be transparent and open;
- (iii) they must take full account of Community law, notably competition rules;
- (iv) these principles should be enshrined in the statutes of the newly created European Radiocommunications Office.

COM(90) 171

II

Framework programme for R&TD (1987-91)

Quality of life

1.2.87. Proposal for a Decision on a specific research and technological development programme in the field of health: analysis of the human genome (1990-91).

- **Commission proposal:** OJ C 27, 2.2.1989; COM(88) 424; Bull. EC 7/8-1988, point 2.1.23
- **Economic and Social Committee opinion:** OJ C 56, 6.3.1989; Bull. EC 12-1988, point 2.1.59
- **European Parliament opinion (first reading):** OJ C 69, 20.3.1989; Bull. EC 2-1989, point 2.1.24
- **Commission amended proposal:** OJ C 303, 2.12.1989; COM(89) 532; Bull. EC 11-1989, point 2.1.46
- **Council common position:** Bull. EC 12-1989, point 2.1.59

Endorsed by the European Parliament (second reading) on 16 May, subject to certain amendments relating in particular to the extent of medical applications; the 'pre-normative' nature of the research; the deletion of the reference to industrial development opportunities; reference to predictive medicine as an example of an area in

which particular care is needed, and the consideration of the ethical and legal aspects of genetic engineering.

OJ C 149, 18.6.1990

Industrial technologies

1.2.88. Brite/Euram programme

- **Basic decision:** Council Decision 89/237/EEC on a specific research and technological development programme in the field of industrial manufacturing technologies and advanced materials applications (Brite/Euram) (1989-92): OJ L 98, 11.4.1989; Bull. EC 3-1989, point 2.1.39

Third Brite/Euram technology symposium, 21 and 22 May. Some 1 200 people representing scientific and industrial circles took part in this event which gives those in charge of research under the programmes, potential and future participants, the industrial world and the European scientific community an annual opportunity to meet and exchange ideas in the context of the Brite/Euram technological cooperation programme. At the symposium the state of the art and the future prospects of the programme were shown, and various projects contributing to the spread of advanced technologies in traditional industrial areas and the development of new materials were presented.

Biological resources

1.2.89. Call for proposals for shared-cost R&TD actions in the field of biotechnology.

- **Basic decision:** Council Decision 89/621/EEC on a specific research and technological development programme in the field of biotechnology (1990-94) (Bridge): OJ L 360, 9.12.1989; Bull. EC 11-1989, point 2.1.50

Published on 12 May. Subject: in the framework of the Bridge programme, call for proposals for participation in shared-cost R&TD actions contributing to safety assessments associated with the release of

genetically engineered organisms in the environment.

OJ C 118, 12.5.1990

Energy

1.2.90. Call for proposals for participation in the research and technological development programme in the field of energy.

- **Basic decision:** Council Decision 89/236/EEC on a specific research and technological development programme (1989-92) in the field of energy — non-nuclear energies and rational use of energy (Joule): OJ L 98, 11.4.1989; Bull. EC 3-1989, point 2.1.48

Published on 22 May. Purpose: in the framework of the Joule programme, to conclude shared-cost research and development contracts in the areas covered by the 'renewable energies' subprogramme.

OJ C 126, 22.5.1990

Marine resources

1.2.91. Invitation to tender concerning requirements, site proposals and market analysis for large acoustic underwater calibration facilities.

- **Basic decision:** Council Decision 89/413/EEC on a research and technological development programme in the field of marine science and technology (MAST) (1989-92): OJ L 200, 13.7.1989; Bull. EC 6-1989, point 2.1.60

Published on 23 May. Purpose: in the framework of the MAST programme, to commission a feasibility study and market analysis for large underwater acoustic calibration facilities.

OJ C 127, 23.5.1990

European scientific and technological cooperation

1.2.92. Proposal for a Decision amending Council Decision 89/118/EEC on a Euro-

pean stimulation plan for economic science (1989-92) (SPES).

- **Decision to be amended:** Council Decision 89/118/EEC: OJ L 44, 16.2.1989; Bull. EC 2-1989, point 2.1.35

Adopted by the Commission on 15 May. Purpose: to increase the funding of the SPES programme by ECU 4 million, so as to be able to finance more projects, in view of the success of the initiative since its launch.

COM(90) 179

R&TD framework programme 1990-94

1.2.93. Proposal for a Decision on a specific research and technological development in the field of information technology (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.56

Formally adopted by the Commission on 23 May.

COM(90) 153

1.2.94. Proposal for a Decision on a specific programme of research and technological development in the field of communication technologies (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.57

Formally adopted by the Commission on 23 May.

COM(90) 154

1.2.95. Proposal for a Decision on a specific research and technological development

programme in the field of telematic systems in areas of general interest (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.58

Formally adopted by the Commission on 23 May.

COM(90) 155

1.2.96. Proposal for a Decision on a specific research and technological development programme in the field of industrial technologies and materials (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.59

Formally adopted by the Commission on 30 May.

COM(90) 156

1.2.97. Proposal for a Decision on a specific research and technological development programme in the field of measurements and testing (1990-94)

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.60

Formally adopted by the Commission on 23 May.

COM(90) 157

1.2.98. Proposal for a Decision on a specific research and technological development programme in the field of the environment (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.61

Formally adopted by the Commission on 30 May.

COM(90) 158

1.2.99. Proposal for a Decision on a specific research and technological development programme in the field of marine science and technology (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.62

Formally adopted by the Commission on 30 May.

COM(90) 159

1.2.100. Proposal for a Decision on a specific research and technological development programme in the field of biotechnology (1990-94) (Biotech).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): PJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.63

Formally adopted by the Commission on 30 May.

COM(90) 160

1.2.101. Proposal for a Decision on a specific research and technological development programme in the field of agriculture and agri-industry (1990-94)

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-

94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54

- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.64

Formally adopted by the Commission on 30 May.

COM(90) 161

1.2.102. Proposal for a Decision on a specific research and technological development programme in the field of biomedicine and health (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.65

Formally adopted by the Commission on 30 May.

COM(90) 162

1.2.103. Proposal for a Decision on a specific research and technological development programme in the field of life sciences and technologies for developing countries (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.66

Formally adopted by the Commission on 30 May.

COM(90) 163

1.2.104. Proposal for a Decision on a specific research and technological development programme in the field of non-nuclear energies (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54

- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.67

Formally adopted by the Commission on 30 May.

COM(90) 164

1.2.105. Proposal for a Decision on a specific research and technological development programme in the field of human capital and mobility (1990-94).

- **Basic decision:** Council Decision 90/221/Euratom, EEC concerning the framework programme of Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point 1.1.54
- **Approved by the Commission:** Bull. EC 4-1990, point 1.1.68

Formally adopted by the Commission on 30 May.

COM(90) 165

Telecommunications and information services

Telecommunications

1.2.106. Proposal for a Directive on the frequency bands allocated for the coordinated introduction of the pan-European land-based public radio paging system in the Community.

- **Proposal from the Commission:** OJ C 193, 31.7.1969; COM(89) 169; Bull. EC 4-1989, point 2.1.64
- **Opinion of the Economic and Social Committee:** OJ C 298, 27.11.1989; Bull. EC 9-1989, point 2.1.40
- **Council common position:** Bull. EC 11-1989, point 2.1.58
- **Opinion of the European Parliament (first reading):** OJ C 15, 22.1.1990; Bull. EC 12-1989, point 2.1.67
- **Adopted proposal from the Commission:** OJ C 43, 23.2.1990; COM(90) 32; Bull. EC 1/2-1990, point 1.1.114

Common position formally adopted by the Council on 7 May.

1.2.107. Proposal for a Directive on the establishment of the internal market for

telecommunications services by open network provision — (ONP).

- **Commission proposal:** OJ C 39, 16.2.1989; COM(88) 825; Bull. EC 12-1988, point 2.1.73
- **Opinion of the Economic and Social Committee:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.1.65
- **Opinion of the European Parliament (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.81
- **Commission amended proposal:** OJ C 236, 14.9.1989; COM(89) 325; Bull. EC 6-1989, point 2.1.64
- **Council common position:** Bull. EC 1/2-1990, point 1.1.112

Endorsed by the European Parliament (second reading) on 16 May, subject to certain amendments relating in particular to the confidentiality and protection of data, service providers' freedom of action and the solvency of telecommunications organizations with sole responsibility for networks.

OJ C 149, 18.6.1990

1.2.108. Commission report on recent developments in high-definition television (HDTV).

- **Basic decision:** Council Decision 89/337/EEC on HDTV: OJ L 142, 26.5.1989; Bull. EC 4-1989, point 2.1.62

Adopted by the Commission on 7 May. Purpose: to inform the Council of recent developments in high-definition television and to indicate what action should be taken in the near future for the start of operations of the European economic interest grouping 'Vision 1250', the establishment of a suitable environment of technical standards for both HDTV production standards throughout the world and HDTV transmission standards in Europe, the reinforcement of HDTV technology activities, the investment by European industry in the production of finished HDTV professional and consumer equipment for the market, and the rapid development of expertise in HDTV programme-making by the audiovisual software industry.

Information services

1.2.109. Information technology (Esprit)

- **Basic decision:** Council Decision 88/279/EEC on the European strategic programme for

research and development in information technology (Esprit): OJ L 118, 6.5.1988; Bull. EC 4-1988, point 2.1.54

- **Call for proposals:** OJ C 240, 20.9.1989; Bull. EC 9-1990, point 2.1.38
- **Results of the call for proposals:** Bull. EC 1/2-1990, point 1.1.115
- **Reference:** Joint European submicro silicon (Jessi) project — Bull. EC 6-1989, point 2.1.62

Launch of new projects. Selection by the Commission of 107 projects with a total estimated cost of ECU 690 million, half of which will be financed by the Community. Besides three projects associated with the launch phase of the Jessi programme, all the successful projects relate to information processing systems (40%), computer integrated manufacturing (33%) and office and business systems (27%).

International cooperation

1.2.110. Proposals for Decisions on the conclusion of cooperation agreements between the European Economic Community and the Republic of Finland, the Kingdom of Sweden, the Kingdom of Norway, the Republic of Austria and the Swiss Confederation on a European stimulation plan for economic science (SPES).

- **Basic decision:** Council Decision 89/118/EEC on a European stimulation plan for economic science (1989-92) (SPES): OJ L 44, 16.2.89; Bull. EC 2-1989, point 2.1.35

Adopted by the Commission on 10 May. Purpose: since five EFTA countries had expressed an interest in the programme, to conclude with them agreements providing for their association with the programme, a financial contribution from them proportional to their gross domestic product, and the right for research scientists and bodies in those countries to submit research proposals and to conclude appropriate contracts with the Commission.

OJ C 148, 16.6.1990; COM(90); COM(90) 20; COM(90) 23; COM(90) 25; COM(90) 26

1.2.111. Proposals for Decisions on the conclusion of cooperation agreements

between the European Communities and the Kingdom of Sweden, the Republic of Finland, and the Swiss Confederation on a research and development programme for the European Economic Community in the field of applied metrology and chemical analysis (BCR).

- **Basic decision:** Council Decision 88/418/EEC on a research and development programme for the European Economic Community in the field of applied metrology and chemical analysis: OJ L 206, 30.7.88; Bull. EC 6-1988, point 2.1.68

Adopted by the Commission on 10 May. Purpose: since Switzerland, Sweden and Finland had expressed an interest in the programme, to conclude with them agreements providing for their association with the programme, a financial contribution from them proportional to their gross domestic product, and the right for research scientists and bodies in those countries to submit research proposals and to conclude appropriate contracts with the Commission, plus the enlargement of the management and coordination advisory committee (CGC) (scientific and technological standards) to include Swiss, Swedish and Finnish representatives.

OJ C 148, 16.6.1990; COM(90) 21;
COM(90) 24; COM(90) 29

1.2.112. Agreement between the Japan Atomic Energy Research Institute and the European Atomic Energy Community, represented by the Commission of the European Communities, in the field of nuclear material safeguards research and development.

Communication on the conclusion of the agreement adopted by the Commission on 7 May.

Signed in Brussels on 29 May.

Environment

I

Pollutant emission from diesel engines

1.2.113. Proposal for a Directive amending Directive 88/77/EEC on the approxi-

mation of the laws of the Member States relating to the measures to be taken against air pollution caused by emissions from diesel engines for use in commercial vehicles.

• References:

Directive 89/458/EEC on the measures to be taken against air pollution by vehicles below 1.4 litres: OJ L 226, 3.8.1989; Bull. EC 7/8-1989, point 2.1.128

Proposal for a consolidated Directive on air pollution by vehicles with engine capacities of between 1.4 and 2 litres, and over 2 litres: OJ C 81, 30.3.1990; COM(89) 662 and Bull. EC 12-1989, point 2.1.146

- **Directive to be amended:** Council Directive 88/77/EEC: OJ L 36, 9.2.1988; Bull. EC 12-1987, point 2.1.187

Adopted by the Commission on 2 May. Purpose: to replace Directive 88/77/EEC which applies to diesel engines used in vehicles other than passenger cars. The text adopted prescribes a further reduction in gaseous emissions (carbon monoxide, hydrocarbons, nitrogen oxides) and sets limit values for particulate emissions.

The essential features are as follows:

- harmonization is not optional but obligatory for the Member States, as in the case of the proposal for a consolidated directive on 'clean' cars;
- the limit values proposed for gaseous pollutants are between 40 and 60% lower than those laid down in Directive 88/77/EEC;
- the test cycle is the same as that used in the EFTA and Comecon countries.

In the light of technological advance and the development of improved diesel fuels, more stringent European standards should be introduced in two stages:

- first stage (1992-93): the limit values proposed are identical to those which become applicable in Switzerland and Austria on 1 October 1991. In the interest of uniformity, this first stage will coincide with the implementation of the new proposed standards on emissions from passenger cars;

(b) second stage (1996-97): new standards which are more ambitious and, in some cases, more stringent than US standards will be applied from 1 October 1996 to all new commercial vehicles and from 1 October 1997 to all new vehicles.

The Commission considers that the limit values laid down in the proposal, which is one of a series of directives on vehicle emissions, will ensure adequate protection of public health and the environment in the Community.

COM(90) 174

1.2.114. Proposal for a Regulation on action by the Community relating to nature conservation (ACNAT).

• **References:**

Council Directive 79/409/EEC on the conservation of wild birds: OJ L 103, 25.4.1979

Council Regulation (EEC) No 2242/87 on action by the Community relating to the environment: OJ L 207, 29.7.1987; Bull. EC 7-1987, point 2.1.164

Proposal for a Directive on the protection of natural and semi-natural habitats and of wild fauna and flora — OJ C 247, 21.9.1988; COM(88) 381; Bull. EC 7/8-1988, point 2.1.120

Adopted by the Commission on 2 May. Purpose: to implement nature conservation measures so as to create a specific instrument for Community action relating to biotopes. To this end the Commission is proposing a gradual and very significant increase in the appropriation for such projects. For 1991, the first year in which the new regulation will apply, this increase will be at least ECU 11 million.

These funds are to be used to support projects which contribute towards the maintenance and restoration of seriously threatened biotopes and habitats which are of particular importance to the Community, and to implement measures to preserve or restore endangered species. Although these projects can apply to the whole of the Community, there is a particularly strong case for helping the less-favoured areas to do more to develop the measures needed for nature conservation.

The purpose of these nature conservation schemes, which supplement the proposal for a Directive on the protection of natural and semi-natural habitats and of wildlife presented to the Council by the Commission in August 1988, is to create a network of adequately protected natural areas throughout the Community by the year 2000 and to guarantee the preservation of currently endangered species.

OJ C 137, 6.6.1990; COM(90) 125

II

European Environment Agency

1.2.115. Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency and the European environment monitoring and information network.

- **Commission proposal:** OJ C 217, 23.8.1989; COM(89) 303; Bull. EC 6-1989, point 2.1.114
- **Economic and Social Committee opinion:** OJ C 56, 7.3.1990; Bull. EC 11-1989, point 2.1.116
- **Council common position:** Bull. EC 11-1989, point 2.1.116
- **European Parliament opinion:** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.77
- **Commission amended proposal:** COM(90) 114; Bull. EC 3-1990, point 1.1.7
- **Council agreement in principle:** Bull. EC 3-1990, point 1.1.77

Adopted by the Council on 7 May.

OJ L 120, 11.5.1990

Prevention and reduction of pollution and nuisance

Protection of the aquatic environment

1.2.116. European Parliament resolution on the Theogenitor disaster.

Adopted on 17 May. Drawing attention to the accident involving the oil tanker off Portugal and the danger posed to the coastline by the resulting oil slick, Parliament

called on the Commission to promote an exhaustive study of the causes of such accidents.

OJ C 149, 18.6.1990

Air pollution

1.2.117. Council conclusions on energy and the environment (→ point 1.2.226).

Chemicals, industrial hazards and biotechnology

Chlorofluorocarbons (CFCs)

1.2.118. Commission communication on the participation of the developing countries in the Montreal Protocol.

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

Adopted by the Commission on 2 May. The Commission believes that it is absolutely essential for the developing countries to become signatories to the Protocol in as much as they are major potential consumers of substances that destroy the ozone layer. It has therefore devised a draft financing mechanism to assist the developing countries, which it plans to present to the Council as the Community's negotiating position for the review of the Montreal Protocol.

Waste disposal

1.2.119. Council Resolution on a Community strategy for waste management.

- **Basic communication:** Communication from the Commission: Bull. EC 9-1989, point 1.1.1
- **Council agreement:** Bull. EC 3-1990, point 1.1.78

Formally adopted by the Council on 7 May.
OJ C 122, 18.5.1990

Management of environmental resources

Urban environment

1.2.120. European Parliament resolution on EXP 2000 in Venice.

- **Reference:** Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment: OJ L 175, 5.7.1985; Bull. EC 6-1985, point 2.1.93

Adopted by the European Parliament on 17 May. Taking the view that holding EXPO 2000 in Venice is incompatible with the preservation of the urban and social environment of that city and pointing out that there has been no preliminary environmental impact assessment as required by Directive 85/337, Parliament called on the Italian Government to withdraw its nomination of Venice as a site for EXPO 2000 and on the Commission to ensure strict compliance with Community legislation on the environment.

OJ C 149, 18.6.1990

Fauna and flora

1.2.121. European Parliament resolution on the moratorium on commercial whaling.

- **References:**
European Parliament resolution of 18 September 1987 on the economic significance of Antarctica and the Antarctic Ocean: OJ C 281, 19.10.1987; Bull. EC 9-1987, point 2.4.13
Moratorium on commercial whaling adopted by the International Whaling Commission on 23 and 24 July 1982: Bull. EC 7/8-1982, point 2.1.145

Adopted by the European Parliament on 17 May. Deploring the fact that whaling had continued under purely formal objections since the moratorium adopted in 1982 by the International Whaling Commission (IWC) came into effect, Parliament appealed to the governments of the member countries of the IWC to sustain the moratorium and called in particular on the

Governments of Iceland, Japan and Norway to abide scrupulously by its terms.

OJ C 149, 18.6.1990

Natural resources

1.2.122. Council Resolution on the development of tropical forests (→ point 1.3.41).

International cooperation

1.2.123. Bergen Conference on the environment.

Meeting held on 14, 15 and 16 May. The Commission and the ministers of the member countries of the UN Economic Commission for Europe adopted a compromise declaration at the end of the Bergen Conference which represents an important stage in the preparation of the World Conference on Environment and Development to be held in Brazil in 1992. This declaration calls on the governments to continue their development efforts on the basis of the principle of prevention, to increase the flow of financial resources and the transfer of clean technologies to the developing countries and the countries of Eastern Europe, to step up international efforts to protect the ozone layer and to limit or reduce as far as possible the emissions responsible for the greenhouse effect.

Consumers

Protection of economic and legal interests

Package travel

1.2.124. Proposal for a Directive on package travel, including package holidays and package tours.

- **Commission proposal:** OJ C 96, 12.4.1988; COM(88) 41; Bull. EC 3-1988, point 2.1.134

- **European Parliament opinion (first reading):** OJ C 69, 20.3.1989; Bull. EC 2-1989, point 2.1.105
- **Economic and Social Committee opinion:** OJ C 102, 24.4.1989; Bull. EC 2-1989, point 2.1.106
- **Amended proposal:** OJ C 190, 27.7.1989; COM(89) 348; Bull. EC 7/8-1989, point 2.1.142
- **Council political agreement on a common position:** Bull. EC 12-1989, point 2.1.155
- **Council common position:** Bull. EC 1/2-1990, point 1.1.139

Endorsed by the European Parliament (second reading) on 16 May, subject to a number of amendments relating to price escalation clauses and, especially, the introduction of a claims and compensation procedure for travellers, together with a guarantee fund designed to alleviate the effects of business failures by travel operators or retailers.

OJ C 149, 18.6.1990

The Commission adopted a re-examined proposal on 30 May. Purpose: to take account of Parliament's opinion.

OJ COM(90) 232

Consumer information

1.2.125. Commission report on the Community system for the rapid exchange of information on dangers arising from the use of consumer products.

- **Previous report:** OJ C 146, 3.6.1988

Adopted by the Commission on 4 May. The report describes the operation of the system, its scope and objectives and provides an assessment of the period since the last report.

COM(90) 172

1.2.126. Proposal for a decision amending Decision 89/45/EEC implementing the system for the rapid exchange of information.

- **Decision to be amended:** Council Decision 89/45/EEC; OJ L 17, 21.1.1989; Bull. EC 12-1988, point 2.1.227

Adopted by the Commission on 4 May. In view of the satisfactory results obtained to

date, the purpose of the decision is that the scheme should apply for an unlimited period, subject to minor changes designed to make it easier to operate.

OJ C 135, 2.6.1990; COM(90) 172

Enterprise policy and industrial strategies

Enterprise policy

Legal and tax environment for businesses

Intellectual and industrial property

1.2.127. Commission statement on possible adherence by the Community and Member States to the Treaty on the protection of intellectual property in respect of integrated circuits (Washington Treaty).

- **Reference:** Council Decision of 13 April 1989 authorizing the Commission to conduct negotiations on behalf of the Community for the preparation of an international treaty on the protection of layout designs (topographies) of microchips (Washington Diplomatic Conference): Bull. EC 4-1989, point 2.1.43

Adopted by the Commission on 10 May. The Commission decided not to sign the Treaty, an option it had until 25 May 1990, so as to avoid any risk of prejudicing the negotiations currently under way in GATT on industrial property rights. As the possibility of future adherence has been explicitly left open, the Commission will re-examine the situation at a later stage.

1.2.128. Proposals for first and second Council Decisions on the extension of legal protection of topographies of semiconductor products in respect of persons from certain countries and territories.

- **References:**
Council Directive 87/54/EEC on the legal protection of topographies of semiconductor

products: OJ L 24, 27.1.1987; Bull. EC 12-1986, point 2.1.33

Council Decision 87/532/EEC of 26 October 1987: OJ L 313, 4.11.1987, Bull. EC 10-1987, point 2.1.17

Council Decision 88/311/EEC of 31 May 1988: OJ L 140, 7.6.1988; Bull. EC 5-1988, point 2.1.18

Adopted by the Commission on 23 May. Objective: to replace Decisions 87/532/EEC and 88/311/EEC, which expire on 7 November 1990. The first extends, on a permanent basis and unconditionally, the protection afforded by Directive 87/54/EEC to natural and legal persons of countries which themselves apply similar protection arrangements to all Member States of the Community (Austria, Japan and Sweden). The second grants limited protection (until 31 December 1992), subject to reciprocity, to the countries which have not yet adopted legislation on this matter or which, if they have, have not extended or announced their intention to extend such protection, for an unlimited period, to topographies from the Community.

COM(90) 213

Administrative simplification

1.2.129. Council Recommendation 90/246/EEC relating to the implementation of a policy of administrative simplification in favour of small and medium-sized enterprises in the Member States.

- **Reference:** Impact assessment system: Bull. EC 11-1989, point 2.1.34
- **Commission proposal:** OJ C 189, 26.7.1989; COM(89) 259; Bull. EC 5-1989, point 2.1.53
- **Economic and Social Committee opinion:** OJ C 298, 27.11.1989; Bull. EC 9-1989, point 2.1.27
- **European Parliament opinion:** OJ C 15, 22.1.1990; Bull. EC 12-1989, point 2.1.51
- **Amended Commission proposal:** OJ C 101, 21.4.1990; Com(90) 58; Bull. EC 3-1990, point 1.1.102

Adopted by the Council (Industry) on 28 May. Objective: to request Member States to adopt simplification programmes covering new legislative proposals and existing legislation and to examine the

impact of draft legislation or orders on the administrative burden on enterprises. The Council also asked the Commission to propose a programme relating to the impact of current Community legislation, simplify access by SMEs to the structural Funds and other Community programmes, improve impact assessment and submit a report at regular intervals on Community and national simplification measures.

OJ L 141, 2.6.1990

Policy for promoting SMEs

1.2.130. Report from the Commission to the Council on the improvement of the business environment, in particular for SMEs, in the Community.

• **References:**

Council Resolution of 30 June 1988; OJ C 197, 27.7.1988; Bull. EC 6-1988, point 2.1.45

Council Decision 89/490/EEC on the improvement of the business environment and the promotion of the development of SMEs: OJ L 239, 16.8.1989; Bull. EC 7/8-1989, point 2.1.40

Adopted by the Commission on 15 May. In the report, the Commission explains how the system of impact assessment, which is designed to evaluate the probable effects of legislative proposals on firms, has been improved, and examines the progress made on the specific measures relating to company law, the cooperative, mutual and non-profit sector, improvement of the tax environment for firms, participation by SMEs in public procurement, the competition rules, and the problems faced by SMEs in the areas of technical standardization, testing and certification. The Commission has annexed to the document a report on the impact of Community legislation on businesses, with special regard to SMEs.

COM(90) 200

Discussed by the Council (Industry) on 28 May. The Council asked the Member States to take more systematic account of the objective of improving the administrative, legal and tax environment of firms

when adopting a position on specific legislative proposals from the Commission.

1.2.131. Conclusions of the Council on promoting SME participation in public procurement in the Community.

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

Adopted by the Council (Industry) on 28 May. Member States were urged to encourage their public authorities to take account of the categories of measures discussed in the communication which were designed to facilitate access by small and medium-sized enterprises to public contracts, reduce the costs of such firms and prepare them for effective participation in public procurement. The Commission was invited to continue its work in this field, including the study and analysis of the requirements imposed by contracting authorities which restrict SME participation, and to draw up appropriate recommendations in particular with regard to the possibility of standardizing and simplifying procedures on a Community-wide basis.

1.2.132. Conclusions of the Council concerning SME participation in Community activities in the field of research and technological developments.

- **Reference:** Commission working paper on SMEs and Community activities in the field of research and technological development: Bull. EC 4-1990, point 1.1.89

Adopted by the Council (Industry) on 28 May. The Council welcomed the Commission's working document and urged the Commission to intensify its efforts to increase SME participation in research and technological development programmes by improving their access to information and simplifying Community administrative procedures for handling applications. It asked that particular consideration should be given to the development of research infrastructures in the peripheral regions of the Community and requested the Commission

to increase cooperation with Member States with a view to drawing up new proposals in the field of research and technological development.

1.2.133. European Parliament resolution on the need to give preference to undertakings located in the less-favoured regions and the regions in decline when public works contracts are awarded.

- **Reference:** Judgment of the Court of Justice of 20 March 1990 in Case C-21/88 *Du Pont de Nemours Italiana v Unità Sanitaria locale no 2 di Carrara*; Bull. EC 3-1990, point 1.6.25

Adopted by European Parliament on 17 May. Parliament took note of the position adopted by the Court of Justice in its judgment of 20 March: the Court had ruled that reserving a quota of 30% of all contracts awarded by the central government, local authorities and public enterprises to firms located in the southern regions of Italy was incompatible with Articles 30, 92 and 93 of the EEC Treaty. In view of this ruling, Parliament requested that a system of incentives be introduced in the tax, infrastructure, credit and services fields in order to increase, strengthen and rejuvenate firms in the less-favoured regions. It considered that it would be possible to introduce a system of 'price preference' which would give such firms a reasonable advantage compared with firms that operated in beneficial socio-economic circumstances as regards infrastructure, technology, training and services.

OJ C 149, 18.6.1990

Industrial strategies

COM(90) 201

Textiles and clothing

1.2.134. Annual report by the Commission on the situation in the textiles and clothing industry.

- **Previous report:** Bull. EC 11-1988, point 2.1.46
- **Conclusions of the Council of 13 May:** Bull. EC 3-1990, point 1.1.98

Adopted by the Commission on 16 May. According to the report, the textiles and clothing industry is undergoing radical change and has displayed an unsuspected ability to respond, introduce new structures and products and adjust to internal and external constraints. The Community industry is still vulnerable, however, and a number of conditions relating to both commercial and structural aspects must be met if its potential is to be realized. These involve in particular:

- (a) ensuring that markets in all textile-trading countries are effectively open;
- (b) promoting technological competitiveness and industrial innovation in SMEs, which are the bedrock of the industry;
- (c) making coordinated use of the instruments for providing public support.

Steel

1.2.135. General objectives for steel — 1985

- **Approved by the Commission at first reading:** Bull. EC 3-1990, point 1.1.96
- **ECSC Consultative Committee opinion:** Bull. EC 3-1990, point 1.1.96

Formally adopted by the Commission on 2 May. Objective: to take account of the observations of the ECSC Consultative Committee. The Commission has thus dropped the low assumption previously put forward concerning the balance of trade with non-member countries; it has added to the chapter on supply a new section describing the structure of the steel distribution networks.

Pedip

1.2.136. First report on the implementation of a specific programme for the development of Portuguese industry (Pedip).

- **Basic Regulation:** Council Regulation (EEC) No 2053/88: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.166

Adopted by the Commission on 16 May. This interim report on the implementation of Pedip was drawn up pursuant to Article 9 of the Regulation. It summarizes Pedip's contents, the conditions of its implementation, the means of verification, the state of progress of the various programmes, the evaluation procedure and the monitoring and control procedures.

COM(90) 205

Agriculture

General aspects of the common agricultural policy

1.2.137. Community support frameworks — Objective 5(b) (Development of rural areas)

• **References:**

Council Regulation (EEC) No 2052/88 on the tasks of the structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159

Council Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Council Regulation (EEC) No 4256/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the EAGGF Guidance Section — OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Adopted in principle by the Commission on 2 May. Purpose: development priorities and financial provisions for the 44 Community support frameworks for eligible regions in nine Member States.

1.1.138. Proposal for a Regulation on the checks and penalties applicable under the common agricultural and fisheries policies.

Adopted by the Commission on 7 May. Purpose: to clarify the Commission's rights by explicitly enabling it, when empowered by the Council to adopt rules of application, to stipulate the appropriate checks and penalties required to ensure effective and uniform application of the CAP.

OJ C 137, 6.6.1990; COM(90) 126

1.2.139. Proposal for a Regulation amending Council Regulation (EEC) No 283/72 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy and the organization of an information system in this field.

- **Regulation amended:** Council Regulation (EEC) No 283/72: OJ L36, 10.2.1972

Adopted by the Commission on 11 May. Purpose: to provide for a Community contribution to help the Member States detect irregularities and recover sums wrongly paid, for more detailed notification of irregularity cases, and to define the rights of Commission officials in national inquiries in which they take part.

OJ C 138, 7.6.1990; COM(90) 112

1.2.140. Final report for 1984-88 drawn up pursuant to Article 4 of Council Decision (EEC) No 83/641/EEC of 12 December 1983 adopting joint research programmes and programmes for coordinating agricultural research.

- **Basic Decision:** Council Decision 83/641/EEC: OJ L 358, 22.12.1983; Bull. EC 12-1983, point 2.1.159

Adopted by the Commission on 30 May. Purpose: to set out a table of the results of activities carried out under the 1984-88 research programme, showing the use of the funds allocated for these measures.

COM(90) 214

Agricultural structures and rural development

1.2.141. Commission Regulation (EEC) No 1279/90 amending Regulation (EEC) No

3813/89 laying down detailed rules for the application of the system of transitional aids to agriculture.

- **Basic Regulation:** Council Regulation (EEC) No 768/89 establishing a system of transitional aids to agriculture: OJ L 84, 29.3.1989; Bull. EC 3-1989, point 2.1.118
- **Regulation amended:** Commission Regulation (EEC) No 3813/89: OJ L 371, 20.12.1989; Bull. EC 12-1989, point 2.1.163

Adopted by the Commission on 15 May. In accordance with the undertakings given by the Commission when the amended Regulation was adopted, provisions on financial control and penalization of irregularities have been added.

OJ L 126, 16.5.1990

Agricultural prices and related measures

1.2.142. Council Regulation (EEC) Nos 1179/90 to 1206/90, 1312/90 to 1332/90 and 1340/90 to 1359/90 fixing agricultural product prices and adopting certain related measures (1990/91).

- **Commission proposals:** OJ C 49, 28.2.1990; COM(89) 660; Bull. EC 1/2-1990, point 1.1.144
- **Amended Commission proposals:** COM(90) 7; Bull. EC 3-1990, point 1.1.106
- **Economic and Social Committee opinion:** Bull. EC 3-1990, point 1.1.106
- **European Parliament opinion:** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.106; OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.92
- **Political agreement by the Council:** Bull. EC 4-1990, point 1.1.92

Formally adopted by the Council on 7 and 14 May.

OJ L 119, 11.5.1990; OJ L 132, 23.5.1990;
OJ L 134, 28.5.1990

1.2.143. Proposal for a Regulation seasonally adjusting the basic price and the guide level for the 1991 marketing year.

Adopted by the Commission on 30 May.

COM(90) 226

Common organization of markets

Cereals and rice

1.2.144. Commission Regulation (EEC) No 1497/90 amending the prices and amounts fixed for cereals in ecuss for the 1990/91 marketing year as a result of the monetary realignment of 5 January 1990 in accordance with the stabilizer mechanism.

- **References:**
Stabilizer mechanism: Regulation (EEC) No 1087/88: OJ L 110, 29.4.1988; Bull. EC 4-1989, point 2.1.126
Monetary realignment (narrowing of the fluctuation margin for the Italian lira): Bull. EC 1/2-1990, point 1.1.3

Adopted by the Commission on 31 May. Purpose: to reduce by 0.1712% the amounts and prices fixed by the Council, in accordance with the monetary rules and the stabilizer mechanism; to reduce intervention prices by 3% and adjust indicative prices since the maximum guaranteed quantity for the 1989/90 marketing year had been exceeded.

OJ L 140, 1.6.1990

1.2.145. Commission Regulation (EEC) No 1498/90 on the additional co-responsibility levy on cereals for the 1990/91 marketing year and the overall amounts of aid under the special arrangements applicable to small producers.

Adopted by the Commission on 31 May.

OJ L 140, 1.6.1990

Pigmeat

1.2.146. Commission Regulation (EEC) No 1230/90 amending Regulation (EEC) No 906/90 adopting exceptional support measures for the market in pigmeat in Belgium and repealing Regulation (EEC) No 620/90.

- **Regulation amended:** Commission Regulation (EEC) No 908/90: OJ L 93, 10.4.1990; Bull. EC 4-1990, point 1.1.97

- **Regulation repealed:** Commission Regulation (EEC) No 620/90: OJ L 67, 15.3.1990; Bull. EC 3-1990, point 1.1.116

Adopted by the Commission on 10 May.
Purpose: in view of the development of the disease, to extend until 24 May the provisions of Regulation (EEC) No 906/90 and to clarify the time schedule for the obligatory processing of animals purchased by the intervention authorities.

OJ L 120, 11.5.1990

1.2.147. Commission Regulation (EEC) No 1368/90 amending Regulation (EEC) No 906/90 adopting exceptional support measures for the market in pigmeat in Belgium.

- **Regulation amended:** Commission Regulation (EEC) No 906/90: OJ L 93, 10.4.1990; Bull. EC 4-1990, point 1.1.97

Adopted by the Commission on 22 May.
Purpose: to allow post-slaughter cold storage of heavy piglets and heavy pigs pending destruction.

OJ L 131, 23.5.1990

Fruit and vegetables

1.2.148. Commission Regulation (EEC) No 1248/90 reducing the basic and buying-in prices for cauliflowers for the 1990/91 marketing year following the monetary realignment of 5 January 1990 and the overrun in the intervention threshold.

- **References:**

Overrun in the intervention threshold: Commission Regulation (EEC) No 1370/89 fixing the intervention threshold for cauliflowers, peaches, nectarines and lemons for the 1989/90 marketing year: OJ L 137, 20.5.1989; Bull. EC 5-1989, point 2.1.181

Monetary realignment (narrowing of the fluctuation margin for the Italian lira): Bull. EC 1/2-1990, point 1.1.3

Adopted by the Commission on 11 May.
Purpose: to reduce by 4.16% the basic and buying-in prices for cauliflowers sold into intervention in view of the monetary

realignment of 5 January and the excess volume withdrawn.

OJ L 121, 12.5.1990

1.2.149. Commission Regulation (EEC) No 1388/90 fixing the intervention threshold for cauliflowers, peaches, nectarines, lemons, tomatoes and apples for the 1990/91 marketing year.

Adopted by the Commission on 23 May.

OJ L 133, 24.5.1990

1.2.150. Commission Regulation (EEC) No 1404/90 laying down certain additional detailed rules for the application of the supplementary trade mechanism to fruit and vegetables as regards tomatoes, lettuce, broad-leaf endives, carrots, artichokes, melons, apricots, peaches and strawberries.

- **Reference:** Council Regulation (EEC) No 3210/89 laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables: OJ L 312, 27.10.1989; Bull. EC 10-1989, point 2.1.125

Adopted by the Commission on 23 May.

OJ L 133, 24.5.1990

1.2.151. Commission Regulation (EEC) No 1484/90 adjusting the reference prices and Community offer prices in the fruit and vegetable sector as a result of the monetary realignment of 5 January 1990.

- **Reference:** Monetary realignment (narrowing of the fluctuation margin for Italian lira): Bull. EC 1/2-1990, point 1.1.3

Adopted by the Commission on 31 May.

Purpose: to specify certain prices reduced in the fruit and vegetable sector following the monetary realignment of 5 January.

OJ L 140, 1.6.1990

1.2.152. Commission Regulation (EEC) No 1485/90 establishing the basic and buying-in prices for tomatoes, aubergines, apricots, table grapes and table pears reduced as a result of the monetary realignment of 5 January 1990.

- **Reference:** Monetary realignment (narrowing of the fluctuation margin for the Italian lira): Bull. EC 1/2-1990, point 1.1.3

Adopted by the Commission on 31 May.
Purpose: to specify certain prices reduced in the fruit and vegetables sector following the monetary realignment of 5 January.

OJ L 140, 1.6.1990

1.2.153. Commission Regulation (EEC) No 1486/90 fixing the minimum purchase price for lemons delivered for processing and the amount of the financial compensation after processing of such lemons for the 1990/91 marketing year.

Adopted by the Commission on 31 May.

OJ L 140, 1.6.1990

1.2.154. Commission Regulation (EEC) No 1492/90 reducing the basic price and buying-in price for peaches, nectarines and lemons for the 1990/91 marketing year following the monetary realignment of 5 January 1990 and the overrun of the intervention threshold.

• **Reference:**

Overrun of the intervention threshold: Commission Regulation (EEC) No 1370/89 fixing the intervention threshold for cauliflowers, peaches, nectarines and lemons for the 1989/90 marketing year: OJ L 137, 20.5.1989; Bull. EC 5-1989, point 2.1.181

Monetary realignment (narrowing of the fluctuation margin for the Italian lira): Bull. EC 1/2-1990, point 1.1.3

Adopted by the Commission on 31 May.
Purpose: following the monetary realignment of 5 January and the overrun of the intervention threshold, to reduce the basic price and the buying-in price for the next marketing year by 6.16% for peaches, 12.15% for nectarines and 3.17% for lemons.

OJ L 140, 1.6.1990

Wine

1.2.155. Council Regulation (EEC) No 1372/90 amending for the 12th time Regulation (EEC) No 351/79 concerning the addition of alcohol to products in the wine sector.

- **Commission proposal:** COM(90) 130; Bull. EX 4-1990, point 1.1.103

Adopted by the Council on 21 May. To extend to the end of 1990 the existing rules on the addition of alcohol in the absence both of a market organization in the alcohol sector and of provisions harmonizing the definition of aromatized wines.

OJ L 133, 24.5.1990

1.2.156. Commission Regulation (EEC) No 1250/90 reducing the quantities of table wine covered by approved contracts and declarations for distillation as provided for in Regulation (EEC) No 118/90.

- **Basic Regulation:** Commission Regulation (EEC) No 118/90 opening, for the 1989/90 wine year, distillation of table wine as provided for in Article 41(1) of Council Regulation (EEC) No 822/87: OJ L 14, 18.1.1990; Bull. EC 1/2-1990, point 1.1.172

Adopted by the Commission on 11 May.
Purpose: to reduce the quantities of wine accepted by the intervention agencies so as to respect the volume of 3 million hl set for support distillation.

OJ L 121, 12.5.1990

Milk and milk products

1.2.157. Council Regulation (EEC) No 1435/90 amending Regulation (EEC) No 987/68 laying down general rules for granting aid for skimmed milk processed into casein or caseinates.

- **Regulation amended:** Council Regulation (EEC) No 987/68; OJ L 169, 18.7.1968

Proposal adopted by the Commission on 15 May.

COM(90) 209

Adopted by the Council on 21 May. Purpose: to extend for two months until 30 June 1990 the existing measure limiting aid for skimmed milk processed into casein and caseinates to certain utilizations of these.

OJ L 138, 31.5.1990

1.2.158. Proposal for a Regulation amending Regulation (EEC) No 1307/85 authoriz-

ing the Member States to grant consumption aid for butter.

- **Regulation to be amended:** Council Regulation (EEC) No 1307/85: OJ L 137, 27.5.1985; Bull. EC 5-1985, point 2.1.92

Adopted by the Commission on 4 May. Purpose: to reduce the time allowed for payment for butter purchased by intervention agencies.

COM(90) 187

1.2.159. Proposal for a Regulation amending Council Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector.

- **Basic Regulation:** Council Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products: OJ L 148, 28.6.1968
- **Regulation to be amended:** Council Regulation (EEC) No 857/84: OJ L 91, 1.4.1984; Bull. EC 3-1984, point 1.2.4

Adopted by the Commission on 7 May. Purpose: to authorize priority producers to purchase quotas totally and definitively freed by other producers up to the maximum price permitted under the Community cessation scheme instead of up to the price set by the Member State.

COM(90) 47

1.2.160. Proposal for a Regulation laying down additional general rules in the common organization of the market in milk and milk products as regards cheese.

- **Basic Regulation:** Council Regulation (EEC) No 804/68: OJ L 148, 28.6.1968

Adopted by the Commission on 15 May. Purpose: to lay down general rules on the use of casein and caseinates in the manufacture of the milk products regarded as most liable to speculative uses, namely cheese.

OJ C 135, 2.6.1990; COM(90) 209

1.2.161. Proposal for a Regulation amending Regulation (EEC) No 804/68 on the

common organization of the market in milk and milk products.

- **Regulation to be amended:** Council Regulation (EEC) No 804/68: OJ L 148, 28.6.1968

Adopted by the Commission on 16 May. Purpose: to introduce for unflavoured yoghurt powder a tariff and statistical nomenclature subdivision, as already exists for flavoured yoghurt; to discontinue the exclusion of products on which private storage aid has been granted from the special measures for the disposal of butter and skimmed-milk powder; and to add a further product qualifying for an export refund on its milk component.

OJ C138, 7.6.1990; COM(90) 206

Beef and veal

1.2.162. Council estimate 90/243/EEC concerning young male bovine animals weighing 300 kilograms or less and intended for fattening for the period 1 January to 31 December 1990.

- **Basic Regulation:** Council Regulation (EEC) No 805/68 on the common organization of the market in beef and veal: OJ L 148, 28.6.1968
- **Previous estimate:** Bull. 3-1989, point 2.1.131

Adopted by the Council on 21 May. The number of young male bovine animals weighing 300 kilograms or less intended for fattening which may be imported in 1990 under the arrangements laid down by Article 13 of Regulation (EEC) No 805/68 is fixed at 198 000 head.

OJ L 140, 1.6.1990

1.2.163. Council estimate 90/224/EEC concerning beef and veal intended for the processing industry for the period 1 January to 31 December 1990.

- **Basic Regulation:** Council Regulation (EEC) No 805/68 on the common organization of the market in beef and veal: OJ L 148, 28.6.1968
- **Previous estimate:** Bull. 3-1989, point 2.1.131

Adopted by the Council on 21 May. The Community shortfall in beef and veal for the processing industry for the period 1 January to 31 December 1990 was esti-

mated at 50 000 tonnes. It was decided to divide that tonnage into two equal parts, one for preserving and the other for processing

OJ L 140, 1.6.1990

1.2.164. Commission Regulation (EEC) No 1252/90 establishing the prices and amounts fixed in ecus by the Council in the beef and veal sector and reduced as a result of the monetary realignment of 5 January 1990.

- **Reference:** monetary realignment (narrowing of the fluctuation margin for the Italian lira): Bull. EC 1/2-1990, point 1.1.3

Adopted by the Commission on 11 May.

OJ L 121, 12.5.1990

Sheepmeat and goatmeat

1.2.165. Council Regulation (EEC) No 1373/90 suspending the import levy on live sheep and goats.

- **Commission proposal:** COM(90) 133; Bull. EC 4-1990, point 1.1.110

Adopted by the Commission on 21 May. Purpose: to extend to all countries which traditionally supply live sheep and goats the suspension of the levy already decided on for certain of them.

OJ L 133, 24.5.1990

1.2.166. Commission Regulation (EEC) No 1260/90 amending Regulation (EEC) No 3007/84 laying down detailed rules for the application of the premium for producers of sheepmeat.

- **Regulation amended:** Commission Regulation (EEC) No 3007/84; OJ L 283, 27.10.1984; Bull. EC 10-1984, point 2.1.102

Adopted by the Commission on 11 May. Purpose: to introduce an obligation to lodge applications for premiums at the beginning of the marketing year, a minimum rate of on-the-spot inspections, proportionality of penalization in cases of incorrect declarations of animal numbers and more severe penalization in cases of fraud.

OJ L 124, 15.5.1990

1.2.167. Commission Regulation (EEC) No 1305/90 on the application of the guarantee limitation arrangements for sheepmeat and goatmeat for the 1989 marketing year.

Adopted by the Commission on 18 May.

OJ L 129, 19.5.1990

1.2.168. Commission Regulation (EEC) No 1306/90 determining for the Member States the loss of income and the amount of the premium payable per ewe and per nanny-goat for the 1989 marketing year.

Adopted by the Commission on 18 May.

OJ L 129, 19.5.1990

Sugar

1.2.169. Council Regulation (EEC) No 1438/90 amending Regulation (EEC) No 1010/86 laying down general rules for the production refund on certain sugar products used in the chemical industry.

- **Regulation amended:** Council Regulation (EEC) No 1010/86; OJ L 94, 9.4.1986
- **Commission proposal:** OJ C 122, 17.5.1989, COM(89) 71; Bull. EC 3-1989, point 2.1.135

European Parliament opinion, on 17 May. Favourable.

OJ C 149, 18.6.1990

Adopted by the Council on 21 May.

OJ L 138, 31.5.1990

Processed fruit and vegetables

1.2.170. Council Regulation (EEC) No 1436/90 amending Regulation (EEC) NO 3033/80 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products.

- **Regulation amended:** Council Regulation (EEC) No 3033/80; OJ L 323, 29.11.1980
- **Commission proposal:** OJ C 122, 17.5.1989; COM(89) 71; Bull. EC 3-1989, point 2.1.135

European Parliament opinion, 17 May. Favourable, subject to amendments restricting the scope of the Commission's proposal.

OJ C 149, 18.6.1990

Adopted by the Commission on 21 May.

OJ L 138, 31.5.1990

Hops

1.2.171. Proposal for a Regulation amending Regulation (EEC) No 1696/71 on the common organization of the market in hops.

- **Regulation to be amended:** Council Regulation (EEC) No 1696/71: OJ L 175, 4.8.1971

Adopted by the Commission on 22 May.

Purpose: to provide time and area-restricted aid to producers growing experimental varieties, in order to encourage development of new varieties.

COM(90) 210

Linseed and hemp

1.2.172. Commission Regulation (EEC) No 1169/90 fixing for the 1989/90 marketing year the average world market price and the indicative yield for linseed.

Adopted by the Commission on 8 May. Purpose: to fix the average world market price and the indicative yield for linseed. The price of ECU 26.105 per 100 kilograms fixed is the arithmetic mean of world market prices recorded each week between 4 September 1989 and 16 March 1990. The indicative yield varies by production zone and the characteristics of the flax produced.

OJ L 118, 9.5.1990

Agricultural legislation

Animal health and animal husbandry

1.2.173. Council Decision 90/242/EEC introducing a financial measure for the eradication of brucellosis in sheep and goats.

- **Commission proposal:** OJ C 327, 30.12.1989, COM(89) 498; Bull. EC 10-1989, point 2.1.157
- **Economic and Social Committee opinion:** OJ C 63, 12.3.1990; Bull. EC 11-1989, point 2.1.200
- **European Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.122

Amended proposal adopted by the Commission on 4 May.

OJ L 130, 29.5.1990; COM(90) 189

Adopted by the Commission on 21 May. Purpose: to encourage infected Member States to present a plan for the eradication of brucellosis in sheep and goats providing for partial compensation of owners for the slaughter of infected animals.

OJ L 140, 1.6.1990

1.2.174. Proposal for a Directive amending Directive 72/461/EEC on health problems affecting intra-Community trade in fresh meat and Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries.

- **Directives to be amended:**
 - Council Directive 72/461/EEC: OJ L 302, 31.12.1972
 - Council Directive 72/462/EEC: OJ L 302, 31.12.1972
- **Reference:**
 - Directive 87/64/EEC amending Directives 72/461/EEC and 72/462/EEC: OJ L 34, 5.2.1987
 - Judgment of the Court of Justice of 16 November 1989 in Case 131/87 *Commission v Council*; OJ C 313, 13.12.1989; Bull. EC 11-1989, point 2.7.27

Adopted by the Commission on 22 May. Purpose: to ensure the supply to the pharmaceutical manufacturing industries of glands, organs and blood of the species concerned, while respecting public and animal health protection requirements, and to replace Directive 87/64/EEC, which was declared void by the Court of Justice on 16 November 1989.

OJ C 154, 23.6.1990; COM(90) 175

1.2.175. Commission Decisions approving measures to set up pilot projects for the

control of rabies with a view to its eradication or prevention presented by Belgium, the Federal Republic of Germany, the Netherlands, Luxembourg, Italy and France.

- **Basic Decision:** Council Decision 89/455/EEC introducing a Community measure to set up pilot projects for the control of rabies with a view to its eradication or prevention; OJ L 293, 2.8.1989; Bull. EC 7/8-1989, point 2.1.172

Adopted by the Commission on 23 May.

1.2.176. Proposal for a decision concerning safeguard measures in the veterinary field in the framework of the internal market.

- **Commission proposal:** OJ C 327, 30.12.1989; COM(89) 493; Bull. EC 10-1989, point 2.1.154

European Parliament opinion, 18 May. Favourable, subject to amendments extending the scope of the Commission proposal.

J O C 149, 18.6.1990

1.2.177. Proposal for a decision concerning expenditure in the veterinary field.

- **Commission proposal:** OJ C 84, 2.4.1990; COM(90) 666; Bull. EC 12-1989, point 2.1.197
- **Economic and Social Committee opinion:** Bull. EC 4-1990, point 1.1.131

European Parliament opinion, 18 May. Favourable, subject to an amendment designed to further improve the efficiency of veterinary checks.

OJ C 149, 18.6.1990

1.2.178. Proposal for a Regulation on animal health conditions governing intra-Community trade in and import from third countries of *equidae*.

- **Commission proposal:** OJ C 327, 30.12.1989; COM(89) 503; Bull. EC 10-1989, point 2.1.164
- **Economic and Social Committee opinion:** OJ C 62, 12.3.1990; Bull. EC 12-1989, point 2.1.200

European Parliament opinion, 18 May. Favourable, subject to certain amendments.

OJ C 149, 18.6.1990

1.2.179. Proposal for a Regulation on intra-Community trade in *equidae* intended for participation in competitions.

- **Commission proposal:** OJ C 327, 30.12.1989; COM(89) 503; Bull. EC 10-1989, point 2.1.164
- **Economic and Social Committee opinion:** OJ C 62, 12.3.1990; Bull. EC 12-1989, point 2.1.200

European Parliament opinion, 18 May. Favourable, subject to one amendment.

OJ C 149, 18.6.1990

1.2.180. Proposal for a Regulation on the zootechnical and genealogical conditions governing intra-Community trade in *equidae*.

- **Commission proposal:** OJ C 327, 30.12.1989; COM(89) 499; Bull. EC 10-1989, point 2.1.164
- **Opinion of the Economic and Social Committee:** OJ C 62, 12.3.1990; Bull. EC 12-1989, point 2.1.200

European Parliament opinion, 18 May. Favourable, subject to certain amendments.

OJ C 149, 18.6.1990

1.2.181. Proposal for a Regulation laying down animal health requirements for the placing on the market in the Community of animals and products of animal origin not covered in this respect by specific Community rules.

- **Commission proposal:** OJ C 84, 2.4.1990; COM(90) 658; Bull. EC 1/2-1990, point 1.1.227

European Parliament opinion, 18 May. Favourable

OJ C 149, 18.6.1990

Economic and Social Committee opinion, 30 May. Favourable, with reservations on the inspection methods for cagebirds and bees.

1.2.182. Commission Decision 90/231/EEC concerning certain protection measures relating to classical swine fever in the Federal Republic of Germany.

Adopted by the Commission on 7 May.

OJ L 128, 18.5.1990

1.2.183. Commission Decision 90/251/EEC recognizing Greece as an officially swine-fever-free Member State within the context of eradication and amending for the fourth time Decision 81/400/EEC establishing the status of Member States as regards classical swine fever with a view to its eradication.

- **Decision amended:** Commission Decision 81/400/EEC; OJ L 152, 11.6.1981

Adopted by the Commission on 22 May.
OJ L 143, 6.6.1990

1.2.184. Commission Decision 90/254/EEC laying down criteria for approval of breeders' organizations and associations which establish or maintain flock-books for pure-bred breeding sheep and goats.

- **Basic Directive:** Council Directive 89/361/EEC concerning pure-bred breeding sheep and goats; OJ L 153, 6.6.1989

Adopted by the Commission on 10 May.
Purpose: to lay down detailed rules for the implementation of Directive 89/361/89 to encourage, by harmonization, the liberalization of trade in sheep and goats and to increase productivity in the sector.
OJ L 145, 8.6.1990

1.2.185. Commission Decision 90/255/EEC laying down criteria governing entry in flock-books for pure-bred breeding sheep and goats.

Adopted by the Commission on 10 May.
OJ L 145, 8.6.1990

1.2.186. Commission Decision 90/256/EEC laying down methods for monitoring performance and assessing the genetic value of pure-bred breeding sheep and goats.

Adopted by the Commission on 10 May.
OJ L 145, 8.6.1990

1.2.187. Commission Decision 90/257/EEC laying down the criteria for the acceptance for breeding purposes of pure-bred breeding sheep and goats and the use of their semen, ova or embryos.

Adopted by the Commission on 10 May.
OJ L 145, 8.6.1990

1.2.188. Commission Decision 90/258/EEC laying down the zootechnical certificates for pure-bred breeding sheep and goats, their semen, ova or embryos.

Adopted by the Commission on 10 May.
OJ L 145, 8.6.1990

Plant health legislation

1.2.189. Proposal for a Regulation on the organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs.

- **Commission proposal:** OJ C 4, 9.1.1990; COM(89) 552; Bull. EC 12-1989, point 2.1.159

Economic and Social Committee opinion, 30 May. Favourable. The Committee suggested, however, that the time period for absorption of residues be extended to two years and the possibility of developing organic and traditional production at the same time should be excluded.

1.2.190. Proposal for a Directive amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products.

- **Commission proposal:** OJ C 29, 8.2.1990; COM(89) 646 Bull. EC 12-1989, point 2.1.201

Economic and Social Committee opinion, 30 May. The Committee approved the approach taken to frontier controls.

1.2.191. Proposal for a Regulation on the marketing of young plants and propagating material, other than seeds of vegetables.

- **Commission proposal:** OJ C 46, 27.2.1990; COM(90) 649; Bull. EC 12-1989, point 2.1.202

Economic and Social Committee opinion, 30 May. Favourable, but the Committee recommended that the list of species to which the provisions apply be reviewed.

1.2.192. Proposal for a Regulation on the marketing of ornamental plant propagating material and ornamental plants.

- Commission proposal: OJ C 52, 3.3.1990; COM(89) 650; Bull. EC 12-1989, point 2.1.202

Economic and Social Committee opinion, 30 May. The Committee found the proposal inappropriate and impossible to implement in its current form: greater allowance had to be made for plant characteristics. Individual marking should be required in certain cases only.

1.2.193. Proposal for a Regulation on the marketing of fruit plant propagating material and fruit plants intended for fruit production.

- Commission proposal: OJ C 54, 6.3.1990, COM(89) 651; Bull. EC 12-1989, point 2.1.202

Economic and Social Committee opinion, 30 May. Favourable, but the Committee suggested charges in the list of species and that individual marking be required in certain cases only.

State aids

Decisions to raise no objection

Federal Republic of Germany

1.2.194. *Adoption by the Commission.* Content of the programmes:

(i) Bavaria: slurry programme. Aid for the construction of storage facilities, of about 30% in non-less-favoured areas, provided that the land on the holding concerned is of low productivity. The level of aid granted will thus be the same as in less-favoured areas, where aid was authorized by the Commission in 1984. About 18 000 holdings will be directly affected.

(ii) Lower Saxony: grassland conservation aid in order to protect the habitat of the white stork, the number of pairs having fallen from about 795 in 1965 to 220 in 1988. The aid will *inter alia* permit less

intensive use of grazing and re-establishment of the natural habitat.

France

1.2.195. *Adoption by the Commission.* Content of the programme: aid to increase sheep numbers in Normandy, to be given for purchase of quality rams in accordance with Commission guidelines for insemination up to 31 December 1992 and for investment, first purchase and replacement of flocks in accordance with Regulation (EEC) No 797/85 on the efficiency of agricultural structures.

Greece

1.2.196. *Adoption by the Commission.* Content of the programme: measures to assist crop and livestock farmers who suffered fire losses in 1989. Compensation covers only part of the replacement expenditure or loss.

Luxembourg

1.2.197. *Adoption by the Commission.* Content of the programme: draft Grand-Ducal Regulation introducing a premium for the birth of foals of the Ardennais breed, in danger of extinction.

Italy

1.2.198. *Adoption by the Commission.* Content of the programme: assistance for a pilot organic farming project on a small number of holdings in Lazio.

Netherlands

1.2.199. *Adoption by the Commission.* Content of the programme: a scheme to improve agricultural structures by encouraging cessation of activity by full-time farmers aged between 40 and 54 running a small holding (less than one ALU), which must be taken over by a farmer whose holding is of medium size (i.e. not employing

more than three people full time) before the merger.

Decision to initiative proceedings

Federal Republic of Germany

1.2.200. *Adoption by the Commission.* Content of the programme: amendment of existing aid for protection of the environment in Baden-Württemberg, allowing aid of 60% for investment not requiring any reduction in intensity of production. In all previous cases the Commission has applied a limit of 35% where the recipient is not subject to such a constraint.

Spain

1.2.201. *Adoption by the Commission.* Two agri-industrial cases in Castile-La Mancha:

- (i) aid for investment in the manufacture and marketing of yoghurt involving the creation of new facilities with modern technology that will improve product quality. It was not clear from the Commission's information that as required under Community rules there would be no overall utilization capacity;
- (ii) aid to create new facilities for the manufacture of ice cream and to purchase equipment. The procedure was likewise initiated because of a possible net increase in processing capacity.

France

1.2.202. *Adoption by the Commission.* Content of the programme: aid to boost and modernize strawberry production and the marketing of strawberries, granted on the basis of quantities sold by recognized producer groups. This was an operating aid liable to distort competition between producers in different Member States and so affect intra-Community trade and was on that account incompatible with the common market under Article 92(1) of the Treaty.

Italy

1.2.203. *Adoption by the Commission.* Content of the programme: bill of measures to assist holdings in Sardinia hit by drought during the 1988-89 marketing year. The Commission decided to initiate the procedure provided for in Article 93(2) of the Treaty in respect of these aids, which included a 50% reduction in charges for the supply of irrigation water, management expenses and maintenance costs for irrigation equipment.

Fisheries

Resources

Internal aspects

TACs and quotas

1.2.204. Council Decision accepting Greenland's offer of an additional catch quota.

- **Reference:** Council Regulation (EEC) No 4054/89 allocating, for 1990, the Community catch quotas in Greenland waters: OJ L 389, 30.12.1989; Bull. EC 12-1989, point 2.1.225

Commission adoption of a proposal for a Decision, 2 May.

COM(90) 191

Adopted by the Council on 7 May. Purpose: to accept a supplementary catch quota of 7 000 tonnes of cod offered by Greenland for 1990.

1.2.205. Council Regulation (EEC) No 1371/90 amending Regulation (EEC) No 4054/89 allocating, for 1990, Community catch quotas in Greenland waters and No 4052/89 laying down, for 1990, certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faeroe Islands.

- **Amended Regulations:**
Council Regulation (EEC) No 4054/89: OJ L 389, 30.12.1989; Bull. EC 12-1989, point 2.1.225
Council Regulation (EEC) No 4052/89: OJ L 389, 30.12.1989; Bull. EC 12-1989, point 2.1.222
- **Commission proposal:** COM(90) 170; Bull. EC 4-1990, point 1.1.142

Adopted by the Council on 21 May. Purpose: to specify an exchange of quotas between the Community and the Faeroe islands improving the operating conditions of the Community fleet.

OJ L 133, 24.5.1990

1.2.206. Proposal for a Regulation allocating additional catch quotas among Member States for vessels fishing in Swedish waters.

- **Basic Regulation:** Council Regulation (EEC) No 4051/89 allocating for 1990, catch quotas between Member States for vessels fishing Swedish waters: OJ L 389, 3.12.1989; Bull. EC 12-1989, point 2.1.221

Adopted by the Commission on 30 May. Purpose: to maintain the traditional allocation between the Member States concerned.

COM(90) 224

Control measures

1.2.207. Proposal for a Regulation amending Council Regulation (EEC) No 2245/85 laying down certain technical measures for the conservation of fish stocks in the Antarctic.

- **Regulation to be amended:** Council Regulation (EEC) No 2245/85: OJ L 210, 7.8.1985; Bull. EC 7/8-1985, point 2.1.176
- **Reference:** Eighth meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR): Bull. EC 11-1989, point 2.1.174

Adopted by the Commission on 2 May. Purpose: implementation by the Community of conservation measures adopted by the eighth meeting of the CCAMLR.

COM(90) 173

External aspects

Guinea

1.2.208. Council Decision 90/227/EEC on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol establishing for the period from 1 January 1990 to 31 December 1991, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Guinea on fishing off the Guinean coast.

- **Commission proposal:** COM(90) 92

Adopted by the Council on 7 May. Fishing rights are granted for an annual average of 12 000 GRT a month for trawlers, for 45 freezer tuna seiners and for 35 pole-and-line vessels and surface longliners. The financial compensation set for the two years is ECU 6 700 000.

OJ L 125, 15.5.1990

Mozambique

1.2.209. Regulation (EEC) No 1454/90 relating to the conclusion of the Protocol establishing for the period 1 January 1990 to 31 December 1991, the fishing opportunities and the financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Mozambique on fisheries relations.

- **Reference:** EEC/Mozambique Agreement: OJ L 98, 10.4.1987; Bull. EC 3-1987, point 2.1.187
- **Commission proposal:** OJ C 53, 5.3.1990; COM(89) 619

European Parliament opinion, 17 May. Favourable.

OJ C 149, 18.6.1990

Adopted by the Council on 28 May. Fishing rights are granted for 1 100 GRT a month on a yearly average for shrimp vessels fishing deep-water crustaceans only, for 3 700 GRT/month on a yearly average for shrimp

vessels fishing both shallow-water and deep-water crustaceans, and for 44 ocean-going tuna seiners. The financial compensation is fixed at ECU 4 300 000 and the Community will also contribute ECU 1 950 000 towards the financing of Mozambican scientific and technical programmes. In addition, a reconnaissance campaign to find new resources will be carried out by Community vessels.

OJ L 140, 1.6.1990

Namibia

1.2.210. European Parliament resolution on the cessation of fishing activities in Namibian waters and the conclusion of a fisheries agreement between the EEC and Namibia.

Adopted on 13 May. Parliament asked the Commission to take short-term measures to counter the damaging decision of the new Namibian Government to ban Community fleet activities in Namibian waters from 1 April 1990. It was a matter of urgency that the Commission conclude with Namibia a bilateral fisheries agreement on the most favourable terms enabling vessels flying the Community flag to return to their usual fishing waters. Rigorous biological studies to determine with accuracy the current state of resources in these waters were also required.

OJ C 149, 18.6.1990

Canada

1.2.211. Mr Marín, Vice-President of the Commission, was in Canada on 9 and 10 May and met Prime Minister Mulroney, Mr Crosbie, Minister for International Trade and Mr Valcourt, Minister for Fisheries and Oceans. Discussion centred on the dispute between the Community and Canada over management of marine resources by the Northwest Atlantic Fisheries Organization (NAFO). Mr Marín set out the Community's approach to the establishment of stable and positive relations based on observance of mutual interests, detailed knowledge of the biological situation of the stocks and scientific cooperation.

Market organization

1.2.212. Commission Regulations (EEC) Nos 1120/90 and 1121/90 providing for the grant of compensation to producers' organizations in respect of tuna delivered to the canning industry during the periods 1 January to 31 March and 1 April to 30 June 1989.

Adopted by the Commission on 2 May. Purpose: to set compensation terms for certain quantities of yellowfin (both above and below 10 kg) and skipjack tuna for the first quarter and likewise for yellowfin alone for the second.

OJ L 112, 3.5.1990

Structures

1.2.213. Proposal for a Regulation on the checks and penalties applicable under the common agricultural and fisheries policies (→ point 1.2.138).

1.2.214. Financial assistance

- **Basic Regulation:** Council Regulation (EEC) No 4028/86 on Community measures to improve and adapt structures in the fisheries and aquaculture sectors: OJ L 376, 31.12.1986; Bull. EC 12-1986; Bull. EC 12-1986, point 2.1.285.

Publication of Commission decisions, 19 May. Assistance was approved of:

- (i) ECU 8.57 million for 230 projects to modernize vessels without increasing their power or tonnage;
- (ii) ECU 26.2 million for 163 projects in the aquaculture sector contributing to development and rationalization of traditional aquaculture, expansion of new, technologically more advanced aquaculture and diversification of species bred.

The breakdown of assistance by Member State is given in Table 1.

OJ C 123, 19.5.1990

Table 1 — Breakdown by Member State of aid granted under Regulation (EEC) No 4028/86

Member State	Type of investment								Total	
	Construction		Modernization		Aquaculture		Artificial structures			
	Number of projects accepted	Aid granted (M ECU) ¹	Number of projects accepted	Aid granted (M ECU) ¹	Number of projects accepted	Aid granted (M ECU) ¹	Number of projects accepted	Aid granted (M ECU) ¹	Number of projects accepted	Aid granted (M ECU) ¹
Belgium	—	—	10	0.22	—	—	—	—	10	0.22
Denmark	—	—	—	—	2	0.53	—	—	2	0.53
Germany	—	—	21	0.35	2	0.50	—	—	23	0.85
Greece	—	—	19	0.45	17	3.42	—	—	36	3.87
Spain	—	—	98	4.13	64	5.12	1	0.18	163	9.43
France	—	—	8	0.27	27	1.99	—	—	35	2.26
Ireland	—	—	18	0.71	9	2.09	—	—	27	2.80
Italy	—	—	29	1.46	8	6.00	—	—	37	7.46
Netherlands	—	—	—	—	3	0.18	—	—	3	0.18
Portugal	—	—	14	0.60	19	3.99	—	—	33	4.59
United Kingdom	—	—	13	0.38	11	2.22	—	—	24	2.60
Total	—	—	230	8.57	162	26.04	1	0.18	393	34.79

¹ Conversion rate at 1 March 1990.

State aid

Greece

1.2.215. Commission Decision to raise no objection on competition grounds to the draft aid programme notified.

• **References:**

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

Council Regulation (EEC) No 4028/86 on Community measures to improve and adapt structures in the fisheries and aquaculture sectors: OJ L 376, 31.12.1986; Bull. EC 12-1986, point 2.1.285

Adopted by the Commission on 8 May. Fisheries development programme for 1988 and 1989. This grants development and other aid under Regulation (EEC) No 4028/86, start-up aid for recognized producers' organizations under Article 6 of Regulation (EEC) No 3796/81, aid for the scrapping of certain fishing gear and of trawlers less than 12 metres in length, and also aid for fisheries research and the construction of sheds and cold stores.

Transport

Inland transport

Road transport

1.2.216. Communication from the Commission to the Council on a consistent approach as regards the dimensions of commercial vehicles.

- **Reference:** Council Directive 85/3/EEC on the weights, dimensions and certain other technical characteristics of certain road vehicles; OJ L 2, 3.1.1985; Bull. EC 12-1984, point 2.1.200

Adopted by the Commission on 11 May. The purpose of the communication is to

examine the policy objectives, both general (e.g. safety and the environment) and specific, taking as a frame of reference the question of the dimensions of commercial vehicles. Since Community legislation as a whole covers most of the characteristics of commercial vehicles, but only in the case of the international carriage of goods and passengers by road, the Commission sets out guidelines for the standards required to complete the array of legislative instruments. It suggests, in particular, that the maximum weights and dimensions of vehicles laid down in Directive 85/3/EEC in respect of international transport be extended to apply to national transport.

COM(90) 186

1.2.217. Proposal for a Directive amending, with a view to fixing certain maximum authorized dimensions for road trains, Council Directive 85/3/EEC on the weights and dimensions of certain road vehicles.

- **Directive to be amended:** Council Directive 85/3/EEC; OJ L 2, 3.1.1985; Bull. EC 12-1984, point 2.1.200
- **Commission proposal:** OJ C 316, 16.12.1989; COM(89) 573; Bull. EC 11-1989, point 2.1.187

Opinion of Parliament, 18 May. Favourable in principle. Nevertheless, Parliament requested a longer period of exemption for existing road trains which do not comply with the new specifications regarding load length.

OJ C 149, 18.6.1990

Opinion of the Economic and Social Committee, 30 May. Favourable. The Committee also considers it necessary to introduce legislation standardizing the dimensions of containers and palettes so as to make rational use of loading space. Finally, it stressed the need to extend the scope of Directive 85/3/EEC to cover national transport.

1.2.218. Proposal for a Directive amending Council Directive 84/647/EEC on the use of vehicles hired without drivers for the carriage of goods by road.

- **Directive to be amended:** Council Directive 84/647/EEC: OJ L 335, 22.12.1984; Bull. EC 12-1984, point 2.1.205
- **Commission proposal:** OJ C 296, 24.11.1989; COM(89) 430; Bull. EC 9-1989, point 2.1.128
- **Opinion of Parliament:** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.179
- **Opinion of the Economic and Social Committee:** OJ C 124, 21.5.1990; Bull. EC 3-1990, point 1.1.179

Amended proposal adopted on 21 May. Purpose: to take into account the amendment requested by Parliament with a view to removing, at a later stage, the other restrictive conditions on the use of hired vehicles.

OJ C 150, 19.6.1990; COM(90) 208

Sea transport

1.2.219. Resolution of Parliament on the accidents involving the ferries *Scandinavian Star*, *Norrøna* and others.

- **Reference:** Resolution of Parliament on safety at sea: OJ C 96, 17.4.1989; Bull. EC 3-1989, point 2.1.155

Adopted by Parliament on 17 May. As the investigation carried out on board the *Scandinavian Star* after the accident had revealed a large number of shortcomings and instances of negligence as regards the vessel's compliance with Scandinavian safety standards, Parliament urged the Council to require Member States to submit an annual report on the safety inspections carried out on board ferries and ferry-type vessels. It asked the Commission to put forward, by the end of 1990, proposals relating to harmonization of safety standards and crew training and also proposals on safety checks carried out in the Member States and on tougher penalties. Finally, Parliament considered that an additional inspection system should be set up.

OJ C 149, 18.6.1990

Air transport

1.2.220. Proposal for a Regulation on the operation of air cargo services.

References:

Council Directive 87/601/EEC on fares for scheduled air services between Member States: OJ L 374, 31.12.1987; Bull. EC 12-1987, point 2.1.280

Council Decision 87/602/EEC on the sharing of passenger capacity between air carriers on scheduled air services between Member States and on access for air carriers to scheduled air-service routes between Member States: OJ L 374, 31.12.1987; Bull. EC 12-1987, point 2.1.280

- **Commission proposal:** OJ C 88, 6.4.1990; COM(90) 63, Bull. EC 1/2-1990, point 1.1.255

Opinion of the Economic and Social Committee, meeting of 30 and 31 May. Favourable. The Committee suggested that the 30-day time-limit within which carriers must notify their cargo rates should be reduced to 15 days.

1.2.221. Proposal for a Regulation on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector (→ point 1.2.32).

International cooperation

1.2.222. Contacts between the Commission and the transport ministers of the Federal Republic of Germany, Austria and Italy on certain aspects of road transit through Austria.

Meeting in Rome on 9 May. Austria extended until the end of 1990 the general system of exemption from restrictions on the movement of lorries at night and suspended a measure for introducing standards relating to quiet tyres.

Energy

I

Thermie programme

1.2.223. Proposal for a Regulation on the promotion of energy technology in Europe — Thermie programme.

- **Commission proposal:** OJ C 101, 22.4.1989; COM(89) 121; Bull. EC 3-1989, point 2.1.158
- **Economic and Social Committee opinion:** OJ C 221, 28.8.1989; Bull. EC 7/8-198, point 2.1.209
- **European Parliament opinion:** OJ C 38, 19.2.1990; Bull. EC 1/2-1990, point 1.1.261
- **Amended Commission proposal:** OJ C 111, 5.5.1990; COM(90) 89; Bull. EC 3-1990, point 1.1.184

Agreement in principle by the Council (Energy) on 21 May. The programme seeks to ensure the continuity of the action taken in the past in the context of demonstration projects and industrial pilot projects in the energy field and the programme to support technological development in the hydrocarbons sector, which expired at the end of 1989. The aim of this programme is to create the necessary conditions for the granting of Community financial assistance to projects promoting energy technology in relation to the rational use of energy, renewable energy sources, solid fuels and hydrocarbons.

Projects eligible for Community support will be those which seek to develop, apply and/or promote innovative advanced energy technologies and which entail a considerable technical and economic risk, such that they would very probably not be carried out without Community financial assistance.

The regulation also makes provision for accompanying measures to promote the application and market penetration of energy technologies.

The programme covers a five-year period (1990-94). A budget of ECU 350 million has been allocated for the period 1990-92.

Internal energy market

1.2.224. First progress report.

- **References:**
Commission communication on new Community energy policy objectives for 1995: COM(85) 245; Bull. EC 5-1985, point 2.1.106

Commission White Paper on completing the internal market: COM(85) 310; Bull. EC 6-1985, points 1.2.5 and 1.3.1

Commission working document on the internal energy market: COM(88) 238; Bull. EC 4-1988, points 1.1.1 *et seq.*

Approved by the Commission on 16 May. The report describes the work carried out and the future prospects, as well as the most suitable instruments available to the Community to achieve the internal energy market. Over the past two years the Commission has devoted particular attention to freedom of movement and to conditions of competition on the market. A major effort is being devoted to standardization as a means of promoting the free movement of energy products. The Commission has submitted proposals designed to improve market conditions, relating to public contracts, energy investment, price transparency and gas and electricity transit. Future work will embrace security of supply, the external dimension, improving market transparency, standardization and making the most of networks.

COM(90) 124

Investment projects of interest to the Community

1.2.225. Proposal for a Regulation amending Regulation (EEC) No 1056/72 on notifying the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors.

- **Regulation to be amended:** Council Regulation (EEC) No 1056/72: OJ L 120, 25.5.1972
- **Commission proposal:** OJ C 250, 3.10.1989; COM(89) 335; Bull. EC 7/8-1989, point 2.1.208
- **Initial Council examination:** Bull. EC 10-1989, point 2.1.191

Conclusions adopted by the Council (Energy) on 21 May. The Council agreed to endeavour as a matter of priority to improve the implementation of all the provisions of Regulation (EEC) No 1056/72 and to return, in due course, to the Commission proposal in the light of the experience gained.

Energy and environment

1.2.226. Council conclusions on energy and the environment.

• References:

Council Directive 75/404/EEC on the restriction of the use of natural gas in power stations: OJ L 178, 9.7.1975

Communication from the Commission: COM(89) 369; Bull. EC 11-1989, point 2.1.189

Adopted by the Council (Energy) on 21 May. Purpose: acknowledgement of the need to create an international legal framework to combat the greenhouse effect, the Commission's intention to revise Directive 75/404/EEC on the use of natural gas in power stations, actual and anticipated progress in reducing SO₂ and NO_x emissions and the need to take urgent measures to increase energy savings and improve energy efficiency. The main thrust of the Council's conclusions relates to the use of the best available technology not involving excessive cost, taking economic, standardization and fiscal measures designed to protect the environment and ensuring consistency between the measures to be implemented in the energy sector and those adopted in other areas.

II

General measures

Transparency of energy prices

1.2.227. Proposal for a Directive concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users.

- **Commission proposal:** OJ C 257, 10.10.1989; COM(89) 332; Bull. EC 7/8-1989, point 2.1.207
- **Initial Council examination:** Bull. EC 10-1989, point 2.1.191
- **Economic and Social Committee Opinion:** OJ C 75, 26.3.1990; Bull. EC 1/2-1990, point 1.1.259

Endorsed by the European Parliament on 15 May, subject to some amendments.

OJ C 149, 18.6.1990

Political agreement by the Council (Energy) on 21 May.

Specific aspects

Hydrocarbons

1.2.228. Regulation (EEC) No 1370/90 amending Regulation (EEC) No 2592/79 laying down rules governing the registration of crude oil imports in the Community pursuant to Regulation (EEC) No 1893/79.

- **Basic Regulation:** Council Regulation (EEC) No 1893/79; OJ L 220, 30.8.1979
- **Amended Regulation:** Council Regulation (EEC) No 2592/79; OJ L 279, 24.11.1979
- **Commission proposal:** COM(90) 43; Bull. EC 1/2-1990, point 1.1.263

Adopted by the Council on 21 May.

OJ L 133, 24.5.1990

Electricity

1.2.229. Proposal for a Directive on the transit of electricity through transmission grids.

- **Commission proposal:** OJ C 8, 13.1.1990; COM(89) 336; Bull. EC 7/8-1989, point 2.1.215
- **Initial Council examination:** Bull. EC 10-1989, point 2.1.191
- **Economic and Social Committee Opinion:** OJ C 75, 26.3.1990; Bull. EC 1/2-1990, point 1.1.268
- **European Parliament opinion (first reading):** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.155

Amended proposal adopted by the Commission on 21 May. Purpose: to incorporate a number of amendments requested by the European Parliament.

OJ C 144, 14.6.1990; COM(90) 207

Council political agreement on a common position on 21 May.

International dimension

1.2.230. Cooperation between the Commission and the United States of America in the field of energy.

Annual top-level meeting held in Brussels on 7 May. The topics discussed during these talks, which followed the international conference held by the Commission on the subject of 'Energy for a new century: the European perspective', included the completion of the internal energy market, the environmental challenges facing energy policy, the development of international markets, technologies and energy efficiency, as well as the capability to deal with emergency situations. Mindful of the need to review the main lines of their policy in the energy field in the light of the fundamental changes that have occurred at international level, both sides agreed to continue their talks throughout the process of framing these new policies.

Information, communication and culture

Public awareness

1.2.231. Communication from the Commission to the Council on information and communication policy and work concerning third countries.

Approved by the Commission on 22 May. Objectives: selective and gradual increase in information activities in third countries, new activities in Eastern Europe and the Mediterranean, Asian and Latin American countries. Intensification of activities in the ACP countries, the United States and Japan. 100% increase in the budget for information activities in third countries between 1990

and 1992. Establishment of an interdepartmental steering group to monitor the increase in information activities and ensure coordination between the departments concerned.

1.2.232. Grants awarded by the Commission under the Jean Monnet programme.

- **Reference:** Jean Monnet programme: Bull. EC 6-1989, point 2.1.107

Commission decision. The Commission accepted 220 out of 1 200 applications submitted by 508 universities and institutes for higher education. The projects subsidized will serve to prepare the European public more effectively for the Community developments destined to take place in 1992 and, ultimately, for European union.

Culture

1.2.233. Conclusions of the Ministers for Culture meeting within the Council on the manner in which the European city of culture will be chosen in future and on a special event for European cultural month.

- **References:**
 - Decision of the Council and the Ministers for Culture meeting within the Council on the annual designation of a European city of culture: Bull. EC 11-1984, point 2.1.75
 - Resolution of 13 June 1985 on the European city of culture: OJ C 153, 22.6.1985; Bull. EC 5-1985, point 2.1.61

The Ministers for Culture meeting within the Council adopted the following conclusions on 18 May:

'In regard to the European city of culture Resolution of 13 June 1985, the Ministers for Culture note that designations of cities have been made for the years up to 1996 inclusive and that by then a first round of European Community Member States will have been completed.

They agree that for the years after 1996 not only Member States of the Community but also other European countries basing themselves on the principles of democracy, pluralism and the rule of law should be able to nominate cities for the event.

They will begin to make further designations from 1992 onwards.

They note with interest that the current European city of culture, Glasgow, will call towards the end of the year a meeting of organizers of the different cities of culture, with a view to pooling experience. One conclusion which can already be drawn is that greater publicity should be given to the event in the Member States other than the one in which it is taking place.

In view of the widespread interest in holding the event expressed by European cities both inside and outside the Community, the Ministers agree to create a further cultural event, which would be a special European cultural month to be held each year in one city (from a European country basing itself on the principles of democracy, pluralism and the rule of law), to be known as "Europe in (name of city), 199..". European cultural month should be launched as soon as possible and should in the first instance be for an experimental period.

European cultural month would not affect the standing of the European city of culture or the support granted to it and would not exclude the city concerned from a possible future designation as European city of culture. Some linkage between the European city of culture and the special European cultural month of the same year could be made. The Committee on Cultural Affairs should explore further the modalities of the special European cultural month, including the contribution which the Council of Europe might make to the event.

They note the willingness of the Commission to be associated with the organization of this new event.

A complementary method of bringing European cities outside the Community into a relationship with the European city of culture event (already effected or planned in some cases) would be for a European city of culture, on a voluntary basis, to make a special feature of such a city's culture within its own programme.

The Presidency and the Commission will jointly explore the possibilities for the first years and report to their next meeting on these.'

A people's Europe

I

Campaign against cancer

1.2.234. Europe against cancer programme: Commission report on the

implementation of the first plan of action, 1987-89.

• References:

Resolution of the Council and the representatives of the governments of the Member States meeting within the Council on a programme of action of the European Communities against cancer: OJ C 184, 23.7.1986; Bull. EC 7/8-1986, point 2.1.120

Europe against cancer programme: Proposal for a plan of action 1987-89: OJ C 50, 26.2.1987; COM(86) 717; Bull. EC 4-1988, point 2.1.95

Council Decision 87/551/EEC adopting a research and development coordination programme of the European Economic Community in the field of medical and health research (1987-91): OJ L 334, 24.11.1987; Bull. EC 11-1987, point 2.1.62

Decision 88/351/EEC of the Council and the representatives of the governments of the Member States meeting within the Council adopting a 1988-89 plan of action for an information and public awareness campaign in the context of the Europe against cancer programme: OJ L 160, 28.6.1988; Bull. EC 6-1988, point 2.1.148

Adopted by the Commission on 2 May. The European Community has extended its sphere of action in the fight against cancer to new areas such as discouraging the use of tobacco, improving nutrition, screening, training medical personnel, health information and education, and medical research. Most of the measures proposed in the 1987-89 action plan have been implemented. A budget of ECU 9 million was allocated to the cofinancing of measures in the fields of research, prevention, training, and health information and education. The Commission paid tribute to the financial support provided by non-governmental organizations and the active cooperation of the media in most of the Member States.

COM(90) 185

1.2.235. Decision 90/238/EEC of the Council and the representatives of the governments of the Member States meeting within the Council adopting a 1990-94 action plan in the context of the Europe against cancer programme.

• Commission proposal: OJ C 164, 1.7.1989; COM(89) 210; Bull. EC 5-1989, point 2.1.111

- **Economic and Social Committee opinion:** OJ C 329, 30.12.1989; Bull. EC 10-1989, point 2.1.90
- **Council agreement on substance:** Bull. EC 11-1989, point 2.1.93
- **European Parliament opinion:** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.192
- **Amended Commission proposal:** COM(90) 181; Bull. EC 4-1990, point 1.1.165

Adopted by the Commission on 17 May. This programme follows on from the 1987-89 action plan, on which a Commission report was presented to the Council the same day. It is aimed at increasing knowledge of the causes of cancer and the available means of preventing and treating it, and will contribute to the overall reduction of the risks of cancer, to its prevention, screening and treatment, and to an improvement in the comparability of information on these matters, in particular on the nature and degree of risks of cancer arising from exposure to given substances or processes. The budgetary allocation for the five-year plan is ECU 50 million. This may be increased to ECU 55 million from 1 January 1993.

OJ L 137, 30.5.1990

1.2.236. Council Directive 90/239/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the maximum tar yield of cigarettes.

- **Commission proposal:** OJ C 48, 20.2.1988; COM(87) 720; Bull. EC-1988, point 2.1.48
- **Economic and Social Committee opinion:** OJ C 237, 12.9.1988; Bull. EC 7/8-1988, point 2.4.66
- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.110
- **Council common position:** Bull. EC 11-1989, point 2.1.92
- **European Parliament opinion (second reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.194

Adopted by the Council (Health) on 17 May. Purpose: to lay down limit values dates for introduction:

- (a) 15 mg per cigarette as from 31 December 1992;
- (b) 12 mg per cigarette as from 31 December 1997.

Products already existing on the above dates which do not comply with the Directive may continue to be marketed for two years thereafter. Greece will be granted a temporary derogation.

OJ L 137, 30.5.1990

Women and health

1.2.237. European Parliament resolution on women and health care.

- **Reference:** Council Decision 87/551/EEC adopting a research and development coordination programme of the European Economic Community in the field of medical and health research (1987-91): OJ L 334, 24.11.1987, point 2.1.62

Adopted by Parliament on 15 May. Parliament called on the Member States and the Commission to keep a close eye on compliance in the health sector with the Directives on equal treatment for men and women and asked the Commission in particular to look for possible loopholes in these Directives with respect to those working in the health professions and, if necessary, to submit proposals to close these loopholes. Parliament would also like to see an improvement in the working conditions for women in the health professions and information campaigns to encourage women to take up advanced medical studies and specializations. It also requested adequate health infrastructure for elderly women, the provision of health care for mothers at institutions also able to provide child care for their children, the strict application of identical standards for the safety of hormonal contraceptive products and medicines, and the definition of specific criteria for the use of medicines during pregnancy. It further recommended that doctors be urged to keep the prescription of hormonal preparations to a minimum. Finally, the resolution stressed the importance of the fight against sexual harassment at the place of work and the need for a professional code condemning sexual abuse of patients.

OJ C 149, 18.6.1990

II

Education and youth

1.2.238. Commission report on the implementation of the Erasmus programme and Action II of the Lingua programme in the academic year 1990/91.

- **References:**

Council Decision 89/663/EEC on Phase II of the Community action scheme for the mobility of university students: OJ L 395, 30.12.1989; Bull. EC 12-1989, point 2.1.123

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. EC 7/8-1989, point 2.1.113

Adopted by the Commission on 22 May: 1 100 establishments have submitted applications for Commission support for a total of 2 754 inter-university cooperation programmes (ICPs) for 1990/91. This figure represents an increase of 24% on last year and the number of candidates for mobility grants has increased dramatically from 27 500 to 44 500 over the same period. The Commission has decided to accept 1 748 of these programmes (of which 79 will be financed under Action II of the Lingua programme), broken down as follows:

• Student mobility	1 592
• Teaching staff mobility	277
• Curriculum development	99
• Intensive programmes	114

A budget of ECU 58.8 million is available for the academic years 1990/91.

1.2.239. Conclusions of the Council and the Ministers for Education meeting within the Council on meetings of senior officials in the education sector.

- **References:**

Commission communication entitled 'Education and training in the European Community — Guidelines for the medium term:

1989-92': COM(89) 236; Bull. EC 6-1989, point 2.1.106

Conclusions of the Council and the Ministers for Education meeting within the Council on cooperation and Community policy in the field of education in the run-up to 1993: OJ C 277, 31.10.1989; Bull. EC 10-1989, point 2.1.93

Adopted by the Council (Education) on 31 May. Purpose: to reaffirm the usefulness of regular meetings at Community level between senior officials of the Member States with responsibility for education policy and Commission officials in order to improve mutual understanding of the various education systems, compare education policies and discuss problems of common concern.

1.2.240. Resolution of the Council and the Minister for Education meeting within the Council on the integration of children and young people with disabilities into ordinary systems of education.

- **References:**

Conclusions of the Council and the Ministers for Education meeting within the Council of 14 May 1987 concerning the integration of handicapped children into ordinary schools: OJ C 211, 8.8.1987; Bull. EC 5-1987, point 2.1.106

Council Decision of 18 April establishing a second Community action programme for disabled people (Helios): OJ L 104, 23.4.1988; Bull. EC 4-1988, point 2.1.92

Adopted on 31 May. Purpose: to step up efforts to integrate children and young people with disabilities into mainstream education by promoting cooperation between all interested bodies and by making greater use of the educational potential of new technology. The Council requested that the report called for by July 1992 under the Helios programme should also report on progress in this field and give a summary of the plans and projects which have been devised and implemented.

1.2.241. Conclusions of the Council and the Ministers for Education meeting within the Council on the enhanced treatment of

equality of educational opportunity in teacher training.

- **Reference:** Conclusions of the Council and the Ministers for Education meeting within the Council of 6 October 1989 on cooperation and Community policy in the field of education in the run-up to 1993: OJ C 277, 31.10.1989; Bull. EC 10-1989, point 2.1.93

Adopted on 31 May. Purpose: to insist on the need to increase awareness among teachers of the importance of equality of opportunity in education. The Council called on the Commission to arrange exchanges of information and experience between the Member States in this field in the initial and in-service training of teachers and to submit a progress report to the Council.

Solidarity

1.2.242. European Parliament resolution on the disastrous effects of frosts on fruit production in northern Europe and in particular in Worcestershire and Herefordshire.

Adopted by Parliament on 17 May. Parliament called for compensation for farmers who have lost their complete income because of the severe frosts.

OJ C 149, 18.6.1990

1.2.243. European Parliament resolution on measures to remedy the damage caused by prolonged drought to crop production and stock-rearing in Greece.

Adopted by Parliament on 17 May. Conscious of the disastrous effects of the drought on agricultural production and on the water supply in urban areas, Parliament called on the Commission to take measures to provide assistance to the farmers and stock-rearers affected, to finance special programmes with a view to the rational management of water resources and to draw

up and finance specific contingency plans to deal effectively with any similar situations.

OJ C 149, 18.6.1990

1.2.244. European Parliament resolution on an ERDF-funded Community programme to remedy the damage to the Algarve coast.

Adopted by 17 May. In view of the disastrous effects of the March storms on the Algarve coast (Portugal), Parliament called on the Commission to draw up a programme in the framework of the ERDF to arrange for the joint financing of projects to remedy the damage.

OJ C 149, 18.6.1990

1.2.245. European Parliament resolution on the drought in France.

Adopted on 17 May. Parliament asked the European Community to grant emergency financial aid to the regions of southern France hit by drought.

OJ C 149, 18.6.1990

1.2.246. European Parliament resolution on poor snow conditions in winter sports resorts in Europe.

Adopted on 17 May. Parliament's main request was that the Commission propose concrete measures, where appropriate as a complement to those of the Member States, to help the regions affected, notably in the context of the structural Fund regulations.

OJ C 149, 18.6.1990

Citizens' rights

1.2.247. Resolution of the Council and the representatives of the Member States meeting within the Council on the fight against racism and xenophobia.

- **Reference:** Joint Declaration by the European Parliament, the Council, the representatives of the Member States, meeting within the Council, and the Commission on 11 June 1986

- against racism and xenophobia: OJ C 158, 25.6.1986; Bull. EC 6-1986, point 1.4.1
- **Commission proposal withdrawn:** OJ C 214, 16.8.1988; COM(88) 318; Bull. EC 6-1988, point 2.1.146
 - **Economic and Social Committee opinion:** OJ C 23, 30.1.1989; Bull. EC 11-1988, point 2.1.132
 - **European Parliament resolution on the fight against racism and xenophobia:** OJ C 69, 20.3.1989; Bull. EC 2-1989, point 2.1.82

Adopted by the Council (Social Affairs) on 29 May: The Commission decided to withdraw the proposal for a resolution which it had put before the Council on the grounds that it had been watered down. The resolution adopted was therefore based on a text produced by the Council. In it the Council and the representatives of the Member States listed the measures taken at Community level in the field of education, training and youth policy which could contribute to the fight against racism. They called on the Member States to reflect on the role which the media might play in eliminating racial prejudice, to promote knowledge of foreign languages and cultures and to encourage the civic and professional training of teachers, particularly in areas with a large immigrant population. Finally, they stressed the importance of cooperation between the Community and the Council of Europe in this field.

1.2.248. European Parliament resolution on the events in Carpentras.

- **Reference:** Joint Declaration by the European Parliament, the Council, the representatives of the Member States, meeting within the Council, and the Commission against racism and xenophobia: OJ C 158, 25.6.1986; Bull. EC 6-1986, point 1.4.1

Adopted by Parliament on 17 May. Reacting to the events at Carpentras and disturbed by the rise of racism, xenophobia and anti-Semitism in European countries, Parliament called for the Community to continue its considerations on this problem with a view to finding lasting solutions which respect human rights. It also urged the Committee of Inquiry into Racism and

Xenophobia to put forward proposals for improving implementation of the Joint Declaration against racism and xenophobia.
OJ C 149, 18.6.1990

The fight against drugs

1.2.249. Communication from the Council and the Ministers for Health meeting within the Council concerning future work on the health and social aspects of the fight against drugs.

Adopted on 17 May. Future work will concentrate *inter alia* on prevention through information and education, treatment, social and occupational rehabilitation, cooperation with international organizations and the implementation of international conventions and agreements. The communication also stipulates that Commission proposals and initiatives from future presidencies should be dealt with by the *ad hoc* working party on drug abuse in close cooperation with the Coordinators Group on Drugs (Celad) and the *ad hoc* working party on AIDS.

1.2.250. Coordinators Group on Drugs (Celad).

- **Reference:** Decision by the Strasbourg European Council to set up the Coordinators Group on Drugs (Celad): Bull. EC 12-1989, point 1.1.9

Meeting in Brussels on 29 and 30 May. The Committee devoted most of its meeting to the preparation of guidelines for a European programme to combat drugs. The proposals concern both the Member States and the Community as a whole and cover the following areas: measures to reduce the demand for drugs, measures to eliminate drug trafficking, action at international level and action at domestic level by the Member States.

1.2.251. Proposal for a Regulation on measures to be taken to prevent illicit traffic in narcotic drugs and psychotropic substances (→ point 1.2.6).

Public health

1.2.252. Conclusions of the Council and the Ministers for Health meeting within the Council on the medical and psycho-social care of persons affected by AIDS.

Adopted on 17 May. Purpose: to ask the *ad hoc* working party on AIDS to pursue the exchange of information on developments in early intervention for persons affected by AIDS and in epidemiological monitoring. The Council also called on the Commission to examine the feasibility of developing a consistent approach to the costing of management of care for seropositive patients.

Youth and health

1.2.253. Conclusions of the Council and the Ministers for Health meeting within the

Council on youth and positive health in the Europe of the 1990s.

Adopted on 17 May. The Council and the Ministers for Health adopted the following conclusions:

'Youth and positive health in Europe should be a major concern of public health during future presidencies. The appropriate activities (exchange of experiences, cooperation, Commission proposals) might be determined on a case-by-case basis, taking account of competence and of the principles of subsidiarity and diversity.

Considerable work has been done in the past to further the protection of young people's health. Further work, building on these results, will be required given the particular vulnerability of adolescents in an increasingly competitive market. Health Ministers are now being confronted with the challenge of protecting the health of future generations on whom will depend the economic and social well-being of Europe.

Under these circumstances, priority in future work should be given to the benefits of a positive lifestyle, to the dangers of tobacco, alcohol, drugs and AIDS and to suicide and road accidents.'

3. Role of the Community in the world

Relations with Central and Eastern European countries

I

European Bank for Reconstruction and Development

1.3.1. Articles of Agreement.

- **References:**

Informal meeting of the members of the European Council: Bull. EC 11-1989, point 2.2.17

Conclusions of the Strasbourg European Council: Bull. EC 12-1989, point 1.1.14

Meetings of the intergovernmental conference: Bull. EC 1/2-1990, point 1.2.7; Bull. EC 3-1990, point 1.2.2; Bull. EC 4-1990, point 1.2.2

A proposal for a Decision on the conclusion of the Articles of Agreement was adopted by the Commission on 2 May. In accordance with the conclusions of the Strasbourg European Council, the Community in its own right (represented by the Commission) and the European Investment Bank, as future shareholders, were invited to take part in the intergovernmental conference setting up the EBRD. The discussions were concluded on 9 April and the Commission therefore requested the Council to approve the Agreement reached and to authorize the Commission to represent the Community at the signing ceremony.

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Council Decision, 28 May. The Council decided to sign the Agreement establishing the ERBD, subject to conclusion, on behalf of the Community.

Agreement signed in Paris on 29 May. The signing ceremony for the Agreement establishing the ERBD was hosted by President Mitterrand. Also present were Mr A. Reynolds, Ireland's Finance Minister, and Mr Christophersen, Commission Vice-President. The aim of the new bank, according to Article 1 of the Agreement, is 'in

contributing to economic progress and reconstruction... to foster the transition towards open market-oriented economies and to promote private and entrepreneurial initiative in the Central and Eastern European countries committed to and applying the principles of multiparty democracy, pluralism and market economics'. The Bank's capital, ECU 10 billion, will initially be provided by 42 shareholders — 40 countries, the European Economic Community and the European Investment Bank. The Community, the Member States and the EIB will hold 51% of the Bank's capital, and the Community, represented by the Commission, will have one governor and one member on the board of directors. The ERBD will be able to make or guarantee loans, primarily to enterprises in the private sector, but also for infrastructure and to State-controlled enterprises being privatized or managed according to the principles of free competition. It will also be able to invest in or finance investment in the capital of such enterprises. The Bank will be set up once its Articles of Agreement have been ratified by shareholders accounting for two-thirds of its capital, and it is anticipated that it will be able to begin operating during the first half of 1991.

Assistance for education and training in the countries of Central and Eastern Europe

1.3.2. Regulation (EEC) No 1360/90 establishing a European Training Foundation; Council Decision 90/233/EEC establishing a trans-European mobility scheme for university studies (Tempus).

- **References:**

Informal meeting of the Members of the European Council: Bull. EC 11-1989, point 2.2.17

Conclusions of the Strasbourg European Council: Bull. EC 12-1989, point 1.1.14

Conclusions of the Council meeting of Education Ministers: Bull. EC 12-1989, point 2.2.22

- **Commission proposal:** OJ C 85, 3.4.1990, 3.4.1990 and OJ C 86, 4.4.1990; COM(90) 15

and COM(90) 16; Bull. EC 1/2-1990, point 1.2.6

- **Opinion of Parliament:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.2.5
- **Amended Commission proposal:** OJ C 116, 11.5.1990 and OJ C 119, 15.5.1990; COM(90) 145 and COM(90) 146; Bull. EC 4-1990, point 1.2.5
- **Opinion of the Economic and Social Committee:** Bull. EC 4-1990, point 1.2.5

Adopted by the Council (General Affairs) on 7 May. The European Training Foundation and the Tempus programme should help provide the countries of Central and Eastern Europe with efficient training assistance, and as such are an important element of Community support for the process of reform which is under way in these countries. Tempus, a five-year programme, provides for the establishment of joint training programmes between Central and Eastern European universities and enterprises and their counterparts in at least two Member States, and for the promotion of travel on the part of teachers, students and administrators. The main aim of the Foundation is to help adapt training facilities to the new market conditions. These two initiatives are targeted at all of Central and Eastern Europe, but will operate first for Poland and Hungary.

Funds specially earmarked for these two initiatives in the Community budget may reach ECU 300 million over three years (1990-92). Tempus will be launched during the 1990-91 academic year, and the Regulation setting up the Foundation will enter into force once the Council has decided on the location of its headquarters.

OJ L 131, 23.5.1990

Extending coordinated aid

1.3.3. The Commission's Action Plan for coordinated assistance from the Group of 24 for Bulgaria, Czechoslovakia, the German Democratic Republic, Romania and Yugoslavia.

• References:

Group of 24 ministerial meeting held in Brussels on 13 December 1989; Bull. EC 12-1989, point 2.2.23

Meeting of the Group of 24 held on 16 February; Bull. EC 2-1990, point 1.2.8

Conclusions of the Council meeting held on 2 April; Bull. EC 4-1990, point 1.2.1

Conclusions of the special meeting of the European Council held in Dublin; Bull. EC 4-1990, point 1.8

Adopted by the Commission on 2 May.

This plan is for the attention of the Group of 24 and is being passed to the Council for information. It follows on from the Group's work and is based on the detailed requests made by the five countries in the memoranda they put forward last February. It sets out a number of priority areas for action on the part of the Group, and calls for a special effort to aid economic recovery in the countries concerned. The Commission considers that the implementation of political and economic reform programmes has now reached a stage at which the conditions placed on the granting of coordinated aid by the Group in December 1989 have now largely been met. It emphasizes that urgent attention should be paid to choosing priority targets for coordinated assistance, taking account of the economic situation, individual needs and the capacity of the countries to absorb aid. The Commission has also asked the countries which make up the Group of 24, the Community and the international financial institutions (the ERBD in particular) to collaborate as far as possible, so that the recipients can draw every possible additional advantage from this joint effort. The main directions of the assistance proposed are as follows: improving access to Western markets, supplying food, training, the environment, investment and economic reconstruction, and financial support.

II

Coordination of assistance

1.3.4. Group of 24.

• References:

Western Economic Summit held in Paris and first coordination meeting; Bull. EC 7/8-1989, points 1.1.1 to 1.1.6

Previous meeting: Bull. EC 3-1989, point 1.2.3

Meeting held in Brussels on 22 May. The meeting, chaired by the Commission and attended by senior officials, reviewed the state of progress of Operation Phare (assistance for economic restructuring in Poland and Hungary). The participants also held a preliminary discussion of the Community's action plan for extending this assistance (→ point 1.3.3), placing particular emphasis on the conditions attached to it and the need to modulate its application according to the individual situation of the countries concerned.

Coordinated aid for Poland and Hungary

1.3.5. General guidelines adopted pursuant to Regulation (EEC) No 3906/89 on economic aid for Hungary and Poland.

- **Basic Regulation:** Council Regulation (EEC) No 3906/89 on economic aid to Hungary and Poland: OJ L 375, 28.12.1989; Bull. EC 12-1989, point 2.2.25

Adopted by the Commission on 22 May. The guidelines concern financing decisions for the priority areas: agriculture, investment, the environment and training. The eight operations in question are: environmental protection programmes for Poland (ECU 22 million) and Hungary (ECU 25 million), a Community contribution to the regional environment centre in Budapest (ECU 2 million), a basic technical assistance programme for the Polish privatization agency (ECU 9 million), modernization of Hungary's financial system (ECU 5 million), cooperation in the field of economics with Hungary and Poland (ECU 1.5 million), technical assistance for the implementation of the Tempus programme (→ point 1.3.2) in the two countries (ECU 2 million) and a sectoral import programme for animal feed and feed additives for Poland (ECU 20 million). With earlier programmes, including in particular the import programme for crop protection products for Poland (ECU 50 million) which was

adopted in February, the new decisions have brought the total amount committed in aid to Poland and Hungary so far to ECU 142 million out of an appropriation in the 1990 general budget of ECU 300 million.

1.3.6. The Council gave its assent (No 7/90) in accordance with Article 95 of the Treaty establishing the European Coal and Steel Community to an amended draft Commission Decision on the granting of ECSC loans for industrial projects in Poland and Hungary.

- **Amended draft Commission Decision:** Bull. EC 3-1990, point 1.2.5

Adopted by the Council on 7 May.

OJ C 122, 18.5.1990

Bilateral relations

Bulgaria

1.3.7. Trade and commercial and economic cooperation Agreement between the European Community and the People's Republic of Bulgaria.

- **Negotiations Directives:** Bull. EC 2-1989, point 2.2.25
- **Initiation of negotiations:** Bull. EC 4-1989, point 2.2.12
- **Initialling of Agreement:** Bull. EC 4-1990, point 1.2.6
- **Proposal for a Decision on the conclusion of the Agreement:** Bull. EC 4-1990, point 1.2.6
- **Reference:** conclusions of the Council on the programme of action for the countries of Central and Eastern Europe: Bull. EC 2-1990, point 1.2.5

The Council decided on 7 May to sign the Agreement, subject to conclusion.

The Agreement was signed on 8 May by Mr A. Lukanov, Prime Minister of Bulgaria, Mr G. Collins, Irish Foreign Minister and President of the Council, and Mr Andriessen, Commission Vice-President. Designed to respond to the aim set by the Council, in its conclusions of 5 February, to complete during the first half of the year negotiations for the remaining trade and cooperation

agreements with countries of Central and Eastern Europe, this is a 10-year non-preferential trade agreement relating to trade in industrial and agricultural products, except for those products covered by the ECSC Treaty or sectoral agreements on textiles or agricultural products. As regards trade, the Agreement provides for gradual dismantling by the Community of specific quantitative restrictions, with the possible exception of those applying to a limited number of sensitive products. Dismantling would be complete by 31 December 1995. The Agreement also contains a general safeguard clause which allows unilateral measures to be taken in cases of serious difficulty, and a price clause stipulating that trade in goods should be conducted at market-related prices.

The aims of the Agreement as regards commercial cooperation are to promote, develop and diversify trade on a basis of non-discrimination and reciprocity. Also laid down are the aims, target sectors for development and means of promoting economic cooperation. The Agreement sets up a Joint Committee and contains a clause making revision possible in the event of changes in circumstances.

1.3.8. Mr A. Lukanov visited the Commission on 8 May.

Visiting the Commission for the signing of the trade and commercial and economic cooperation Agreement (→ point 1.3.7), Mr Lukanov, who was accompanied by Mr B. Dimitrov, Foreign Minister, saw Mr Andriessen for talks on the political and economic reforms under way in Bulgaria in the run-up to the general election scheduled for June.

Poland

1.3.9. Humanitarian aid.

Commission Decision of 16 May allocating ECU 1 million for a programme to supply foodstuffs and special medicines for children with chronic ailments. The aid will

be administered by Red Barnet, a Danish charity.

German Democratic Republic

1.3.10. Trade and commercial and economic cooperation Agreement between the European Economic Community and the German Democratic Republic.

- **Negotiating Directives:** Bull. EC 12-1989, point 2.2.39
- **Initialling of Agreement:** Bull. EC 3-1990, point 1.2.9
- **Proposal for a Decision on the conclusion of the Agreement:** Bull. EC 4-1990, point 1.2.9
- **Reference:** Conclusions of the Council of 5 February on the programme of action for the countries of Central and Eastern Europe: Bull. EC 1/2-1990, point 1.2.5

The Countries decided on 7 May to sign the Agreement, subject to conclusion.

The Agreement was signed on 8 May by Mr G. Pohl, Minister for Economic Affairs, Mr G. Collins, Irish Foreign Minister and President of the Council, and Mr Andriessen, Commission Vice-President. The Agreement is designed, in the run-up to unification, to make a positive contribution in terms of trade and cooperation to the forthcoming integration of the territory of the GDR into the Community. The two parties agreed to attach a declaration providing for a review once the two Germanys have concluded agreements on the establishment of a single economic area making amendment of the Agreement necessary. The Agreement in question is a non-preferential trade agreement providing for gradual liberalization by the Community of specific quantitative restrictions, and a safeguard clause and a price clause similar to those figuring in the Agreement with Bulgaria (→ point 1.3.7). The Agreement also covers commercial and economic cooperation. Because of the special situation of the German Democratic Republic, the Agreement does not affect the 1957 Protocol on German internal trade.

1.3.11. Commission communication relating to finance from the European Investment Bank for capital investment in the German Democratic Republic.

- **Reference:** Conclusions of the special meeting of the European Council in Dublin: Bull. EC 4-1990, point I.6

Adopted by the Commission on 18 May. The communication requested the Council to invite the European Investment Bank to make finance available in the GDR for capital projects which satisfied the Bank's normal criteria for operations from its own resources.

Romania

1.3.12. Council Decision authorizing the Commission to negotiate a trade and commercial and economic cooperation agreement between the European Economic Community and Romania.

- **Commission recommendation:** Bull. EC 4-1990, point 1.21.11

Adopted by the Council on 7 May.

Czechoslovakia

1.3.13. Trade and commercial and economic cooperation Agreement between the European Economic Community and European Atomic Energy Community and the Czech and Slovak Federal Republic.

- **Negotiating Directive:** Bull. EC 3-1990, point 1.2.15
- **Proposal for a Decision on the conclusion of the Agreement:** Bull. EC 4-1990, point 1.2.12
- **Reference:** Agreement between the European Economic Community and the Czechoslovak Socialist Republic on trade in industrial products: OJ L 88, 31.3.1989

The Council decided on 7 May to sign the Agreement, subject to conclusion.

The Agreement was signed on 8 May by Mr M. Calfa, the Prime Minister, Mr G. Collins, Irish Foreign Minister and President of the Council, and Mr Andriessen, Commission Vice-President. The Agree-

ment replaces that signed in December 1988, and provides for a more favourable timetable for the dismantling of specific quantitative restrictions, stipulating complete elimination by 31 December 1994, except for a limited number of sensitive products. It is a non-preferential trade agreement, initially for 10 years, which regulates commercial cooperation and also contains a lengthy chapter on economic cooperation, including economic cooperation in connection with energy and nuclear safety. This accounts for its being concluded under the Euratom and EEC Treaties.

1.3.14. Mr Calfa visited the Commission on 7 May.

Accompanied by Mr Dlouchy, Deputy Prime Minister and chairman of the State planning committee, Mr Calfa had talks with Mr Delors on the outlook for relations between Czechoslovakia and the Community.

Soviet Union

1.3.15. Joint Committee

- **Reference:** Agreement between the European Economic Community and European Atomic Energy Community and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation: OJ L 68, 15.3.1990

Initial meeting, held in Moscow on 10 and 11 May. The meeting was opened by Mr E. Shevardnadze, Foreign Minister, and Mr Andriessen, Commission Vice-President. It provided an opportunity for a comprehensive exchange of views on the economic situation in the Community and the Soviet Union, and in particular on the reform under way in the USSR. As regards the implementation of the Agreement, the two delegations decided in particular to step up cooperation on lifting non-tariff barriers and on promoting direct investment and other forms of collaboration between enterprises. They also reviewed the prospects which had opened up in other areas of mutual interest, agreeing in addition to set up subcommittees to deal with customs

cooperation and environmental protection. While in Moscow for the meeting, Mr Andriessen had private talks with Mr Shevardnadze and Mr Sitivian, Vice-Chairman of the Council of Ministers.

1.3.16. Council Regulation (EEC) No 1434/90 implementing certain provisions of the Agreement between the EEC and Euratom and the Union of Soviet Socialist Republics on trade and commercial and economic cooperation.

- Basic Agreement: OJ L 68, 15.3.1990
- Commission proposal: Bull. EC 4-1990, point 1.2.13

Adopted by the Council on 14 May.

OJ L 138, 31.5.1990

Relations with European Free Trade Association countries

I

Negotiations on the establishment of a European economic space

1.3.17. Commission communication and recommendation for a Council Decision authorizing the Commission to negotiate an agreement with the EFTA countries setting up a European economic space.

• **References:**

Statement by President Delors at the inauguration of the new Commission: Bull. EC 1-1989, point 1.1.1

Informal EC-EFTA ministerial meeting: Bull. EC 3-1989, point 2.2.7

Commission communication on future relations between the Community and EFTA: Bull. EC 11-1989, point 2.2.12

Conclusions of the Strasbourg European Council: Bull. EC 12-1989, point 1.1.13

EC-EFTA Ministerial meeting: Bull. EC 12-1989, point 2.2.20

Adopted by the Commission on 8 May. Following its previous communication (November 1989), the Commission reported to the Council on the preparatory work

with the EFTA countries and asked for authorization to open negotiations with the EFTA countries and Liechtenstein, speaking with a single voice, with a view to concluding an agreement on the creation of the European economic space (EES). The Commission proposed that the negotiations should cover the achievement of the four freedoms (freedom of movement of goods, persons, services and capital) within the EES and strengthened cooperation in the areas covered by the back-up policies (research and development, environment, etc.). It stressed the need to maintain the Community's decision-making autonomy, to limit to the strict minimum any exception made for the EFTA countries in the application of existing Community rules and practices and to obtain a real strengthening of EFTA structures.

II

European Free Trade Association

1.3.18. Own-initiative opinion of the Economic and Social Committee on EC-EFTA relations.

Adopted on 30 May. The Community feels that there is a danger that the opening of negotiations on the European economic space (EES) could delay acceptance of the accession applications of EFTA countries which have applied for membership or intend to do so. It concludes that the forthcoming negotiations need to clarify further a number of the objectives of the future EES, and stresses the need for the EFTA countries to speak with a single voice and to accept the relevant Community rules and practices.

Bilateral relations

Austria

1.3.19. Mr Mac Sharry visited Austria on 3 and 4 May.

At the Council of Europe forum on European agriculture in Innsbruck, Mr Mac Sharry met Dr F. Fischler, Austria's Federal Minister of Agriculture and Forestry, with whom he discussed the possibility of Austrian accession to the Community, the forthcoming negotiations between the Community and the EFTA countries, the Uruguay Round, and various aspects of agricultural trade between the two parties.

Finland

1.3.20. Mr H. Holkeri, Prime Minister, visited the Commission on 11 May.

Mr Holkeri, accompanied by Mr P. Salolainen, Minister for Foreign Trade, met Mr Delors, Mr Andriessen, Mr Pandolfi and Mr Bangemann. They discussed the forthcoming negotiations on establishing a European economic space, progress in completing the internal market, prospects for cooperation on research, events in Central and Eastern Europe, and the Uruguay Round.

Sweden

1.3.21. Mr Bangemann visited Sweden on 23 and 24 May.

Mr Bangemann had talks with several government ministers, including Mrs A. Gradin, Minister for Foreign Trade, concerning the changing attitudes of public opinion and the Swedish authorities *vis-à-vis* the Community in the run-up to negotiations on the establishment of a European economic space.

Relations with other industrialized countries

Canada

1.3.22. Annual ministerial meeting — Cooperation Committee.

References:

- Framework Agreement for commercial and economic cooperation between the European Communities and Canada: OJ L 260, 24.9.1976
- Previous ministerial meeting and seventh meeting of the Joint Cooperation Committee: Bull. EC 6-1989, point 2.2.9

Eighth meeting of the Joint Cooperation Committee and ministerial meeting held in Ottawa from 23 to 25 May. The Canadian delegation was led by Mr J. Clark, Secretary of State for External Affairs, and Mr J. Crosbie, Minister for International Trade; the Commission delegation was led by Mr Andriessen, who also had private talks with the Prime Minister, Mr B. Mulroney. The discussions covered a number of topical subjects, including recent events in Europe and their implications for the political and institutional structure of Europe, the Community's relations with the EFTA countries and the countries of Central and Eastern Europe, relations between the Community and North America, the Free Trade Agreement between the United States and Canada, and developments in the Pacific region of Asia. Various aspects of bilateral relations were also examined: the fisheries dispute, the strengthening of cooperation in science and technology, with particular reference to the possibility of negotiating a specific framework agreement, and economic and trade relations, the strong growth of which in recent years was noted.

Japan

1.3.23. Ministerial meeting.

- Reference: Third meeting: Bull. EC 12-1986, point 2.2.14

Fourth meeting, held in Brussels on 29 May. The Japanese delegation included Mr T. Nakayama, Foreign Minister and Mr K. Muto, Minister for International Trade and Industry; the Commission delegation included Mr Andriessen, Mr Bangemann, Mr Ripa di Meana and Mr Mac Sharry. This meeting, the first for three years, resulted in agreed conclusions on bilateral trade relations, export promotion and

strengthening cooperation between the two parties. Recognizing the continued existence of a large trade imbalance, the Commission and the Japanese authorities agreed to establish a working party on trade issues to examine barriers to market access. They also decided to coordinate their efforts to promote European exports to Japan and to step up cooperation in various fields (coordinated assistance from the Group of 24 to the Central and Eastern European countries, science and technology, environmental protection, development assistance, social affairs and cultural exchanges). The potential for cooperation was underlined by the signature of an agreement on nuclear safety (→ point 1.2.112).

Mediterranean, Gulf and Arabian peninsula countries

I

Implementing a new Mediterranean policy

1.3.24. Commission communication on 'Redirecting the Community's Mediterranean policy (1992-96)'.

• **References:**

Commission communication on 'Redirecting the Community's Mediterranean policy': Bull. EC 11-1989, point 2.2.29

Conclusions of the European Council: Bull. EC 12-1989, point 1.1.5

Conclusions of the Council (General Affairs) on 5 February: Bull. EC 1/2-1990, point 1.2.31

Financial Protocols with the southern and eastern Mediterranean countries: OJ L 22, 27.1.1988 (Algeria, Egypt, Jordan, Lebanon, Tunisia); OJ L 224, 13.8.1988 (Morocco); OJ L 327, 30.11.1988 (Israel, Syria)

Adopted by the Commission on 22 May. The communication follows on from the one adopted in November last year and is in keeping with the conclusions of the Strasbourg European Council which con-

sidered that relations between the Community and Mediterranean non-member countries should be broadened and stepped up. The Commission proposes a set of practical guidelines which take account of the situation of the countries concerned and indicates the financial implications for the general budget and the European Investment Bank's own resources. In general terms, the Commission is of the opinion that the Community's support must tie in with the efforts made by the countries themselves to reform their economies and make the necessary adjustments. It also suggests increasing the opportunities for dialogue with its partners on economic and social matters and political issues of common interest.

With regard to debt, the Commission proposes that besides procedures for holding consultations with the Member States in the case of serious crisis, a combination of measures should be taken by creditors, aid donors and the Mediterranean countries themselves (loans, increased private investment, mobilization of domestic saving etc.). In the trade sector, the Commission considers that it is possible to contemplate gradually reincorporating textiles in the free-access arrangements provided for under the cooperation or association agreements in force and that limited changes could be brought in with regard to trade in agricultural products to satisfy the requests of some Mediterranean partners. It also proposes a number of operations directed at all Mediterranean non-member countries relating to the environment, human resources, regional cooperation, joint ventures and projects of common or regional interest.

An indicative amount of ECU 420 million from the budget is proposed for the period 1992-96 and a ceiling of ECU 3 500 million for EIB loans. The Commission also proposes renewing the financial Protocols with the eight southern and eastern Mediterranean countries (Algeria, Egypt, Israel, Jordan, Lebanon, Morocco, Syria and Tunisia) after 31 October 1991, the programmable packages being maintained for each country

and an overall non-programmable packaging being added to support economic reforms. The resources proposed for this total ECU 1 425 million over five years from the general budget and ECU 1 400 million for EIB loans. This set of substantially increased budget proposals forms part of the revised financial perspectives proposal for 1990-92 (→ point 1.5.1), and is based on the assumption that the same trend will be maintained until 1996. These amounts, with the addition of resources for Turkey and Yugoslavia (→ point 1.3.25), which are yet to be decided, constitute a sufficient critical mass for Community aid to have a lasting effect on the economies of the recipient countries.

Yugoslavia

1.3.25. Commission communication on relations between the Community and Yugoslavia.

- **References:**

Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia: OJ L 41, 14.2.1983

Second Protocol on financial cooperation between the European Economic Community and the Socialist Federal Republic of Yugoslavia: OJ L 389, 31.12.1987

Eighth meeting of the EEC-Yugoslavia Cooperation Council: Bull. EC 11-1989, point 2.2.32

Adopted by the Commission on 30 May. The Commission asks the Council for authorization to open negotiations with Yugoslavia with a view to concluding a third financial Protocol. It also sets out technical and financial assistance measures which, in accordance with the decisions of the November 1989 Cooperation Council meeting, should support the economic reform programme carried out by Yugoslavia. It also proposes that coordinated assistance from the Group of 24 should be extended to Yugoslavia, but that this financial aid should not duplicate the funding granted under the financial Protocol. It further states its intention of presenting draft negotiating

directives for an association agreement once the requisite political and economic conditions have been met. Besides the existing provisions, the structure of the agreement could cover the following areas: policy dialogue (exchange of views on urgent bilateral and multilateral issues; setting-up of an association council), trade and freedom of movement (free trade to be achieved in stages), economic cooperation (closer cooperation and economic, scientific and technical ties) cultural cooperation (programmes to establish cultural links), financial cooperation (technical cooperation and assistance on a multiannual basis, with special attention given to the private sector).

Mediterranean countries

Cyprus

1.3.26. *Association Council.*

- **References:**

Agreement establishing an Association between the European Economic Community and the Republic of Cyprus: OJ L 133, 21.5.1973

Protocol laying down the conditions and procedures for the implementation of the second stage of the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and adapting certain provisions of the Agreement: OJ L 393, 31.12.1987

Protocol on financial and technical cooperation between the European Economic Community and the Republic of Cyprus: OJ L 82, 29.3.1990

Twelfth meeting: Bull. EC 11-1988, point 2.2.18

Thirteenth meeting in Brussels on 7 May. The meeting was chaired by Mr G. Iacovou, Cypriot Minister for Foreign Affairs. The Community delegation was headed by Mr. G. Collins, the Irish Foreign Minister and President of the Council, and Mr. Matutes represented the Commission. The two sides reviewed the Association Agreement, noting with satisfaction that their trade relations had been strengthened since the introduction of 1 January 1988 of the Protocol aimed at gradually achieving a customs union.

They also welcomed the entry into force on 1 June of the third financial Protocol and the Cypriot delegation emphasized its country's interest in promoting broader cooperation with the Community and its Member States.

1.3.27. Visit to the Commission by Mr G. Vassiliou, President of Cyprus, on 10 May.

Mr Vassiliou met Mr Delors and Mr Matutes, with whom he discussed the prospects for strengthening links between Cyprus and the Community and the consequences of the failure of the negotiations held on the initiative of the United Nations.

Relations with the Asian countries

I

Cooperation with the countries of Asia and Latin America

1.3.28. Commission communication on guidelines for cooperation with the countries of Latin America and Asia.

• **References:**

Commission report 'Thirteen years of development cooperation with the developing countries of Latin America and Asia': Bull. EC 5-1989, point 2.2.51

Council conclusions: Bull. EC 5-1989, point 2.2.52; Bull. EC 11-1989, point 2.2.55

Adopted by the Commission on 8 May. The guidelines are designed to increase financing and adapt cooperation instruments to the needs of the 40 developing countries concerned, with their population of 2 300 million and their extremely diverse economic, social and cultural situations. The Commission also wishes to ensure that LAA cooperation remains consistent with and runs in parallel with the Community's policies towards the developing countries in the Mediterranean, the ACP States and the countries of Central and Eastern Europe. The Commission proposes to structure its policy along two lines: development aid for

the poorest strata of society and economic cooperation of mutual benefit with regions with a high growth potential. In both cases major importance is attached to the environment. This balanced package of cooperation instruments goes together with multiannual financial targets for the 1991-95 period and implies an increase in the level of financing to a total of ECU 2 900 million.

On the development aid side, the Commission proposes six major areas of action: support for the rural sector in the broad sense, the environment, the human dimension of development, the structural dimension of development, regional cooperation, and reconstruction aid. Three sectors are proposed for economic cooperation: economic, scientific and technical know-how (scientific and technical cooperation, research and development, energy planning), measures concerning the economic environment (planning, standards, investment codes, economic policies), and measures directed at firms (training, technological exchange, investment promotion, trade promotion and technical assistance). With regard to the environment, it is proposed not only to develop cooperation in this field but also to include the environmental dimension in any measures taken under the two main areas of cooperation.

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II

South Asia

Bangladesh

1.3.29. Joint Commission.

• **References:**

Commercial Cooperation Agreement between the European Economic Community and the People's Republic of Bangladesh: OJ L 319, 19.11.1976

Ninth meeting: Bull. EC 5-1988, point 2.2.33

Tenth meeting, Dhaka, 9 and 10 May. The two sides reviewed the various aspects of their relations, covering commercial, industrial and scientific cooperation and energy and training issues. They also discussed matters connected with the Community's contribution to the anti-flood plan and the five-year development programme launched by the Bangladeshi authorities and also the implementation of Community food aid, of which this country remains the second-biggest recipient.

India

1.3.30. Joint Commission.

- **References:**

Commercial and Economic Cooperation Agreement between the European Economic Community and India: OJ L 328, 16.11.1981
Fifth meeting: Bull. EC 3-1988, point 2.2.32

Sixth meeting, Brussels, 30 and 31 May. The meeting, which was preceded by private talks between Mr Nehru, Minister for Commerce, and Mr Matutes, gave the two sides an opportunity to review international economic issues and to examine the main aspects of their cooperation. The delegations expressed their satisfaction at the progress made in economic and industrial cooperation; they also noted an encouraging downturn in India's trade deficit with the Community and confirmed their determination to continue efforts to maintain this trend.

Association of South-East Asian Nations

1.3.31. Visit to the Commission by an interparliamentary delegation on 22 May.

- **References:** Commission communication on guidelines for cooperation with the developing countries of Latin America and Asia (→ point 1.3.28)

The delegation met Mr Matutes, who outlined the recently adopted communication on cooperation with the countries of Asia and Latin America. Mr Matutes confirmed

the Community's willingness to continue its efforts to help the developing countries, notwithstanding the charges in Central and Eastern Europe, and stressed the export opportunities that this region opened up to Asean.

Other countries

Vietnam

1.3.32. Parliament resolution on relations between the Community and Vietnam.

Adopted on 17 May. In the light of the economic and political reforms undertaken in Vietnam and developments in the situation in the region, above all the withdrawal of Vietnamese troops from Cambodia, Parliament called on the Council to accept the establishment of diplomatic relations with Vietnam and advocated the resumption of Community development aid and the introduction of normal trade relations.

OJ C 149, 18.6.1990

Relations with the countries of Latin America

Cooperation with the countries of Latin America and Asia

1.3.33. Commission communication on the guidelines for cooperation with the developing countries of Latin America and Asia (→ point 1.3.28).

Multilateral relations

Andean Group

1.3.34. Community-Andean Pact industrial meetings in Hanover on 7 and 8 May.

These meetings, organized on the occasion of the Hanover Fair, brought together some 60 firms from the Community and the five Andean Pact countries (Bolivia, Colombia, Ecuador, Peru and Venezuela) with a view to promoting various forms of cooperation, particularly regarding capital goods.

1.3.35. Meeting in Brussels between industrialists from the mining sector on 29 and 30 May.

The meeting, in which some 40 firms from both sides took part, was opened by Mr Matutes. Its purpose was to allow industrialists from the Community and the Andean Pact countries to discuss the possibility of developing joint ventures in the mining sector, which is of prime importance for the Andean countries.

Bilateral relations

Chile

1.3.36. Parliament resolution on Chile.

Adopted on 16 May. Expressing its satisfaction at the way in which the elections had been conducted, which represented a major step forward in the restoration of democracy, and at the measures already taken by the new authorities, Parliament called on the Member States to promote closer relations between the Community and Chile in the political, cultural and economic spheres. It also requested the Commission to propose negotiating directives for a wide-ranging cooperation agreement and prepare an aid programme for the Chilean Government. It further asked the Council to give the countries of Latin America access to EIB loans.

OJ C 149, 18.6.1990

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

Renewal of the ACP-EEC Convention

1.3.37. Assent of Parliament to the fourth ACP-EEC Convention.

- **References:** Signing of the Convention in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Adopted on 16 May

OJ C 149, 18.6.1990

Stabex

1.3.38. Report to the Council on the operation during 1989 of the export earnings stabilization system set up by the third Lomé Convention.

- **References:**
Third ACP-EEC Convention, signed in Lomé on 8 December 1984: OJ L 86, 31.3.1986; Bull. EC 12-1984, points 1.5.1 to 1.5.4
1988 Report: Bull. EC 5-1989, point 2.2.37

Adopted by the Commission on 7 May. Transfers totalled ECU 315.35 million, of which ECU 125 million was paid from additional resources. Transfers were made to 25 ACP countries, the main recipients being Ivory Coast and Cameroon. Over three-quarters of the transfers were made to compensate for loss of export earnings for coffee and cocoa.

Financial and technical cooperation

1.3.39. Financing of projects, programmes and emergency aid.

Commission Decisions granting a total of ECU 56 522 000 from fourth, fifth and sixth EDF resources (see Table 2).

Table 2 — *Financing of operations under the fourth, fifth, and sixth EDFs*

(million ECU)

Country	Project/programme	Amount	
		Grants	Special loans
<i>Economic infrastructure</i>			
Burkina Faso	Roads and services in Ouagadougou's commercial area	3.730	
Burundi Rwanda Tanzania	Bukombe-Isaka road	42.000	
<i>Rural production</i>			
Burkina Faso	Improvement of irrigation system	3.420	
Falkland Islands	Agricultural cooperation	1.557	
Equatorial Guinea	Support for the forestry sector	1.190	
<i>Social development</i>			
Member States of Rectas ¹	Vocational training and provision of instructors	3.000	
Uganda	Training programme	1.500	
<i>Emergency aid</i>			
Zaire	Aid for Ugandan and Sudanese refugees in the northern region	0.125	
	Total	56.522	

¹ Regional centre for training in aerial surveys.

General development cooperation

General aspects of development policy

1.3.40. Council resolution on environment and development.

- Reference: Council conclusions of 21 November 1989; Bull. EC 11-1989, point 2.2.47

Adopted by the Council (development) on 29 May. The Council referred to the need to integrate environment and development and listed a number of different ways of achieving this, in particular various practical measures aimed at helping the develop-

ing countries to define their environmental priorities.

1.3.41. Council resolution on the development of tropical forests.

- References:
Commission communication on a Community strategy for conserving tropical forests: Bull. EC 7/8-1989, point 2.1.136
Council resolution on the conservation of tropical forests: Bull. EC 11-1989, point 2.1.126

Adopted by the Council (development) on 29 May. Recognizing the need for a coordinated world strategy, the Council was of the view that funds devoted to conserving forestry resources should be very appreciably increased and centred on aid to developing countries. It considered that social aspects of forestry should be given

particular attention, along with research, and that the non-governmental organizations should be given a bigger role.

1.3.42. Council conclusions on women and development.

- **Reference:** Council conclusions of 9 November 1987: Bull. EC 11-1987, point 2.2.35

Adopted by the Council (development) on 29 May. The Council welcomed the way in which the Commission intended to implement the articles of the new ACP-EEC Convention relating to the role of women in development. It said that it would like this approach to be extended to other areas in addition to the ACP countries.

1.3.43. Council conclusions on the evaluation of development cooperation.

- **References:**
Council guidelines of 9 November 1987: Bull. EC 11-1987, point 2.2.35
Council resolution of 16 May 1989: Bull. EC 5-1989, point 2.2.45

Adopted by the Council (development) on 29 May. The Council endorsed the content of the Commission working paper on evaluation in 1989, presented together with a work programme for 1990 and a study on cooperation between the Member States and the Commission. It asked the Commission to see that the recommendations set out in the report were followed up.

Generalized preferences

1.3.44. Council Regulation (EEC) No 1274/90 applying additional generalized tariff preferences to certain products originating in beneficiary countries and sold at the Berlin 'Partners for progress' fair.

- **Reference:** Council Regulation (EEC) No 1270/89 applying such preferences in 1989: OJ L 127, 11.5.1989; Bull. EC 5-1989, point 2.2.47
- **Commission proposal:** COM(90) 107; Bull. EC 3-1990, point 1.2.54

Adopted by the Council on 7 May.
OJ L 126, 1.5.1990

Commodities and world agreements

Common Fund

1.3.45. Council Decision on the conclusion of the agreement establishing the Common Fund for commodities.

- **References:**
Agreement establishing the Common Fund for commodities: Bull. EC 6-1980, point 2.2.41
First annual meeting of the Governing Council of the Common Fund: Bull. EC 7/8-1989, point 2.2.39
- **Commission proposal:** COM(89) 445; Bull. EC 9-1989, point 2.2.22

Adopted by the Council on 29 May.

Food aid

Food aid management

1.3.46. Council conclusions on food aid policy.

- **Reference:** Council Resolution of 21 November 1989: Bull. EC 11-1989, point 2.2.52

Adopted by the Council (development) on 29 May. The Council looked forward to the integration of food aid with other forms of assistance and recognized the importance of multiannual programmes ensuring continuity in food aid policy. It asked the Commission to present an annual statistical summary of the food aid programme for the preceding year.

1.3.47. Proposal for a Regulation amending Regulations (EEC) No 3972/86 on food aid policy and food aid management, No 2507/88 on the implementation of storage programmes and early warning systems and No 2508/88 on the implementation of cofinancing operations for the purchase of food products or seeds by international bodies or non-governmental organizations.

- **Regulations to be amended:**
Council Regulation (EEC) No 3972/86: OJ L 370, 30.12.1986; Bull. EC 12-1986, point 2.2.31

Council Regulation (EEC) No 2507/88: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, point 2.2.47

Council Regulation (EEC) No 2508/88: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, 2.2.67

• **References:**

Council Decision 87/373/EEC establishing detailed rules for the exercise of implementing powers conferred on the Commission: OJ L 197, 18.7.1987; Bull. EC 7/8-1987, point 2.4.10

Judgment of the Court of Justice of 24 October 1989 in Case 16/88 *Commission v Council*: OJ C 293, 21.11.1989; Bull. EC 12-1989, point 2.7.34

Adopted by the Commission on 4 May. The aim is to bring into general use the management committee formula (procedure II (a) within the meaning of Decision 87/373/EEC) in respect of the three Regulations concerned, in order to rationalize decision-making procedures concerning food aid and other closely related complementary activities, and also to take account of the judgment delivered by the Court of Justice on 24 October 1989 in Case 16/88.

OJ C 134, 1.6.1990; COM(90) 193

1.3.48. Proposal for a Regulation amending Regulation (EEC) No 412/87 on the distribution of the quantities of cereals provided for under the Food Aid Convention for the period from 1 July 1986 to 30 June 1989.

- **Regulation to be amended:** Council Regulation (EEC) No 412/87: OJ L 42, 12.2.1987; Bull. EC 2-1987, point 2.2.27
- **Reference:** Food Aid Convention: OJ L 195, 17.7.1986; Bull. EC 6-1986, point 2.2.47

Adopted by the Commission on 23 May. As the period of validity of the 1986 Food Aid Convention has been extended from 30 June 1989 to 30 June 1991, the aim of the proposal is to renew until the same date the distribution of the quantities of cereals provided under the Convention.

COM(90) 217

Standard food aid

1.3.49. Food aid allocation from the Community budget totalling an estimated ECU 3.36 million.

Bull. EC 5-1990

• **Basic Regulations:**

Council Regulation (EEC) No 3972/86 on food aid policy and food aid management: OJ L 370, 30.12.1986; Bull. EC 12-1986, point 2.2.31

Council Regulation (EEC) No 1420/87 laying down implementing rules for Council Regulation (EEC) No 3972/86 on food aid policy and food aid management: OJ L 136, 26.5.1987; Bull. EC 1987, point 2.2.31

Council Regulation (EEC) No 1750/89 extending Regulation (EEC) No 3972/86; OJ L 172, 21.6.1989; Bull. EC 6-1989, point 2.2.42

Commission Decision 22 May. Purpose: 12 000 tonnes of cereals for Cape Verde

1.3.50. *Parliament resolution on the famine in Ethiopia.*

Adopted on 17 May. Parliament called on the Commission, the Council, the governments of the Member States and also the warring parties to do their utmost to ensure that food supplies reached the worst-affected areas as soon as possible. It also stressed the need for technical assistance to bring about long-term improvements in agricultural methods.

OJ C 149, 18.6.1990

Contributions to the financing of purchases of foodstuffs

1.3.51. Contributions to the purchase of foodstuffs and seeds by international bodies and non-governmental organizations.

• **Basic Regulations:**

Council Regulation (EEC) No 2508/88 on the implementation of cofinancing operations for the purchase of food products or seeds by international bodies or non-governmental organizations: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, point 2.2.67

Council Regulation (EEC) No 1752/89 extending Regulation (EEC) No 2508/88: OJ L 172, 21.6.1989; Bull. EC 6-1988, point 2.2.42

Commission Decisions, 29 May. See Table 7.

Table 7 — Contributions to the financing of purchases of foodstuffs

NGO	Recipient	Community contribution (ECU)	Products
CRIAA ¹	Mozambique	146 879	Maize
Christian Aid	Pakistan	148 877	Ghee
Dutch Interchurch Aid	Thailand	331 734	Rice

¹ Centre for research, information and action for development in Africa.

Emergency aid

1.3.52. Commission decisions granting aid:

- *Palestinians living in the Occupied Territories.* ECU 500 000 to meet the cost of specialized medical services, the purchase of medical equipment and emergency hospital treatment: aid administered by the United Nations Relief and Works Agency for Palestinian refugees in the Near East (ECU 400 000) and the Belgian branch of Médecins sans frontières (ECU 100 000);

- *Recent arrivals in Armenia and Azerbaijan:* ECU 500 000 (300 000 for Armenia and 200 000 for Azerbaijan) to meet the cost of medical programmes (medical teams, medical supplies and equipment, etc.); aid administered by the Belgian branch of Médecins sans frontières.

1.3.53. Parliament resolution on urgent medical and food aid for the victims of Chernobyl in the Ukraine, Byelorussia and Russia.

Adopted on 17 May. Parliament asked that urgent medical and food aid be given to the people directly or indirectly by the disaster and that the necessary approaches be made with a view to organizing holidays in the Community for Ukrainian, Byelorussian and Russian children. It also considered that the broadest possible participation by European scientists in the studies into the effects of the accident should be encouraged.

OJ C 149, 18.6.1990

Cooperation via non-governmental organizations

1.3.54. Projects in developing countries.

Cofinancing by the Commission: commitment of ECU 8.1 million for 45 operations presented by 35 NGOs.

1.3.55. Campaigns to raise European public awareness.

Commission contribution: ECU 626 552 for eight operations.

Cooperation in international forums

United Nations Conference on Trade and Development

1.3.56. Special Committee on Preferences.

- *Reference:* Previous meeting: Bull. EC 4-1989, point 2.2.58

17th meeting, held in Geneva from 14 to 22 May. Mr G. M. Chapare, Zimbabwe, was chairman for the meeting, which was devoted to the 10-year general review of the generalized preferences system. The beneficiary countries highlighted the important part played by the system in expanding their exports and called on the donor countries to extend its scope and make it more effective when it was renewed. There was a favourable response to the Community study examining the 20 or so years of the system's operation, the impact of the varying pace

of economic development in the developing countries and also the role that a new and simplified system would play in international trade. There was further evidence of renewed interest in bilateral consultations, in a number of which the Commission was involved on behalf of the Community. The meeting ended with the adoption of a resolution on the overall review of the system, drawing attention to the importance of a balanced outcome to the Uruguay Round, and also joint conclusions on the rules of origin.

World Food Council

1.3.57. Ministerial meeting.

- **Reference:** previous meeting: Bull. EC 5-1989, point 2.2.56

16th meeting, held in Bangkok from 21 to 24 May. Mr Y. A. Wally, Egypt's Deputy Prime Minister and Minister for Agriculture, was chairman for the meeting, which was devoted mainly to considering the implementation of the conclusions adopted in Cairo in 1989. The participants also discussed the possibility of improving coordination of the work done by the international organizations responsible for agricultural development and food aid.

Commercial policy

General matters

Commercial policy instruments

Import arrangements with State-trading countries

1.3.58. Proposal for a Decision on import quotas to be opened by the Member States in respect of State-trading countries in 1990.

- **Basic Regulation:** Council Regulation (EEC) No 3420/83 on import arrangements for prod-

ucts originating in State-trading countries, not liberalized at Community level: OJ L 346, 8.12.1983

Adopted by the Commission on 8 May. Aim: to adapt for 1990 the quotas currently applicable.

Trade protection

Anti-dumping measures adopted by the Council

1.3.59. Regulation (EEC) No 1361/90 extending the provisional duty on imports of certain types of electronic microcircuits known as DRAMs (dynamic random access memories) originating in Japan.

- **Reference:** provisional duty: OJ L 20, 21.1.1990

Adopted by the Council on 21 May.

OJ L 131, 23.5.1990

Anti-dumping measures adopted by the Commission

1.3.60. Proceeding concerning imports of radio broadcast receivers, of a kind used in motor vehicles, originating in South Korea.

Notice of initiation: 8 May.

OJ L 156, 21.6.1990

1.3.61. Review of measures concerning imports of ferro-silicon originating in Brazil.

- **Reference:** initial definitive duty: OJ L 343, 5.12.1987

Notice of initiation: 3 May.

OJ C 109, 3.5.1990

1.3.62. Review of the measures applicable to imports of certain sheets and plates, of iron or steel, originating in Mexico or Yugoslavia, and reopening of the investigation concerning such imports.

- **References:**
Initial definitive duty on products originating in Mexico: OJ L 330, 21.11.1987
Initial undertakings concerning products originating in Yugoslavia: OJ L 371, 31.12.1986

Definitive duty following breach of undertaking by Yugoslav exporters: OJ L 188, 19.7.1988

Notice of initiation: 12 May.

OJ C 118, 12.5.1990

1.3.63. Review of the anti-dumping measures applicable to imports of certain iron or steel coils, originating in Algeria, Mexico or Yugoslavia and reopening of the investigation concerning such imports.

- **Reference:** initial definitive duty: OJ L 188, 19.7.1988

Notice of initiation: 12 May.

OJ C 118, 12.5.1990

1.3.64. Decision 90/241/EEC accepting undertakings given in connection with the anti-dumping proceeding concerning imports of photo albums originating in South Korea or Hong Kong, and terminating the investigation.

- **Reference:** OJ C 322, 15.12.1988

Adopted by the Commission on 22 May.

OJ L 138, 31.5.1990

1.3.65. Decision 90/240/EEC terminating the proceeding in connection with a review of measures regarding imports of fibre building-board (hardboard) originating in Finland, Argentina, Switzerland or Yugoslavia and repealing Decisions 88/35/EEC and 86/232/EEC accepting the undertakings given by the exporters concerned.

- **Reference:** initial undertakings: OJ L 46, 25.2.1986; OJ L 157, 12.6.1986

Adopted by the Commission on 22 May.

OJ L 138, 31.5.1990

Treaties and trade agreements: extension or automatic renewal

1.3.66. Council Decision 90/235/EEC authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries.

- **Basic Decision:** Council Decision 69/494/EEC on the progressive standardization of agree-

ments concerning commercial relations between Member States and third countries and on the negotiation of Community agreements: OJ L 326, 29.12.1969

- **Commission proposal:** COM(90) 138; Bull. EC 4-1989, point 1.2.55

Adopted by the Council on 21 May.

OJ L 133, 24.5.1990

Individual sectors

Textiles

1.3.67. Proposal for a Decision on the conclusion of an agreement between the European Economic Community and the People's Republic of China on trade in textiles.

- **References:**

Council Decision 88/656/EEC concerning the provisional application of the Agreement between the European Economic Community and the People's Republic of China on trade in textile products: OJ L 380, 31.12.1988; Bull. EC 12-1988, point 2.2.9

Council Regulation (EEC) No 2135/89 on common rules for imports of certain textile products originating in the People's Republic of China: OJ L 212, 22.7.1989

Adopted by the Commission on 23 May.

Aim: the formal conclusion of the Agreement on trade in textile products, which has been applied provisionally since 1 January 1989 and covers the period up to 31 December 1992.

Shipbuilding

1.3.68. Commission communication on the negotiation of an international agreement on adherence to normal and fair conditions of competition in the shipbuilding sector.

Adopted by the Commission on 22 May.

Aim: to request authorization from the Council for the Commission to negotiate, within the OECD, an international agreement on fair competition in the shipbuilding and ship-repair industries.

International organizations and conferences

General Agreement on Tariffs and Trade

Uruguay Round

1.3.69. Parliament resolution on the progress of the GATT Uruguay Round.

• **References:**

Launch of the Uruguay Round: Bull. EC 9-1986, points 1.4.1 to 1.4.4 Mid-term meetings: Bull. EC 12-11988, points 2.2.2 to 2.2.4; Bull. EC 4-1989, points 1.3.1 to 1.3.9

Adopted on 17 May. Considering the negotiations under way to be a first step towards restraining protectionist tendencies, Parliament emphasized the need to transform GATT as soon as possible into an active and effective world trade organization. While it felt that the timetables and objectives set for the work had so far been adhered to, Parliament was worried by continuing differences in some fields and stressed the comprehensive nature of negotiations, which was intended to bring balanced results for all contracting parties. Calling for greater account to be taken of the situation of the developing countries, particularly the poorest, Parliament gave its views on various topics of negotiation. It also asked to be regularly consulted and kept fully informed about the course of negotiations.

OJ C 149, 18.6.1990

General situation

1.3.70. Four-sided meeting in San Francisco from 2 to 4 May.

Mr J. Crosbie, Canada's Foreign Trade Minister, Mr K. Muto, Japan's Minister for International Trade and Industry, Mr Andriessen, Vice-President of the Commission, and Mrs C. Hills, the United States' Trade Representative, discussed in depth the most difficult issues under negotiation. They agreed to collaborate more closely on some issues, particularly the

improvement of dispute settlement procedures and the operation of the GATT system.

Specific progress

1.3.71. Subsidies and countervailing measures — Trade-related investment measures.

Draft agreements were tabled by the chairmen of these two negotiating groups.

Management of the Agreement

1.3.72. Panel report on the Community's anti-dumping duty.

Formally adopted by the GATT Council on 16 May. The report concluded that measures to prevent circumvention of anti-dumping duties by product assembly in the Community were incompatible with Articles III and XX(d) of the Agreement. Reserving its position on the report's arguments, the Commission emphasized that the Community would retain its current legislation until the Uruguay Round produced an acceptable solution to the circumvention of anti-dumping duties.

Organization for Economic Cooperation and Development

1.3.73. Annual ministerial meeting.

• **Reference:** previous meeting: Bull. EC 6-1989, point 2.2.55

Meeting in Paris on 30 and 31 May. The main topics of this meeting, at which the Commission was represented by Mr Andriessen, Mr Christophersen and Mr Mac Sharry, were as follows: the economic situation, on which a mildly optimistic report was presented, and the integration of environmental considerations into economic policy; the multilateral trade system and the Uruguay Round negotiations, where differences emerged on the approach to be used to achieve the objectives laid down for agriculture; relations with non-member countries, on which there was

broad agreement in the Council that the OECD should remain open and active both *vis-à-vis* the developing countries and in respect of newly industrialized countries in Asia and the countries of Central and Eastern Europe.

1.3.74. Council Decision concerning the negotiation of a decision on national treatment within the OECD.

- Commission recommendation: Bull. EC 3-1990, point 1.2.88

Adopted by the Council on 28 May.

Council of Europe

1.3.75. Parliamentary Assembly.

• References:

- Adoption of a resolution creating special guest status: Bull. EC 5-1989, point 2.2.61
- Previous session: Bull. EC 1/2-1990, point 1.2.102

First part of the 42nd session in Strasbourg from 7 to 11 May. The session was attended by 29 delegations, since Czechoslovakia and the German Democratic Republic had been accorded the special guest status already granted to Hungary, Poland, the Soviet Union and Yugoslavia. The six special guest delegations joined in the debate with those of the 23 member countries. Three Heads of State spoke during the session. Mr Drnovsek, President of Yugoslavia's collective State presidency, spoke of the changes needed in his country to establish a new balance between nations and nationalities in a changed political and economic environment. Mr Koivisto, the Finnish President, expressed his hopes for the updating of the Helsinki process. Mr Havel, President of Czechoslovakia, presented a European security plan, involving the setting-up of a European security commission leading to an organization of European States, which would provide a framework for a European confederation. The Chairman of the Committee of Ministers, Mr de Deus Pinheiro, the Portuguese Foreign Minister, gave the customary summing-up of the preceding six months' work. The general policy

debate was devoted to relations with the countries of Central and Eastern Europe, and to Europe's relations with the United States and Canada.

Human rights in the world

Turkey

1.3.76. Parliament resolution on Turkey.

Adopted on 17 May. Parliament called for the repeal of Articles 141, 142 and 163 of the Turkish penal code, relating to freedom of association and freedom of expression and took the view that abolition of the practice of holding prisoners *incommunicado* would be a major contribution towards the elimination of torture in Turkey's police stations. It expressed its deep disapproval of the bloody repression of the demonstrators celebrating 1 May and called on the Turkish authorities to lift the ban on celebrating Labour Day and to release the arrested demonstrators. It welcomed the release of Mr Kutlu and Mr Sargin and hoped that the Turkish people would be enabled to take a decision in the forthcoming elections on the fate of the Communist party led by the two men. It expected the early release of Dr Ismail Besikci — arrested in March 1990 for having published a book entitled 'Kurdistan — colony of several States' which was seized on the grounds that it was 'separatist propaganda' — and all others who have made peaceful use of the right of freedom of expression or association ('prisoners of conscience'). It called on the Turkish Government to cease oppressing and making a criminal offence of the peaceful expression of Kurdish identity and hoped that the opposing parties would make progress towards renouncing violence and contemplating a peaceful and democratic solution to the problem of the Kurdish minority. Lastly, it took the view that the government decision of 9 April 1990 should be withdrawn forthwith; under this decision, on the pretext of combating

terrorism, the freedom of the Press was seriously restricted and measures could be taken which will violate human rights even further, e.g. the prohibition of strikes and the deportation of individual citizens.

OJ C 149, 18.6.1990

Israel

1.3.77. Parliament resolution on Jerusalem.

Adopted on 17 May. Noting that groups of Israeli settlers had been arbitrarily and illegally occupying a building belonging to the Orthodox Patriarchate of Jerusalem since 12 April 1990, and had vandalized and desecrated holy symbols, Parliament expressed its deepest regret at these deplorable occurrences and the attacks on Diodoros, Patriarch of Jerusalem, and the Greek Orthodox Church; it called on the Foreign Ministers of the Twelve to take steps as a matter of urgency to ensure the survival of the Christian communities in the Holy Land and to avoid the confrontations which were on an increasingly dangerous and uncontrollable scale.

OJ C 149, 18.6.1990

United States

1.3.78. Parliament resolution on the death penalty in the United States.

Adopted on 17 May. Concerned about the fate of two condemned men in Virginia and Louisiana, Parliament called on the governors of the two States to commute the death sentence and also called on the various States of the Union in which capital punishment is still used to review their legislation with a view to abolishing the death penalty.

OJ C 149, 18.6.1990

Romania

1.3.79. Parliament resolution on the situation of children in Romanian orphanages.

Adopted on 17 May. Dismayed at the shocking situation prevailing in Romanian

orphanages, five months after the fall of the Ceausescu dictatorship, Parliament called for an immediate ban on the selection methods used in Romanian orphanages, consisting of intelligence tests on children at the age of three, which condemned some of them to certain death by sending them to centres for 'hopeless' cases, which in reality were no more than places to await death. It called on the Commission to suspend all negotiations on trade and cooperation with the Romanian authorities unless they put an immediate end to these selection methods, to draw up in collaboration with the non-governmental organizations a specific emergency programme to restore these centres for handicapped children, and to work together with the Romanian Government, the WHO and non-governmental organizations to implement a special emergency programme geared to the social and health situation facing children in Romania.

OJ C 149, 18.6.1990

Romania and Bulgaria

1.3.80. Parliament resolution on the elections in Romania and Bulgaria.

Adopted on 17 May. Conscious that the elections due to be held in Romania on 20 May would be the first free elections for over 50 years, and that those due to take place in Bulgaria on 10 June would be the first free elections for over 40 years, Parliament called for equal access to the media and balanced election coverage by the media and condemned all intimidation of opposition parties and their candidates in Romania by the National Salvation Front. It called on the governments of the Member States to ensure that observers were sent not only on the day of the election but also during the election campaign in Bulgaria. It also called on the Council, the Foreign Ministers meeting in the political cooperation context and the Commission to make clear to the authorities in Romania and Bulgaria that the continued improvement of their relations with the Community would

depend on the fair conduct of these elections.

OJ C 149, 18.6.1990

USSR

1.3.81. Parliament resolution on the release of Arkady Manutcharov.

Adopted on 17 May. Parliament called for Arkady Manutcharov, president of the organization for the defence of the cultural and political rights of Armenians in the Nagorno-Karabakh autonomous region and an elected member of the Supreme Soviet of Armenia, to be released immediately and to be given a fair trial in the event of Armenia's Supreme Soviet deciding to waive his parliamentary immunity. Parliament stressed that the USSR, which was seeking closer links with the European Community and the Council of Europe, must abide as of now by the principles set out in the European Convention on Human Rights.

OJ C 149, 18.6.1990

1.3.82. Parliament resolution on the fate of Raoul Wallenberg and Vilmos Langfelder.

Adopted on 17 May. Parliament called on the Soviet authorities to reopen the case of Mr Raoul Wallenberg — whose extraordinary humanitarian actions saved some 100 000 Hungarian Jews at the time of the Nazi final solution — and his driver, Mr Vilmos Langfelder. It called on the Soviet authorities to allow an international commission of historians and experts to examine all the archive material and to use the Press, radio and television and all other legal avenues to launch a search throughout the territory of the Soviet Union.

OJ C 149, 18.6.1990

Diplomatic relations

1.3.83. HE Mr Tong Man Kwun, Head of Mission of the Republic of Korea to the European Communities, whose appointment took effect on 7 May, presented his letters of credence to the President of the Council and the President of the Commission.

4. Intergovernmental cooperation

European political cooperation

Burma

1.4.1. The Twelve issued the following joint statement in Dublin and Brussels on 18 May:

'The Twelve have a deep desire to see the establishment of a democratic society in Burma, in which fundamental freedoms and human rights are fully respected. Actions by the Burmese authorities, such as the exclusion of important opposition candidates from the electoral process and the refusal to admit independent foreign observers and representatives of the international press, raise serious doubts about the fairness of the elections.

The Twelve also feel obliged to reiterate their concern at continuing and serious violations of human rights by the Burmese authorities. Actions such as arbitrary arrest and detention, and the forcible relocation of large numbers of civilians from urban to rural areas are a cause for serious concern.

The Twelve earnestly appeal to the Burmese authorities to reverse their present representative and anti-democratic policies and to respect the desire of the Burmese people for the establishment of a democratic society through free and fair elections.'

Israel and the Occupied Territories

1.4.2. The Twelve issued the following joint statement in Dublin and Brussels on 22 May:

'The Twelve are shocked and saddened by the violence which has left at least 18 Palestinians dead

and hundreds injured in Rishon le Zion and the Occupied Territories since 20 May. They extend their condolences to the families and friends of those killed and their sympathy to the injured.

The Twelve deplore the tragic massacre by an Israeli civilian of eight Palestinians in Roshon le Zion. It is a matter of very grave concern to the Twelve that the response of the Israeli authorities to the spontaneous demonstrations which broke out in the Occupied Territories has left a further 10 Palestinians dead and hundreds injured. They have repeatedly raised with the Israeli authorities the question of the use of excessive force to put down manifestations of the Palestinian uprising in the Occupied Territories.

The Twelve earnestly appeal for calm. They call on the Israeli authorities to exercise the utmost restraint. They are also concerned at the risk that violence might spread — a risk illustrated in particular by events yesterday in Amman.

The Twelve see the latest upsurge of violence as symptomatic of the fragility of the situation in the Occupied Territories in the absence of any significant prospect of progress in the direction of a settlement. It underlines, in their view, the imperative of resuming the peace process in a meaningful way at a very early date.

In their contacts with both sides, the Twelve will, on the basis of the principles which they have enunciated in the declarations of Venice (1980), Madrid and Strasbourg (1989), do all they can to promote significant steps in the direction of a comprehensive settlement. They will also be trying to prevent any further hardening of attitudes which could compromise that objective. Moreover, the Community and its Member States will actively pursue their programmes of aid to the population of the Occupied Territories.'

5. Financing Community activities

Budgets

General budget

Financial perspective

1.5.1. Council decision on the adjustment of the financial perspective.

● **References:**

Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure (Points 10 and 11) and the attached financial perspective: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.8

Parliament resolution on the proposals for revision of the financial perspective and adjustment in the light of outturn: OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.4.1

Previous adjustment: Bull. EC 4-1989, points 2.5.2 and 2.5.3

Adopted by the Council on 21 May. Purpose: following the technical adjustment of the financial perspective by the Commission on 21 February, increase in ceilings for commitment appropriations (non-compulsory expenditure) of ECU 157 million in 1991 and ECU 250 million in 1992 under heading 2 (structural operations) and of ECU 63 million in 1991 and ECU 80 million in 1992 under heading 3 (policies with multiannual allocations); consequential adjustment of total commitment appropriations; increase in total payment appropriations required of ECU 466 million in 1991 (including ECU 460 million for non-compulsory expenditure) and ECU 758 million in 1991 (including ECU 650 million for non-compulsory expenditure).

1.5.2. Council decision on the revision of the financial perspective.

● **Commission proposals:** Bull. EC 1/2-1990, point 1.4.1

● **References:**

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

Previous revision: Bull. EC 12-1989, point 2.5.1

Parliament resolution on the proposals for revision of the financial perspective and adjustment in the light of outturn: OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.4.1

Council Regulation (EEC) No 1327/90 amending Regulation (EEC) No 1442/88 on the granting, for the 1988/89 to 1995/96 wine years, of permanent abandonment premiums in respect of wine-growing areas: OJ L 132, 23.5.1990 (→ point 1.2.142)

Adopted by the Council on 21 May. Purpose: increase in the ceiling for heading 2 (structural operations) of an amount of ECU 90 million in 1991, which is equivalent to a gross ECU 250 million, given the Council decision on 27 April to transfer grubbing costs to heading 1 (EAGGF Guarantee); increase in the ceiling for heading 4 (other policies — non-compulsory expenditure) of ECU 200 million in 1990, ECU 1 175 million in 1991 and ECU 1 628 million in 1992; reduction in the ceiling for heading 5 (repayments and administration) of ECU 40 million in 1991 and ECU 150 million in 1992, the amount for 'stock disposal' being reduced by ECU 450 million in 1992; consequential increase in total commitment appropriations and payment appropriations of ECU 200 million, ECU 1 225 million and ECU 1 478 million respectively in 1990, 1991 and 1992.

As regards heading 4, the reasons for increasing the ceiling are as follows: to provide support for the reform process in Central and Eastern Europe, the amounts of non-compulsory expenditure to be taken into account being ECU 500 million in 1990, ECU 820 million in 1991 and ECU 970 million in 1992; to meet the increased financial requirements arising from certain priority policies connected with the implementation of the Single Act and the stepping-up of cooperation with the countries of the Mediterranean, Latin America and Asia.

Budgetary procedure

Supplementary and amending budget

1.5.3. Draft supplementary and amending budget No 2 for 1990.

- **References:**

General budget of the European Communities for 1990: OJ L 24, 29.1.1990; Bull. EC 12-1989, point 2.5.1

Supplementary and amending budget No 1 for 1990: OJ L 62, 12.3.1990; Bull. EC 1/2-1990, point 1.4.2

Decision 86/138/EEC concerning a demonstration project with a view to introducing a Community system of information on accidents involving consumer products (Ehlass): OJ L 109, 26.4.1986; Bull. EC 4-1986, point 2.1.100

Proposal for a Decision amending Decision 86/138/EEC: OJ C 300, 29.11.1989; COM(89) 550; Bull. EC 11-1989, point 2.1.136

Adopted by the Council on 7 May. Purpose: following the adoption of the preliminary draft by the Commission on 15 March, entry in the 1990 budget of ECU 2 517 million (the surplus from 1989) and a token entry for the Ehlass project in the 1990 budget, in order to prevent that project from being temporarily stopped.

1.5.4. Letter of amendment No 1 to the preliminary draft supplementary and amending budget No 2 for 1990.

- **Reference:** draft supplementary and amending budget No 2 for 1990 (→ point 1.5.3)

Adopted by the Commission on 23 May. Purpose: to provide the Commission with an additional ECU 15 million in administrative appropriations in order to cover, as soon as possible, the effects on staff expenditure of the current rise in the Belgian and Luxembourg francs against the ecu and to enable vacant posts to be filled.

Financial operations

ECSC

Loans raised

1.5.5. In May, acting for the ECSC, the Commission made a five-year LIT 200 000

million public issue with an interest rate of 12 $\frac{1}{8}$ %, issued at 101.30%. The proceeds were used for a currency swap.

Loans paid out

1.5.6. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission paid out loans in May totalling ECU 128.5 million.

Industrial loans

1.5.7. Industrial loans (Article 54 ECSC) totalling ECU 22.5 million were made in the United Kingdom.

Conversion loans

1.5.8. Conversion loans (Article 56 ECSC) totalling ECU 105.9 million were made in the Federal Republic of Germany, Spain and the United Kingdom.

Workers' housing

1.5.9. Housing loans totalling ECU 0.1 million were granted for steelworkers and mineworkers in Italy.

Anti-fraud measures

Strategy

1.5.10. Commission notice concerning the judgment of the Court of Justice of 21 September 1989 in Case 68/88.

- **Reference:** Judgment of the Court of 21 September 1989, Case 68/88 *Commission v Greece*: OJ C 266, 18.10.1989; Bull. EC 9-1989, point 2.7.22

Adopted by the Commission on 8 May. Purpose: to give extensive publicity and draw the Member States' attention to the new decisions of the Court, obliging the Member

States to ensure that infringements of Community law are subject to sanctions on conditions which are, in both substance and procedure, analogous with those applicable to infringements of national law.

Results

1.5.11. Proposal for a Regulation on the controls and sanctions applicable under the common agricultural and fisheries policies (→ point 1.2.138).

European Investment Bank

EIB loans in May

1.5.12. In May the European Investment Bank lent ECU 1 010 million for capital investment projects in the Community: ECU 23.6 million in Belgium, ECU 72.3 million in Denmark, ECU 49.3 million in the Federal Republic of Germany, ECU 389.3 million in Spain, ECU 14.5 million in France, ECU 23.2 million in Ireland, ECU 155.3 million in Italy, ECU 21.7 million in the Netherlands, ECU 63.7 million in Portugal and ECU 197.1 million in the United Kingdom.

Outside the Community the EIB lent ECU 23.5 million: ECU 21 million in two Mediterranean countries — Morocco and Malta — and ECU 2.5 million, including ECU 1.5 million from risk capital, in an ACP State — Malawi.

In the Community

Belgium

1.5.13. BFR 1 billion was granted in the form of a global loan for investment projects by small and medium-sized firms in industry and related services throughout Belgium.

Adopted by the Commission on 20 June.

Denmark

1.5.14. Of the DKR 564.1 million lent in Denmark, DKR 494.1 million was granted for the construction of a regional network and local networks for the distribution of natural gas in central and northern Jutland to help diversify energy imports to replace oil. The remaining DKR 70 million was granted to consolidate and expand the sewerage system in Esbjerg, also in Jutland.

Federal Republic of Germany

1.5.15. DM 101 million was granted in the form of a global loan to finance environmental protection projects by industry throughout the Federal Republic.

Spain

1.5.16. Of the PTA 51 billion lent, PTA 42 billion went towards the upgrading of Iberia's air fleet through the purchase of new aircraft and maintenance equipment. This project will help improve air links within the Community and with non-Community countries. The remaining PTA 9 billion went towards the modernization and modification of three refineries in Castile-La Mancha, Catalonia and Galicia to produce more unleaded petrol and petrol with a lower lead content and to generate electricity and steam for industrial purposes.

France

1.5.17. FF 100 million was granted in the form of a global loan to finance investment by small and medium-sized businesses and industries through the leasing of real estate or equipment in the industrial sector throughout France and for tourism and related services in assisted regions.

Ireland

1.5.18. IRL 17.7 million was lent to continue upgrading the Aer Lingus fleet through the purchase of two Boeing 737-400s.

Italy

1.5.19. The Bank granted LIT 233.7 billion, mainly in the form of global loans totalling LIT 154.7 billion, to finance small and medium-scale projects in industry, agro-industry, advanced technologies and environmental protection.

Netherlands

1.5.20. HFL 50 million was lent to finance small and medium-sized firms in industry and related services throughout the Netherlands.

Portugal

1.5.21. Of the ESC 11.5 billion granted, ESC 10.6 billion went in global loans to finance small and medium-scale infrastructure and other projects to develop industry, tourism and related services, including projects to save energy and protect the environment. ESC 890 million went towards the modernization and expansion of a plant manufacturing electrical transformers.

United Kingdom

1.5.22. UKL 144.73 million was lent in the United Kingdom. UKL 80 million was used to improve water supply and sewerage systems in the north-west of England, an area that includes the industrial regions of Manchester and Liverpool, in order to produce better-quality drinking and bathing water. UKL 40 million was granted for the development of two gas fields in the UK sector of the North Sea and UKL 24.7 million was used to modernize a Jaguar body-welding plant in the West Midlands.

Outside the Community**Mediterranean countries**

- Reference: Financial protocols: OJ L 224, 13.8.1988 (Morocco); OJ L 180, 27.6.1989 (Malta)

1.5.23. Under the third financial protocols, ECU 11 million was lent to Morocco for plant to collect and treat effluent in coastal towns and villages in order to improve the environment along the Mediterranean shoreline and ECU 10 million was lent to Malta for the construction of a desalination plant north of Valetta to improve drinking water supplies.

ACP States

1.5.24. ECU 2.5 million, including ECU 1.5 million from risk capital, was lent to Malawi for water supplies in Blantyre, the country's main industrial and commercial centre.

6. Statistics

General

Legislation on statistics

1.6.1. Proposal for a Regulation on the statistical classification of economic activities in the European Communities (NACE).

- **Commission proposal:** OJ C 58, 8.3.1990, COM(90) 1 and Bull. EC 1/2-1990, point 1.5.1

Opinion of the Economic and Social Committee, 30 May. Favourable. The Committee stressed the need to replace the Advisory Committee by a Management Committee, to respect statistical confidentiality and to maintain the quality of the statistical system after the abolition of border checks.

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

- **Decision to be amended:** Council Decision 85/360/EEC — OJ L 191, 23.7.1985

Adopted by the Commission on 8 May. Aim: to extend by three years, at the request of the Greek authorities, the timetable of work for restructuring the system of agricultural surveys in Greece and to increase the Community contribution to two-thirds of the actual expenditure for the period 1991-93.

OJ C 135, 2.6.1990 and COM(90) 192

1.6.3. Proposal for a Council Decision on developing Community tourism statistics.

- **References:**

Commission communication on Community action in the field of tourism of 31 January 1986: Bull. EC 1-1986, point 1.4.1

Resolution of the European Parliament on the promotion and funding of tourism in the Community: OJ C 49, 22.2.1988 and Bull. EC 1-1988, point 2.4.13

Adopted by the Commission on 22 May. Aim: In the light of the approaching single market, to define a Community reference framework to provide the most appropriate concepts and methods for satisfying the

information requirements of users in the field of tourism.

OJ C 150, 19.6.1990 AND COM(90) 211

1.6.4. Commission Decision approving the Italian Government's 1990 programme of the restructuring of the system of agricultural surveys in Italy.

- **Reference:** Council Decision 89/624/EEC: OJ L 359, 8.12.1989 and Bull. EC 11-1989, point 2.6.3

Adopted by the Commission on 22 May.

1.6.5. Amended proposal for a Council Regulation (EEC) on statistics of trade in goods between Member States (→ point 1.2.5).

Results

1.6.6. Economic aspects of the energy economy in 1989. In 1989 gross energy consumption (not adjusted to allow for weather conditions) in the Community was 1 082.2 million toe (tonnes oil equivalent: a standardized conventional unit defined on the basis of a tonne of oil with a calorific value less than 41 860 kilojoules per kilogram). The year-on-year increase in consumption was 20.4 million toe (i.e. +1.9%), which must be seen in the context of the following:

- (i) a 3.8% increase in the industrial production index;
- (ii) an approximately 3.4% increase in the Community's gross domestic product;
- (iii) extremely mild weather: the number of degree-days (calculated as the average for the EC countries with a population weighting) was 2 187 in 1989 as against 2 242 in 1988.

The consumption pattern in the various Member States was as follows:

- (i) considerable increases in Greece (+9.5%), Spain (+9.4%), Portugal (+7.0%) and Luxembourg (+6.1%);

(ii) increased consumption in France (+4.2%), Italy (+3.1%) and the United Kingdom (+1.2%);

(iii) lower consumption in Denmark (-3.9%) and the Federal Republic of Germany (-1.7%).

The situation for the various energy sources was as follows:

(i) increased consumption of all energy sources except primary electricity;

(ii) increases in consumption of 7.9% for nuclear energy, 5.5% for lignite and 4.5% for natural gas;

(iii) an increase in coal and oil consumption of less than 1% (+0.8% and +0.5%).

Primary energy production was 574.7 million toe, which was 2.3% down on 1988. This reduction was due to lower production of oil (-16.5%), coal (-3.2%) and primary electricity (-25.3%); the drop in primary electricity production was a direct consequence of the 1989 drought in the Community.

On the other hand, production of lignite, natural gas and nuclear energy increased by 5.4%, 4.6% and 7.9% respectively.

The production of nuclear energy continued to increase, e.g. +11.9% in Spain, +10.6% in France, +9.6% in the United Kingdom, +9.2% in the Netherlands and +4.1% in the Federal Republic of Germany.

As a result of the divergent trends in consumption and primary production, net imports of energy increased by approximately 40 million toe (+7.9%). This applies to all energy sources. Imports of coal, oil, natural gas and petroleum products

increased by 7.7%, 18.2%, 7.0% and 10.2% respectively.

As for the individual Member States, there were very considerable increases in net imports in Portugal (+20.4%), Spain (+11.2%) and Italy (+9.0%). It is interesting to note that the United Kingdom became a net importer (8.3 million toe) in 1989 after having been a net exporter in 1988; this was the result of a drop of approximately 27 million toe in net oil exports.

The Community's energy dependence rate rose from 46.0% in 1988 to 48.8% in 1989. For oil, the rate rose from 33.6% to 35.7%.

Note: The above figures for 1987, 1988 and 1989 are cumulative figures for the 12 months of the year in question.

Information

Publications

1.6.7. *Tourism in 1987* — Annual statistics on tourism 1987.

Document published in May. In addition to tourism and balance-of-payments statistics, *Tourism in 1987* contains methodological definitions and comments and graphs on trends in tourism in the Community countries. Available from the Office for Official Publications of the European Communities.

1.6.8. *Consumer prices in the EEC — 1988.*

Document published in May. Available from the sales offices for publications of the European Communities.

7. Community institutions

9 May 1950 The birth of Europe

Europe will not be built all at once, nor as a single whole: it will be built by practical achievements which will first of all create real solidarity.

*

On 9 May Robert Schuman proposed the creation of a European coal and steel community to pool the resources that had so cruelly contributed to war in Europe. His Declaration, universally acknowledged as a historic landmark, was the basis on which, in the space of just a few months, the foundations were to be laid for institutions which would give direction to a destiny henceforward shared.

To mark the 40th anniversary of the Declaration the Commission organized a symposium on 'Building a future together' on 8 May. It was addressed by the Presidents of the European Parliament, the Council of Ministers and the Court of Justice, with a closing address by Jacques Delors, President of the Commission.

The full text of their speeches is reproduced in Part Two (Documentation) of this bulletin.

Parliament

Strasbourg: 14 to 18 May

Highlights

1.7.1. Parliament's May part-session looked forward to the forthcoming major intergovernmental conferences which will determine the future of the Community, the discussions on this issue being inextricably linked up with the problem of German unification. Besides the preliminary interinstitutional conference, which Parliament had called to coincide with the part-session (→ point 1.1.2), the high spots were the debate on the conclusions of the special European Council meeting in Dublin, the visit of Mr Lothar de Maizière, Prime Minister of the German Democratic Republic,

and the adoption of a resolution on economic and monetary union (→ point 1.2.1).

In his statement on the Dublin European Council, Mr Charles Haughey, the Irish Prime Minister and President of the Council, confirmed the unanimous support of the Twelve for German unification, and for the preparation in stages of economic and monetary union; he emphasized that the way to political union had been opened with the preparations for a second intergovernmental conference. Mr Helmut Kohl, Chancellor of the Federal Republic of Germany, reaffirmed the internal and external guarantees given as regards the consequences of German unification and, describing that process as a spur to European integration, called on all the partners concerned to take full advantage of the resulting foreseeable stimulus this would give to the economy. President Delors highlighted three causes for great satisfaction with the out-

come of the European Council: German unification had been unanimously welcomed and would receive wholehearted support from the Community; a political signal had been sent to the other European countries; the opening towards political union had been consolidated and been given a precise timetable.

Two resolutions were passed at the end of the ensuing debate. In the first, Parliament expressed its satisfaction that the scope of the forthcoming revision of the Treaties had been extended beyond economic and monetary union, and stressed the need to arrive at a harmonious and coherent final result in the negotiations on economic and monetary union and on political union. The House declared its willingness to initiate a constructive political dialogue with the Member States and the Commission, and confirmed its positions with regard to the constitution of a European union on federal lines. Parliament called for a strengthening of the process of the Conference on Security and Cooperation in Europe and stressed the importance of Community support for the restoration of democracy in the countries of Central and Eastern Europe, and set out the principles which should serve as the basis for the negotiations with the EFTA countries in order to bring about the creation of a European economic area. In the second resolution, more sharply focused on German unification and its impact, Parliament welcomed the European Council's unambiguous support for this process and took note of the undertaking given by the Federal Republic of Germany to keep the Community fully informed of the measures adopted in this connection. The House welcomed the decisions taken to ensure that German unification would go hand in hand with stronger European integration, and the affirmation of the Community's resolve to pursue the development of its external relations.

At a meeting with Parliament organized during the part-session, Mr Lothar de Maizière stressed the need to grasp the opportunity offered by present political circumstances to create a Europe that had forsaken

the cold war and the division between opposing blocs. He welcomed the clear message of the European Council on German unification and highlighted the Commission's role in that process.

During this same part-session, Parliament also dealt with a great many legislative matters, which enabled it to clear much of the backlog that had accumulated since the beginning of the term: 12 opinions (six at first reading, six at second reading) were given under the cooperation procedure, notably with regard to the protection of workers against the risks of exposure to the carcinogens (→ point 1.2.68). The House also gave its opinion on a number of major agricultural proposals concerning trade in equidae (→ points 1.2.178 to 1.2.180) and veterinary protection (→ points 1.2.176 and 1.2.177), and on the proposals relating to the application of competition rules in the field of air transport (→ point 1.2.32), the third programme for the exchange of young workers (→ point 1.2.73), and the characteristics of certain road vehicles (→ point 1.2.217). On the external relations front, while giving its assent to the new ACP-EEC Convention (→ point 1.3.37), the House expressed some dissatisfaction with the terms. Several natural and technological disasters also received attention. On the subject of human rights in the world and within the Community, Parliament passed resolutions on various events, including, the preparations for general elections in Romania and Bulgaria (→ point 1.3.80) and the desecration of the Carpentras cemetery (→ point 1.2.248).

Report of proceedings:
OJ Annex 3-390

Opinions, decisions and resolutions

1.7.2. Parliament adopted opinions (first reading) on Commission proposals concerning:

an amendment to Directive 87/404/EEC on the harmonization of the laws of the Member States relating to simple pressure vessels (→ point 1.2.22);

an amendment to Directive 84/529/EEC on the approximation of the laws of the Member States relating to electrically operated lifts (→ point 1.2.23);

an amendment to Directive 79/196/EEC on the approximation of the laws of the Member States concerning electrical equipment for use in potentially explosive atmospheres employing certain types of protection (→ point 1.2.24);

a Decision on the modules for the various phases of the conformity assessment procedures which are intended to be used in the technical harmonization Directives (→ point 1.2.27);

a Directive on a second general system for the recognition of professional education and training which complements Directive 89/48/EEC (→ point 1.2.66).

1.7.3. Parliament adopted decisions (second reading) on the Council's common positions on proposals concerning:

a Decision on the harmonization of the laws of the Member States relating to non-automatic weighing machines (→ point 1.2.20);

a Directive on the approximation of the laws of the Member States relating to active implantable medical devices (→ point 1.2.21);

a Directive on the protection of workers from the risks related to exposure to carcinogens at work (→ point 1.2.68);

a Decision adopting a specific research and technological development programme in the field of health: human genome analysis (1990-81) (→ point 1.2.87);

a Directive on the establishment of the internal market for telecommunications services through the implementation of open network provision (→ point 1.2.107);

a Directive on package travel, package holidays and package tours (→ point 1.2.124).

1.7.4. Parliament adopted opinions on Commission proposals concerning:

an amendment to Regulation (EEC) No 3976/87 on the application of Article 85(3)

of the Treaty to certain categories of agreements and concerted practices in the air transport sector (→ point 1.2.32);

an amendment to Decision 84/636/EEC on a third programme to promote exchanges of young workers in the Community (→ point 1.2.73);

a Regulation (EEC) on sparkling wines produced in the Community;

Council Regulation (EEC) No 1438/90 amending Regulation (EEC) No 1010/86 laying down the general rules for the production refund on certain sugar products used in the chemicals industry (→ point 1.2.169);

Council Regulation (EEC) No 1436/90 amending Regulation (EEC) No 3033/80 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products (→ point 1.2.170);

a Decision concerning safeguard measures in the veterinary field in the framework of the internal market (→ point 1.2.176);

a Decision on expenditure in the veterinary field (→ point 1.2.177);

a Regulation on animal health conditions governing intra-Community trade in and imports from third countries of live equidae (→ point 1.2.178);

a Regulation on intra-Community trade in equidae intended for participation in competitions (→ point 1.2.179);

a Council Regulation on the zootechnical and genealogical conditions governing intra-Community trade in equidae (→ point 1.2.180);

a Council Regulation laying down animal health requirements for the placing on the market in the Community of animals and products of animal origin not covered in this respect by specific Community rules (→ point 1.2.181);

Regulation (EEC) No 1454/90 relating to the conclusion of the protocol establishing, for the period 1 January 1990 to 31

December 1991, the fishing opportunities and the financial contribution provided for in the Agreement between the European Economic Community and the People's Republic of Mozambique on fisheries relations (→ point 1.2.209);

an amendment to Council Directive 85/3/EEC on the weights, dimensions and certain other technical characteristics of certain utility road vehicles (→ point 1.2.217);

a Directive concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users (→ point 1.2.227).

1.7.5. Parliament gave its assent to the Commission proposal concerning a decision on the conclusion of a fourth ACP-EEC Convention (→ point 1.3.37).

1.7.6. Parliament adopted resolutions on: economic and monetary union (→ point 1.2.1);

the privatization of electricity services in the United Kingdom (→ point 1.2.36);

the spillage of oil off Sines, Portugal (→ point 1.2.116);

EXPO 2000 in Venice (→ point 1.2.120);

the moratorium on commercial whaling (→ point 1.2.121);

the need to give preference to undertakings located in the less-favoured regions and the regions in decline when public works contracts are awarded (→ point 1.2.133);

the laying-up of Community fishing vessels in Namibian fishing grounds and the conclusion of a fisheries agreement between the EC and Namibia (→ point 1.2.210);

the accidents on board the *Scandinavia Star*, the *Norrøna* and other ferries (→ point 1.2.219);

women and health care (→ point 1.2.237);

the disastrous effect of frosts on fruit production in northern Europe, and in particular in Worcestershire and Herefordshire (→ point 1.2.242);

tackling the damage caused by prolonged drought to crop production and stock-rearing in Greece (→ point 1.2.243);

an ERDF-funded Community programme to remedy the damage to the Algarve coast (→ point 1.2.244);

the drought in France (→ point 1.2.245);

poor snow conditions in winter sports resorts in Europe (→ point 1.2.246);

the desecration of graves in Carpentras (→ point 1.2.248);

Community relations with Vietnam (→ point 1.3.32);

Chile (→ point 1.3.36);

the famine in Ethiopia (→ point 1.3.50);

urgent medical and food aid for the victims of Chernobyl in the Ukraine, Byelorussia and Russia (→ point 1.3.53);

the Uruguay Round (GATT) (→ point 1.3.69);

Turkey (→ point 1.3.76);

Jerusalem (→ point 1.3.77);

the death penalty in the United States (→ point 1.3.78);

the situation of children in Romanian orphanages (→ point 1.3.79);

the elections in Romania and Bulgaria (→ point 1.3.80);

the release of Arkady Manutcharov (→ point 1.3.81);

the fate of Raoul Wallenberg and Vilmos Langfelder (→ point 1.3.82);

Parliament's estimates of revenue and expenditure for the financial year 1991;

the Dublin European Council (→ point 1.7.1);

the conclusions of the special meeting of the European Council in Dublin on 28 April 1990 (→ point 1.7.1).

1.7.7. Parliament adopted a decision amending Rule 13(2) of its rules of Procedure on provision for an opening address.

Full text of opinions and resolutions:
OJ C 149, 18.6.1990

Council

1400th meeting

1.7.8. General Affairs
(Brussels, 7 May)

- Previous meeting: Bull. EC 4-1990, point 1.6.7

President: Mr G. Collins, Irish Minister for Foreign Affairs.

Commission: Mr Delors, Mr Andriessen, Mr Christophersen, Mr Cardoso e Cunha, Mr Matutes, Mr Dondelinger and Ms Papandreou.

Main items

Follow-up to the special meeting of the European Council: conclusions (→ point 1.1.1).

Relations with the countries of Central and Eastern Europe — European Training Foundation and Tempus scheme: Regulation and Decision adopted (→ point 1.3.2).

Other business

Plan of action with a view to the extension of the coordinated G-24 assistance to Bulgaria, Czechoslovakia, the German Democratic Republic, Romania and Yugoslavia: policy debate.

Visa policy towards the countries of Central and Eastern Europe: work continued.

German unification: information.

Relations with EFTA: exchange of views.

Relations with Cyprus: Community position determined in preparation for the Association Council.

Follow-up to the special meeting of the European Council — fight against drugs: reports requested.

Economic and monetary union — institutional aspects: information.

Intergovernmental conference — preparation for meeting with the European Parliament: statement by the President.

Audiovisual policy: Commission statement.

1401st meeting

1.7.9. Internal Market
(Brussels, 14 May)

- Previous meeting: Bull. EC 1/2-1990, point 1.6.16

President: Mr D. O'Malley, Irish Minister for Industry and Commerce.

Commission: Mr Bangemann and Sir Leon Brittan.

Main item

Motor vehicle civil liability insurance — approximation of laws: Directive adopted (→ point 1.2.8).

Other business

Motor vehicle civil liability insurance — freedom to provide services: debate.

Protection of computer programs: debate.

Statute for a European company: debate.

Obstacles to public purchase offers: exchange of views.

Pharmaceutical products: exchange of views.

1402nd meeting

1.7.10. Council and Ministers for Health
(Brussels, 17 May)

- Previous meeting: Bull. EC 11-1989, point 2.7.14

President: Mr R. O'Hanlon, Irish Minister for Health.

Commission: Ms Papandreou.

Main items

1990-94 action plan in the context of the Europe against cancer programme: decision adopted (→ point 1.2.235).

Maximum tar content of cigarettes: Directive adopted (→ point 1.2.236).

Fight against drugs: Presidency communication agreed (→ point 1.2.249).

Fight against AIDS: conclusions approved (→ point 1.2.252).

Youth and positive health in the Europe of the 1990s: conclusions adopted (→ point 1.2.254).

Other business

Implementation of the Europe against cancer programme: Commission report.

Advertising of tobacco products: policy debate.

State of work on the rational use of medicinal products for human use: examination.

1403rd meeting

1.7.11. Council and Ministers for Cultural Affairs (Brussels, 18 May)

- **Previous meeting:** Bull. EC EC 5-1989, point 2.7.12

President: Mrs M. Geoghegan-Quinn, Irish Minister of State for EEC matters.

Commission: Mr Dondelinger.

Main item

Manner in which the European city of culture will be chosen in future and special event for European cultural month: conclusions adopted (→ point 1.2.233).

Other business

National treasures possessing artistic, historical or archaeological value in the light of the abolition of internal frontiers in 1992: policy debate.

Cultural education: exchange of views.

Audiovisual policy and the development of the audiovisual industry — Media 1991-95: exchange of views.

Preparatory work regarding cooperation between libraries in the sphere of informatics: Commission report.

European history of Europe.

Nominations for European prizes for literature and translation.

Access to the United States of America for non-American artists.

1404th meeting

1.7.12. Energy (Brussels, 21 May)

- **Previous meeting:** Bull. EC 10-1989, point 2.7.52

President: Mr R. Molloy, Irish Minister for Energy.

Commission : Mr Cardoso e Cunha.

Main items

Promotion of energy technology in Europe — Thermic programme: substance of Regulation agreed (→ point 1.2.223).

Investment projects of interest to the Community in the petroleum, natural gas and electricity sectors: conclusions adopted (→ point 1.2.225).

Energy and the environment: conclusions adopted (→ point 1.2.226).

Transparency of gas and electricity prices charged to industrial end-users: political agreement on a Directive (→ point 1.2.227).

Registration of crude oil imports in the Community: Regulation adopted (→ point 1.2.228).

Transit of electricity through transmission grids: common position adopted (→ point 1.2.229).

Other business

Transit of natural gas through the major systems: policy debate.

Energy for a new century — the European perspective: Commission statement.

1405th meeting

1.7.13. Agriculture
(Brussels, 21 and 22 May)

- Previous meeting: Bull. EC 4-1990, point 1.6.10

President: Mr M. O'Kennedy, Irish Minister for Agriculture and Food.

Commission: Mr Mac Sharry.

Main items

Chemically pure fructose (levulose) — internal aspects: Regulation adopted (→ point 1.2.169).

Aid for skimmed milk processed into caseine or caseinates: Regulation adopted (→ point 1.2.170).

Other business

Marketing standards for eggs: exchange of views.

Marketing standards for poultry: exchange of views.

Use of agricultural commodities in the non-food sector: exchange of views.

Water pollution caused by nitrates: exchange of views.

Implications of German unification for Community agriculture: information.

Fight against foot-and-mouth disease: exchange of views.

Expenditure in the veterinary field: exchange of views.

Intra-Community trade in and imports from third countries of equidae: favourable position on the proposal for a Regulation.

Zootechnical and genealogical conditions governing intra-Community trade in equidae: favourable position on the proposal for a Regulation.

Intra-Community trade in equidae intended for participation in competitions: exchange of views.

1406th meeting

1.7.14. Industry
(Brussels, 28 May)

- Previous meeting: Bull. EC 3-1990, point 1.6.11

President: Mr D. O'Malley, Irish Minister for Industry and Commerce.

Commission: Mr Bangemann, Sir Leon Brittan and Mr Cardoso e Cunha.

Main items

Administrative simplification in favour of small and medium-sized enterprises (SMEs) in the Member States: recommendation adopted (→ point 1.2.129).

Improvement of the business environment in the Community, in particular for SMEs: exchange of views based on a Commission report (→ point 1.2.130).

SME participation in public procurement: conclusions adopted (→ point 1.2.131).

SME participation in Community activities in the field of research and technological development: conclusions adopted (→ point 1.2.132).

Other business

Presentation of the general objectives for steel — 1995: Commission statement.

Shipbuilding: exchange of views.

1407th meeting**1.7.15. Development Cooperation
(Brussels, 29 May)**

- **Previous meeting:** Bull. EC 11-1989, point 2.7.18

President: Mrs M. Geoghegan-Quinn, Irish Minister of State with special responsibility for EEC matters.

Commission: Mr Marín and Mr matutes.

Main items

Environment and development: resolution adopted (→ point 1.3.40).

Tropical forests: resolution adopted (→ point 1.3.41).

Women in development: conclusions adopted (→ point 1.3.42).

Evaluation of development cooperation: conclusions adopted (→ point 1.3.43).

Food aid policy: conclusions adopted (→ point 1.3.46).

Other business

Cooperation with the developing countries of Asia and Latin America: exchange of views based on a Commission statement.

Cooperation with the mediterranean countries: exchange of views based on a Commission statement.

Second United Nations Conference on the least developed countries: exchange of views.

International development strategy: preparation for the United Nations General Assembly.

Lomé IV programming: Commission information.

Events in Central and Eastern Europe: exchange of views.

German unification and development cooperation: information.

1408th meeting**1.7.16. Labour and Social Affairs
(Brussels, 29 May)**

- **Previous meeting:** Bull. EC 11-1990, point 2.7.23

President: Mr B. Ahern, Irish Minister for Labour.

Commission: Ms Papandreou.

Main items

Force programme: Decision adopted (→ point 1.2.62).

Action to assist the long-term unemployed: resolution adopted (→ point 1.2.64).

The dignity of women and men at work: resolution adopted (→ point 1.2.67).

Health and safety of workers at work: two Directives (→ points 1.2.69 and 1.2.70) and a common position (→ point 1.2.71) adopted.

Exchanges of young workers: Decision adopted (→ point 1.2.73).

Fight against racism and xenophobia: resolution adopted (→ point 1.2.247).

Other business

Freedom of movement for workers within the Community: exchange of views.

Social security for migrant workers — non-contributory benefits: work continued.

Briefing by the German delegation on the unification of Germany, as regards social matters in particular.

1409th meeting**1.7.17. Council and Ministers for Education
(Brussels, 31 May)**

- **Previous meeting:** Bull. EC 12-1989, point 2.7.11

President: Mr M. O'Rourke, Irish Minister for Education.

Commission: Ms Papandreou.

Main items

Meetings of senior officials in the education sector: conclusions adopted (→ point 1.2.239).

Integration of children and young people with disabilities into ordinary education systems: resolution adopted (→ point 1.2.240).

Enhanced treatment of equality of educational opportunity for girls and boys in initial and in-service teacher training: conclusions adopted (→ point 1.2.241).

Other business

Preparation of a new agreement concerning the European schools: conclusions adopted.

Distance education and training: debate.

Education for enterprise concept: exchange of views.

Tempus, European Training Foundation and German unification: Commission information.

Mutual recognition of diplomas: Commission information.

1.7.18. The Ministers for Commerce met informally in Dublin Castle on 19 May. Their colleagues responsible for the environment met in Ashford Castle on 23 May.

Commission

Measures taken

1.7.19. In May the Commission adopted the following provisions:

Regulation (EEC) No 1429/90 amending Regulation (EEC) No 1062/87 on provisions for the implementation of the Community

transit procedure and for certain simplifications of that procedure (→ point 1.2.9);

Regulation (EEC) No 1415/90 laying down rates of compensatory interest applicable during the second half of 1990 to customs debts incurred in relation to compensating products or goods in the unaltered state (→ point 1.2.11);

Regulation (EEC) No 1119/90 amending Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (→ point 1.2.12);

Regulation (EEC) No 1264/90 amending Regulation (EEC) No 3179/80 on postal charges to be taken into consideration when determining the value of goods sent by post (→ point 1.2.14);

Regulation (EEC) No 1414/90 amending Regulation (EEC) No 3177/80 on the place of introduction to be taken into consideration in applying Article 14(2) of Council Regulation (EEC) No 1224/80 on the valuation of goods for customs purposes (→ point 1.2.15);

Decision amending the lists of national standards institutions annexed to Directive 83/189/EEC (→ point 1.2.26);

Directive 90/237/EEC amending the Seventeenth Council Directive 85/362/EEC of 16 July 1985 on the harmonization of the laws of the Member States relating to turnover taxes — Exemption from value-added tax on the temporary importation of goods other than means of transport (→ point 1.2.30);

Decision 90/260/EEC concerning the establishment of a Community support framework for assistance from the European Social Fund for Objectives 3 and 4 in Spain (→ point 1.2.63);

recommendation to the Member States concerning the adoption of a European schedule of occupational diseases (→ point 1.2.61);

financial decision concerning an ERDF operational programme for the Basque

country (Spain) for the period 1989-91 (→ point 1.2.76);

financial decisions concerning two French regional programmes, for Lorraine and Nord/Pas-de-Calais (→ point 1.2.78);

decisions concerning the grant of aid from the ERDF for measures to mobilize the indigenous potential of regions in Belgium (Wallonia) (→ point 1.2.82);

decisions concerning the grant of aid from the ERDF for investments in infrastructure in Belgium (Wallonia) (→ point 1.2.83);

projects of Community interest (second set) in the field of regional policy (agreed on in principle) (→ point 1.2.84);

statement on possible adherence by the Community and Member States to the Treaty on the protection of intellectual property in respect of integrated circuits (Washington Treaty) (→ point 1.2.127);

general objectives of steel 1995 (→ point 1.2.135);

Regulation (EEC) No 1279/90 amending Regulation (EEC) No 3813/89 laying down detailed rules for the application of the system of transitional aids to agricultural income (→ point 1.2.141);

decisions approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by Belgium, the Federal Republic of Germany, the Netherlands, Luxembourg, Italy and France (→ point 1.2.175);

Decision 90/231/EEC concerning certain protection measures relating to classical swine fever in the Federal Republic of Germany (→ point 1.2.182);

Commission Decision 90/251/EEC recognizing Greece as an officially swine-fever-free Member State within the context of eradication and amending for the fourth time Decision 81/400/EEC establishing the status of Member States as regards classical swine fever with a view to its eradication (→ point 1.2.183);

Decision 90/254/EEC laying down criteria for approval of breeders' organizations and associations which establish or maintain flock-books for pure-bred breeding sheep and goats (→ point 1.2.184);

Decision 90/255/EEC laying down the criteria governing entry in flock-books for pure-bred breeding sheep and goats (→ point 1.2.185);

Decision 90/256/EEC laying down methods for monitoring performance and assessing the genetic value of pure-bred breeding sheep and goats (→ point 1.2.186);

Decision 90/257/EEC laying down the criteria for the acceptance for breeding purposes of pure-bred breeding sheep and goats and the use of their semen, ova or embryos (→ point 1.2.187);

Decision 90/258/EEC laying down the zoo-technical certificates for pure-bred breeding sheep and goats, their semen, ova or embryos (→ point 1.2.188);

action plan for coordinated assistance from the Group of 24 for Bulgaria, Czechoslovakia, the German Democratic Republic, Romania and Yugoslavia (→ point 1.3.3);

general guidelines adopted pursuant to Regulation (EEC) No 3906/89 on economic aid for Hungary and Poland (→ point 1.3.5);

decision approving the Italian Government's 1990 programme on the restructuring of the system of agricultural surveys in Italy (→ point 1.6.4).

Measures proposed

1.7.20. Proposals to be adopted under the cooperation procedure.

Proposal for a Regulation on administrative cooperation in the field of indirect taxation (→ point 1.2.4).

Amendment to a proposal for a Regulation on the statistics relating to the trading of goods between Member States (→ point 1.2.5).

Proposal for a Directive on advertising of medicinal products for human use (→ point 1.2.7).

Re-examination of the proposal for a third Council Directive (90/232/EEC) on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (→ point 1.2.8).

Re-examination of the proposal for a Regulation on information given by the customs authorities of the Member States on the classification of goods in the customs nomenclature (→ point 1.2.13).

Re-examination of the proposal for a Directive on the protection of workers from the risks related to exposure to carcinogens at work (individual Directive within the meaning of Article 16 of Directive 89/391/EEC) (→ point 1.2.68).

Re-examination of the proposal for a Council Directive on the minimum safety and health requirements for work with display screen equipment (→ point 1.2.70).

Proposal for a Directive amending Council Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work (→ point 1.2.72).

Proposal for a Directive on the frequency bands to be designated for the coordinated introduction of digital European cordless telecommunications in the Community (→ point 1.2.85).

Proposal for a Decision amending Council Decision 89/118/EEC on a European stimulation plan for economic science (1989-92) (SPES) (→ point 1.2.92).

Proposal for a Decision on a specific research and technological development programme in the field of information technology (1990-94) (→ point 1.2.93).

Proposal for a Decision on a specific programme of research and technological development in the field of communication technologies (1990-94) (→ point 1.2.94).

Proposal for a Decision on a specific research and technological development programme in the field of telematic systems in areas of general interest (1990-94) (→ point 1.2.95).

Proposal for a Decision on a specific research and technological development programme in the field of industrial technologies and materials (1990-94) (→ point 1.2.96).

Proposal for a Decision on a specific research and technological development programme in the field of measurements and testing (1990-94) (→ point 1.2.97).

Proposal for a Decision on a specific research and technological development programme in the field of the environment (1990-94) (→ point 1.2.98).

Proposal for a Decision on a specific research and technological development programme in the field of marine science and technology (1990-94) (→ point 1.2.99).

Proposal for a Decision on a specific research and technological development programme in the field of biotechnology (1990-94) (Biotech) (→ point 1.2.100).

Proposal for a Decision on a specific research and technological development programme in the field of agriculture and agro-industry (1990-94) (→ point 1.2.101).

Proposal for a Decision on a specific research and technological development programme in the field of biomedicine and health (1990-94) (→ point 1.2.102).

Proposal for a Decision on a specific research and technological development programme in the field of life sciences and technologies for developing countries (1990-94) (→ point 1.2.103).

Proposal for a Decision on a specific research and technological development programme in the field of non-nuclear energies (1990-94) (→ point 1.2.104).

Proposal for a Decision on a specific research and technological development

programme in the field of human capital and mobility (1990-94) (→ point 1.2.105).

Proposal for a Directive amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against air pollution caused by emissions from diesel engines for use in commercial vehicles (→ point 1.2.113).

Re-examination of the proposal for a Directive on package travel, including package holidays and package tours (→ point 1.2.124).

Amendment to the proposal for a Directive on the transit of electricity through transmission grids (→ point 1.2.229).

1.7.21. Other proposals and recommendations.

Amendment to the proposal for a Directive supplementing the common system of VAT and amending Directive 77/388/EEC (→ point 1.2.3).

Proposal for a Regulation laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances (→ point 1.2.6).

Proposal for a Regulation on the use in the Community of TIR carnets and, as transit documents, of ATA carnets (→ point 1.2.19).

Proposal for a Regulation on the acceptance by the European Economic Community of standard or maximum limits for pesticide residues or maximum limits for veterinary medicinal product residues drawn up under the Joint FAO/WHO Food Standards Programme (→ point 1.2.25).

Proposal for a Regulation amending Regulation (EEC) No 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector (→ point 1.2.31).

Proposal for a Seventh Directive on aid to shipbuilding (→ point 1.2.38).

Proposal for a recommendation on the coordinated introduction of digital European cordless telephones in the Community (→ point 1.2.85).

Proposal for a resolution on the strengthening of Europe-wide cooperation on radio frequencies, in particular with regard to services with a pan-European dimension (→ point 1.2.86).

Proposal for a Decision on the conclusion of cooperation agreements between the European Communities and the Republic of Finland, the Kingdom of Sweden, the Kingdom of Norway, the Republic of Austria and the Swiss Confederation on a European stimulation plan for economic science (SPES) (→ point 1.2.110).

Proposals for Decisions on the conclusion of cooperation agreements between the European Community and the Kingdom of Sweden, the Republic of Finland, and the Swiss Confederation on a research and development programme for the European Economic Community in the field of applied metrology and chemical analysis (BCR) (→ point 1.2.111).

Proposal for a Regulation on action by the Community relating to nature conservation (Acnat) (→ point 1.2.114).

Proposal for a Decision amending Decision 89/45/EEC implementing the system for the rapid exchange of information (→ point 1.2.126).

Proposals for first and second Council Decisions on the extension of legal protection of topographies of semiconductor products in respect of persons from certain countries and territories (→ point 1.2.128).

Proposal for a Regulation on the checks and penalties applicable under the common agricultural and fisheries policies (→ point 1.2.138).

Proposal for a Regulation amending Council Regulation (EEC) No 283/72 concerning irregularities and the recovery of sums wrongly paid in connection with the financing of the common agricultural policy

and the organization of an information system in this field (→ point 1.2.139).

Proposal for a decision on acceptance by the Community of a supplementary catch quota offered by Greenland (→ point 1.2.204).

Proposal for a Regulation allocating supplementary catch quotas between Member States for vessels fishing in Swedish waters (→ point 1.2.206).

Proposal for a Regulation amending Council Regulation (EEC) No 2245/85 laying down certain technical measures for the conservation of fish stocks in the Antarctic (→ point 1.2.207).

Amendment to a proposal for a Directive Council Directive 84/647/EEC on the use of vehicles hired without drivers for the carriage of goods by road (→ point 1.2.218).

Proposal for a Decision on the conclusion of the Agreement establishing the European Bank for Reconstruction and Development (EBRD) (→ point 1.3.1).

Proposal for a Regulation amending Regulations (EEC) No 3972/86 on food aid policy and food aid management, No 2507/88 on the implementation of storage programmes and early warning systems and No 2508/88 on the implementation of co-financing operations for the purchase of food products or seeds by international bodies or non-governmental organizations (→ point 1.3.47).

Proposal for a Regulation amending Regulation (EEC) No 412/87 on the distribution of the quantities of cereals provided for under the Food Aid Convention for the period from 1 July 1986 to 30 June 1989 (→ point 1.3.48).

Proposal for a Decision on import quotas to be opened by the Member States in respect of State-trading countries in 1990 (→ point 1.3.58).

Proposal for a Decision on the conclusion of an agreement between the European Economic Community and the People's

Republic of China on trade in textiles (→ point 1.3.67).

Proposal for a Decision amending Decision 85/360/EEC on the restructuring of the system of agricultural surveys in Greece (→ point 1.6.2).

Proposal for a decision on the development of Community statistics on tourism (→ point 1.6.3).

Communications and reports

1.7.22. In May the Commission adopted the following for transmission to the institutions concerned:

communication on obstacles to takeover and other general bids (→ point 1.2.28);

Fourteenth annual report on the activities of the European Regional Development Fund in 1988 (→ point 1.2.75);

notice to the Member States laying down guidelines for operational programmes which Member States are invited to establish within the framework of a Community initiative concerning the environment (Envi-reg) (→ point 1.2.77);

report on recent developments in high-definition television (HDTV) (→ point 1.2.108);

communication on the conclusion of an agreement between the Japan Atomic Energy Research Institute and the European Atomic Energy Community represented by the Commission of the European Communities, in the field of nuclear material safeguards research and development (→ point 1.2.112);

communication on the participation of the developing countries in the Montreal Protocol (→ point 1.2.118);

report on the Community system for the rapid exchange of information on dangers arising from the use of consumer products (→ point 1.2.125);

report on the improvement of the business environment, in particular for SMEs, in the Community (→ point 1.2.130);

annual report on the situation in the textile and clothing industry (→ point 1.2.134);

report on the implementation of a specific programme for the development of Portuguese industry (Pedip) (→ point 1.2.136);

final report for 1984-88 prepared in accordance with Article 4 of Council Decision 83/641/EEC adopting joint research programmes and programmes for coordinating agricultural research (→ point 1.2.140);

communication on a consistent approach as regards the dimension of commercial vehicles (→ point 1.2.216);

progress report on the internal energy market (→ point 1.2.224);

communication on information and communication policy and work concerning third countries (→ point 1.2.231);

Europe against cancer programme: Commission report on the implementation of the first plan of action, 1987-89 (→ point 1.2.234);

report on the implementation of the Erasmus programme and Action II of the Lingua programme in the academic year 1990/91 (→ point 1.2.238);

communication relating to finance from the European Investment Bank for capital investment in the German Democratic Republic (→ point 1.3.11);

communication and recommendation for a Council Decision authorizing the Commission to negotiate an agreement with the EFTA countries setting up a European economic space (→ point 1.3.17);

communication on redirecting the Community's Mediterranean policy (1992-96) (→ point 1.3.24);

communication on relations between the Community and Yugoslavia (→ point 1.3.25);

communication on guidelines for cooperation with the countries of Latin America and Asia (→ point 1.3.28);

report to the Council on the operation during 1989 of the export earnings stabilization system set up by the third Lomé Convention (→ point 1.3.38);

communication on the negotiation of an international agreement on adherence to normal and fair conditions of competition in the shipbuilding sector (→ point 1.3.68);

notice concerning the judgment of the Court of Justice of 21 September 1989 in Case 68/88 (→ point 1.5.10).

Community lawcourts

Analysis of judgments delivered between 1 January and 31 March 1990

Free movement of goods

Public supply contracts — Reservation of such contracts to undertakings situated in a particular region

1.7.23. Judgment of 20 March, Case C-21/88 *Du Pont de Nemours Italiana v Unita Sanitaria Locale No 2 di Carrara*.

The Court held that the Italian system of regional preferences was prohibited by Article 30 of the Treaty. Italian legislation required that 30% of public supply contracts in Italy be awarded to undertakings established in the Mezzogiorno.

The Court, which was asked for a preliminary ruling, found that products originating in other Member States were the subject of discrimination as compared with products manufactured in the Member State in question and that this constituted an obstacle to the normal flow of intra-Community trade, in violation of Article 30.

This conclusion was not invalidated by the fact that a preferential system of this kind had as restrictive an effect on products manufactured by Italian undertakings established outside the Mezzogiorno as on products manufactured by undertakings established in other Member States.

The Court noted, firstly that although the system did not place all Italian products at an advantage over foreign products, all the products benefiting therefrom were national products and, secondly, that even if a government measure's restrictive effect on imports did not confer an advantage on all national products but only on some of these products, this did not exempt the measure in question from the prohibition laid down in Article 30.

The Court declined to give a ruling on whether the measure in question could be described as 'aid' within the meaning of the Treaty. It was established case-law that Article 92 can in no circumstances be relied on to circumvent the rules of the Treaty on the free movement of goods.

In other words, the fact that a national measure can be described as 'aid' within the meaning of Article 92 is not sufficient reason for exempting that measure from the prohibition laid down in Article 30.

OJ C 105, 27.4.1990

Advertising and consumer protection

1.7.24. Judgment of 7 March, Case C-362/88 *GB-Inno-BM v Confédération du Commerce Luxembourgeois*.

- Reference: Judgment of 15 December 1982, Case 286/81 *Criminal proceedings against Oosthoek's Uitgeversmaatschappij* (1982) ECR 4575

For the first time, the Court ruled that legislation prohibiting a form of advertising and applying without distinction to both imported and national products was incompatible with Article 30.

In the *Oosthoek* case the Court had established the principle that legislation which prohibited certain forms of advertising could constitute an obstacle to imports by forcing the economic operator to alter or abandon a particular type of advertising but had nevertheless found that the legislation in question was justified by the imperative need to protect the consumer.

In this case, however, the Court ruled that legislation which denied consumers access to certain information could not be justified on grounds of consumer protection, since the provision of information was itself one of the main ways of ensuring such protection.

OJ C 92, 11.4.1990

Free movement of persons and services

Freedom to provide services — Act of Accession of Portugal — Employees — Hiring out of staff

1.7.25. Judgment of 27 March, Case C-113/89 *Rush Portuguesa v Office national d'immigration*.

- Reference: Act of Accession of Portugal: OJ L 15.11.1985

The Court held that, in the case of workers who are temporarily posted by a provider of services to the Member State where the work is to be carried out and who then return to their country of origin on completion of their task, the provisions of the Portuguese (and Spanish) Act of Accession whereby the other Member States may make immigration and access to employment subject to prior authorization were not applicable. The temporary relocation of persons working for a provider of services should be governed by the rules of freedom to provide services. In the case of Portugal this freedom had been fully effective (in the building and public works sector as elsewhere) since the accession of that Member State to the Community.

The host country must be able to verify, however, whether a Portuguese undertaking

in the building and public works sector is not using the freedom to provide services for some other purpose, for example, to bring in staff with a view to placing them in employment or hiring them out in breach of Article 216 of the Act of Accession.

The Court also made it clear that the Community rules do not prevent Member States from extending their legislation or collective labour agreements to any person in paid employment (even of a temporary nature) on their territory, irrespective of the country in which the employer is established; nor does Community law prohibit Member States from enforcing these rules by appropriate means.

This ruling means, therefore, that in future each case will have to be examined individually to ascertain whether the services provided fall within the building and public works sector or constitute the hiring-out of workers.

Competition — State aids

Competition — Definition of agreement — Export ban — General framework for commercial relations between companies — Grounds for reduction in fine

1.7.26. Judgment of 11 January, Case C-277/87 *Sandoz Prodotti Farmaceutici v Commission*.

- Reference: Commission Decision 87/409/EEC relating to a proceeding under Article 85 of the EEC Treaty: OJ L 222, 10.8.1987

The Court, whilst reducing the amount of the fine, rejected the application lodged by Sandoz (Italy) against Decision 87/409/EEC whereby the said company was found to have infringed Article 85(1) of the Treaty in that, until the Commission's intervention, it had been Sandoz's practice to send invoices to its customers bearing the words 'not to be exported'.

The main interest of the *Sandoz* ruling resides in the fact that the Court clearly

established that the invoices bearing the abovementioned words were not purely unilateral documents but constituted an agreement within the meaning of Article 85(1) of the Treaty, given the standard nature of the practice in question and the tacit acquiescence of customers.

On the other hand, the Court reduced the amount of the fine on the grounds that the undertaking to which the Decision was addressed had desisted from the infringement as soon as the Commission had intervened.

OJ C 28, 7.2.1990

State aids — Monitoring of aids — Capital contributions, provision of loans at reduced rates of interest and reductions in social security charges

1.7.27. Judgment of 14 February, Case C-301/87 *France v Commission* ('*Boussac*').

- Reference: Judgment of 13 March 1985, Joined Cases 296 and 318/82 *Leeuwarder Papierfabriek v Commission* [1985] ECR 809.

The Court took a further step towards ensuring full compliance with the arrangements for monitoring State aids, particularly as regards:

(i) the procedural rules laid down in Article 93(3) which oblige Member States to notify aids at the draft stage so that the Commission can decide on their compatibility with the Treaty before they are complemented;

(ii) the obligation on Member States to recover any aid which does not qualify for one of the derogations specified in Article 92 and is therefore incompatible with the common market.

The obligation to recover such aid has given rise to a considerable volume of litigation in recent years. It poses some very difficult problems with regard to the principle of legitimate expectations, given the very long periods which frequently elapse between the granting of the aid to an undertaking and the adoption of a negative decision by the Commission. In the case in question, for

example, Boussac received some of the aid in 1982 but a final decision was not taken until July 1987.

The reasons why the procedure took so long include:

- (i) the need for the Commission to give detailed reasons for a negative decision and thus satisfy the formal requirements arising from the *Leeuwarder* ruling of 1985; and
- (ii) the lack of cooperation from the Member States in providing the information needed by the Commission to conclude the administrative investigations initiated under Article 93(2).

The Court, whilst mindful of previous rulings on time taken, acknowledged the concern expressed by the Commission by outlining new measures to counteract any infringement (by the Member States) which could have the effect of thwarting the procedural rules contained in Article 93(3) and to prevent aids which were substantially compatible with the common market from being prohibited by the Commission solely because of formal irregularities.

Thus, if the Commission finds:

- (i) that an aid has been introduced without prior notification; or
- (ii) that an aid has been duly notified but has been implemented by the Member State before the end of the procedure laid down in Article 93(2) and (3) of the Treaty,

it may, after giving the Member State the opportunity to submit its views, adopt a provisional decision (pending the outcome of the investigations) requiring the Member State:

- (a) to suspend forthwith the payment of the aid in question; and
- (b) to provide the Commission, within a time-limit fixed by the Commission, with all the documents, information and facts necessary for deciding whether such aid is compatible with the common market.

If the Member State fails to suspend payment of the aid, the Commission has the right, whilst continuing its investigations,

to refer the matter directly to the Court as an infringement of the Treaty.

If the Member State fails to provide the information requested, the Commission has the power to terminate the procedure and to decide, on the basis of the facts at its disposal, whether the aid in question is compatible or incompatible with the common market.

OJ C 61, 10.3.1990

State aid — Recovery

1.7.28. *Judgment of 21 March, Case C-142/87 Belgium v Commission.*

- **References:**

- Commission Decision 87/418/EEC concerning aid to a Belgian steel pipe and tube manufacturer (OJ L 227. 14.8.1987)
- Judgment of 14 February 1990 (→ point 1.7.27)

The Court rejected Belgium's application for the annulment of Decision 87/418/EEC, whereby the Commission had found that the various types of financial assistance (approximately BFR 12 billion) granted by the Belgian State to Tubemeuse constituted illegal aid which contravened Article 95(3) of the Treaty and was incompatible with the common market within the meaning of Article 92 of the Treaty and should therefore be recovered.

The Court reiterated the procedural points made in its ruling in Case C-301/87 as regards the consequences of infringements of Article 93(3) and the Commission's powers to take provisional decisions.

For the purposes of determining whether the Belgian Government's funding of Tubemeuse amounted to State aid, the Court held that it was pertinent to apply the criterion outlined in the Commission decision, namely the likelihood of the company obtaining the funds in question on the capital market. In this specific case, such funding was unlikely, given the company's lack of profitability.

Such aid could affect the competitive position of other Community undertakings in

the sector concerned and could thus influence trade and distort competition within the meaning of Article 92(1), even if the company receiving the aid exported almost all of its production to destinations outside the Community, given the interdependence of the markets on which Community undertakings operated and the recession (and consequently keener competition) now obtaining on the world market for seamless steel tubes.

In this context the Court pointed out that trade between Member States could be affected even if relatively little aid was granted or the company receiving the aid was relatively small.

OJ C 101, 21.4.1990

Commercial policy

Anti-dumping duty — Determination by reference to a threshold price — Level of the threshold price fixed in the currency of a third country

1.7.29. Judgment of 27 March, Case C-189/88 *Cartorobica v Ministero delle Finanze dello Stato*.

This judgment has some interesting implications for anti-dumping measures as far as the fixing of the threshold price in dollars rather than ecus is concerned. The Court made the point that no provisions in Community law required that the threshold price used to calculate the anti-dumping duty in question should be expressed in ecus. Moreover, the Council had not exceeded its powers of discretion in this matter by deciding to fix the threshold price in dollars, for one reason because this price reflected the normal market value of the dumped goods in the United States of America.

The Court also found that any anti-dumping duty, irrespective of its nature and irrespective of the currency in which it was fixed or to which it referred, could be influenced by fluctuations in exchange rates and that, as the Community rules stand at the moment, the Community institutions are no

more able to control the fluctuations of the ecu than those of any other currency.

Dumping — Admissibility of applications for annulment

1.7.30. *Judgments of 14 March, Case C-156/87 Gestetner Holding v Council and Commission and Joined Cases C-133/87 and C-150/87 Nashua Corporation v Commission and Nashua Corporation and Others v Council*.

The judgment in the *Nashua* cases have important implications for the admissibility of proceedings brought under the second paragraph of Article 173 of the Treaty.

The Court held that the rejection by the Commission (in the context of anti-dumping proceedings) of a proposed undertaking was not a measure having binding legal effects of such a kind as to affect the interests of the applicant, since the Commission could revoke its decision or the Council could decide not to introduce an anti-dumping duty. Such a rejection was an intermediate measure whose purpose was to prepare for the final decision and was not therefore a measure which could be challenged.

The Court also pointed out that a regulation imposing different anti-dumping duties on a number of traders was of direct concern to any one of the latter only in respect of those provisions which imposed on that trader a specific anti-dumping duty and determined the amount thereof, and not in respect of those provisions which imposed anti-dumping duties on other undertakings. Consequently, the claim for the annulment of the contested regulation in its entirety had to be rejected.

Lastly, the Court held that a regulation which dealt with dumping by the producer could be of direct and individual concern (within the meaning of the second paragraph of Article 173 of the Treaty) to the applicant, who is an 'original equipment manufacturer', that is to say, a company supplying under its own brand name prod-

ucts manufactured by other undertakings (in this case, plain paper copiers). In the contested regulation the Community institutions had set the costs and profit margins of the Japanese producers at different levels from those calculated for sales of PPCs marketed under their own brand name.

OJ C 92, 11.4.1990

Taxation

Sixth VAT Directive —
Territorial scope — Transport between two points within the national territory but occurring partly outside such territory

1.7.31. Judgment of 13 March, Case C-30/89 *Commission v France, supported by Spain*.

- **References:** Sixth Council Directive 77/388/EEC on the harmonization of the laws of the Member States relating to turnover taxes — Common system of value-added tax: uniform basis of assessment: OJ L 145, 13.6.1977; OJ L 149, 17.6.1977

The Court had to decide whether France was obliged to make available to the Commission, as own resources, the VAT on that part of the transport service between mainland France and Corsica which occurs in or above international waters.

The Court did not accept the wider interpretation advocated by the Commission, holding that the sole obligation which the Sixth Directive imposed on Member States as regards the taxation of transport services was that they must subject to tax any services provided within their own territorial limits.

The Directive did not therefore require Member States to tax those parts of journeys which occurred in international space, even if the transport in question was provided between two points of the same national territory without any port of call in another State or any encroachment on the tax jurisdiction of other States.

The only consequence which might be inferred from the general objective of the

Sixth Directive was that Member States making use of the freedom to extend the scope of their tax legislation beyond strict territorial limits must observe the common rules laid down by the Directive as regards subjecting transactions to tax.

The Judgment would seem to confirm that the Court is now taking a 'stricter' approach than it adopted in the first series of own-resources cases which the Commission brought against the Member States.

OJ C 92, 11.4.1990

Common agriculture and fisheries policies

Agriculture — Additional milk levy — non-discrimination

1.7.32. Judgment of 21 February, Joined Cases C-267/88 to 285/88 *Wuidart v Laiterie coopérative eupénoise, Office nationale du lait et ses dérivés and the Belgian State*.

- **References:**
Council Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products: OJ L 148, 28.6.1968; OJ C 196, 8.8.1968
Judgment of 25 November 1986, Joined Cases 201 and 202/85 *Klensch (laiterie Ekabe) and Others v Luxembourg* [1986] ECR 3503

For the first time, the Court ruled on the legality, within the framework of the milk quota system, of the option available to Member States to collect the additional levy:

- (i) either from the producer, if deliveries exceed the maximum quantity allocated to the individual producer concerned (formula A);
- (ii) or from the purchaser, i.e. the dairy, if deliveries exceed the maximum quantity allocated to the purchaser concerned (formula B).

The Court held that the principle of such an option was justified by the need to ensure that the quota system was fully effective throughout the Community, account being taken of the diversity of production struc-

tures and milk-collection facilities in the various parts of the Community.

Similarly, the Court held that the Council had acted legally in laying down more flexible rules for Greece and Italy, given the special features of milk production and milk marketing in these countries.

Lastly, the Court was asked to rule on whether a Member State could apply the one formula (A or B) in part of its territory and the other elsewhere, taking into consideration the geographical structure of its territory, natural conditions, production structures and average herd yields.

In the *Klensch* case the Court had ruled that Member States exercising an option available under the Community rules had to observe the principle of non-discrimination. In this case it chose to apply the same legal framework as would apply in cases where the institutions enjoyed wide powers of discretion, holding that the limits of such powers could not be considered to have been exceeded unless a manifest error had been committed.

OJ C 92, 11.4.1990

Agriculture — Importation of agricultural products — Accident at the Chernobyl nuclear power station

1.7.33. Judgment of 29 March, Case C-62/88 *Greece v Council*, supported by the *United Kingdom and the Commission*.

- Reference: Council Regulation (EC) No 3955/87: OJ L 371, 30.12.1987; Bull. EC 12-1987, point 2.1.291

The Court rejected Greece's application for the annulment of Regulation No 3955/87 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station.

Mindful of the need for full and consistent verification of the said Regulation's legality, the Court declared itself competent to examine, in the context of an application for the annulment of an act based on a provision of the EEC Treaty, a complaint

alleging an infringement of a rule in the Euratom or ECSC Treaty.

In this specific case the Court considered the Council's choice of legal basis, namely Article 113 of the EEC Treaty, appropriate, since the Regulation, according to its stated purpose and content, was intended to regulate trade between the Community and third countries and thus fell within the scope of the common commercial policy within the meaning of Article 113. The fact that it took account of environmental or health-protection requirements was not in itself sufficient to remove it from the scope of the common commercial policy and place it in the specific fields covered by Article 30 of the Euratom Treaty (protection of the health of the general public against the dangers arising from ionizing radiation) or Articles 130r and 130s of the EEC Treaty (protection of the environment). Thus, the Court again seemed to favour a wide interpretation of Article 113 of the EEC Treaty, thereby enabling the latter to be used as the basis for legislation to regulate trade, irrespective of the specific aim pursued in each case.

OJ C 105, 27.4.1990

Common organization of the markets — Sugar — Refunds as compensation for losses due to the application of national pricing provisions — State aid — Admissibility of the application

1.7.34. Judgment of 22 March, Case C-347/87 *Triveneta Zuccheri and Others v Commission*.

- Reference: Commission Decision 87/533/EEC on an Italian Government aid scheme to support Italian sugar traders: OJ L 313, 4.11.1987

In response to an application by several Italian companies for the annulment of Decision 87/533/EEC on an Italian Government aid scheme to support Italian sugar traders, the Court declined to give a ruling on the grounds which the applicants had invoked to contest the status of the Italian aid scheme and which were based on the alleged incompatibility between the Com-

munity rules and the Italian legislation on maximum prices for sugar.

It is established case-law that, unless a failure to comply with obligations is involved, it is not for the Court to rule on the compatibility of national provisions with Community legislation. The national courts have jurisdiction in such matters, obtaining if necessary a preliminary ruling from the Court of Justice on the scope and correct interpretation of Community law.

The application was therefore rejected as inadmissible.

OJ C 105, 24.4.1990

Fisheries — Management of quotas

1.7.35. Judgment of 20 March, Case C-62/89 *Commission v France*.

- **Reference:** Council Regulation (EEC) No 2057/82 establishing certain control measures for fishing activities by vessels of the Member States: OJ L 220, 29.7.1962; Bull. EC 6-1982, point 2.1.129

The Court stressed that the obligation on Member States to place a provisional ban on fishing as from the date on which the quota concerned was considered to be exhausted constituted a general rule, the application of which was necessary to ensure the effectiveness of any system for the conservation and management of fishery resources that was based on the allocation of available quantities among the Member States.

The decisions taken by national authorities to prohibit fishing must be binding and must be taken *before* the quotas were exhausted. The Court thus reaffirmed the preventive role of the obligation in question, pointing out that catches of one of the species concerned followed a sufficiently regular pattern for the national authorities to forecast the exact time when the quota would be exhausted.

Although exchanges of quotas between Member States made it possible to increase the quota of a given Member State in the course of the year, they must be negotiated

either before the exhaustion of the original quota or after the provisional ban on fishing. Since the outcome of such negotiations was uncertain, the mere prospect of an exchange did not reduce the need for a formal prohibition on fishing.

OJ C 105, 11.4.1990

Budgetary and institutional questions

ECSC — Preliminary Effect of legislation — Failure to implement a recommendation

1.7.36. Judgment of 22 February, Case C-221/88 *ECSC v Busseni*.

The Court declared itself competent to give a preliminary ruling on the interpretation of the ECSC Treaty and the legislation derived therefrom.

The ECSC Treaty contains no express provision governing the exercise by the Court of an interpretative jurisdiction. Article 41 simply states that 'the Court shall have sole jurisdiction to give preliminary rulings on the validity of acts of the High Authority and of the Council'.

Stressing the link between the interpretation of law and the assessment of its validity, the Court held that it would be contrary to the objectives and the cohesion of the Treaties if the Court itself had no power to ensure the uniform interpretation of the rules derived from the ECSC Treaty, whereas Article 177 of the EEC Treaty and Article 150 of the Euratom Treaty allowed it to determine the meaning and scope of the rules derived from these latter Treaties.

The main interest of the case as such resides in the restatement of the rules laid down by the Court to define the effects of a directive which has not been transposed into national law. The Court held that the said rules also applied to recommendations under the ECSC Treaty, which are acts of the same kind, placing the Member State to which they are addressed under an obligation as to the result to be achieved but allowing the

said Member State to choose the appropriate means of achieving that result.

Thus, if the relevant provisions of the recommendation were unconditional and sufficiently precise, they could be relied on before national courts if no implementing measures had been adopted within the stipulated time-limit.

On the other hand, 'such a possibility could only exist as against the Member State concerned and public authorities' (a directive or recommendation which had not been implemented would have no 'horizontal effect' between individuals).

OJ C 92, 11.6.1990

Protocol on the Privileges and Immunities of the European Communities — Immunities of Members of the European Parliament — Jurisdiction of the Court

1.7.37. Judgment of 22 March, Case C-201/89 *Le Pen v Puhl and Others*.

- References:

Commission Recommendation 86/198/ECSC on the establishment of preferential treatment for debts in respect of levies on the production of coal and steel: OJ L 144, 29.5.1986

Judgment of 6 October 1982, Case 9/81 *Williams v Court of Auditors* [1982] ECR 3301

Judgment of 17 May 1983, Case 132/82 *Commission v Belgium* [1986] ECR 723

The Court was asked by the Colmar Court of Appeal to give a preliminary ruling in the libel proceedings brought by Mr J.-M. Le Pen and the 'Front national' party against the authors and printers of the brochure entitled 'Déclaration contre le racisme et la xénophobie' and the Chairman of the Socialist Group in the European Parliament. It held, however, that it had no jurisdiction to give a ruling on acts committed on the premises occupied by Community institutions.

Article 1 of the Protocol on the Privileges and Immunities of the European Communi-

ties, on which the Socialist Group relied, did not contain any explicit or implicit provision to this effect but was merely designed to protect the premises concerned against any national measure of constraint designed to impede the deliberations of Parliament.

The essential point made by the Court was that Parliament could not be held liable for the actions of political groups, since the Rules of Procedure of the European Parliament did not contain any provisions which empowered a political group to act on Parliament's behalf *vis-à-vis* other institutions or *vis-à-vis* third parties. Furthermore, there was no provision in Community law whereby the European Parliament, in its capacity as a Community institution, could be held liable for the acts of a political group.

OJ C 101, 21.4.1990

New cases

1.7.38. The following cases came before the Court of Justice in May, either as references for preliminary rulings or as actions brought direct.

ECSC — Steel

Case C-138/90 *Germany v Commission*
Basis: Article 33 of the ECSC Treaty

Annulment of Commission Decision C(90) 577 final concerning a financial measure taken by the Federal Republic of Germany in respect of the coal industry during 1989 and a supplementary financial measure in respect of the coal industry during 1988 and Commission Decision C(90) 578 final concerning a financial measure taken by the Federal Republic of Germany in respect of the coal industry during 1990.

OJ C 146, 15.6.1990

Customs union

Case C-120/90 *Ludwig Post v Oberfinanzdirektion München*

Basis: Article 177 of the EEC Treaty

Must the Combined Nomenclature (1988) be interpreted as meaning that a powder containing 76.6% milk protein, 2.1% milk fat and 5% lactose, without detectable sugar, obtained from the ultrafiltration of whey, must be classified under subheading 0404 90 33 as a 'product consisting of natural milk constituents ...' or, if not, under subheading 0404 10 11 as 'whey ...'?

OJ C 129, 24.5.1990

Taxation

Case C-97/90 *Lennartz v Finanzamt München III*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 20(2) of the Sixth Council Directive (Directive 77/388/EEC) on the harmonization of the laws of the Member States relating to turnover taxes (common system for assessing value-added tax).

1. Is Article 20(2) applicable to all capital goods which:

(a) were supplied by one taxable person to another taxable person and at some point within a period of five years, including the year in which the goods were acquired, are used by the recipient for the purposes of his taxable transactions;

or is also necessary for the capital goods in question to have been:

(b) used from the time of acquisition for the purposes of the taxable or exempted transactions (business purposes) of the taxable person; or

(c) applied at the time of acquisition for the purposes of the business of the taxable person?

2. Does the application of Article 20(2) of the Sixth Directive to capital goods which are used by a taxable person both for business purposes and for other, in particular private, purposes (mixed use) depend on their having been used to a specific minimum extent for business purposes in the

year in which they were acquired and, if so, how is that minimum extent to be defined?

OJ C 126, 22.5.1990

Case C-109/90 *Giant v Commune of Overijse*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 33 of the Sixth Directive (Directive 77/388/EEC) on the harmonization of the laws of the Member States relating to turnover taxes (common system for assessing value-added tax).

Is the tax regulation of the Commune of Overijse dated 2 March 1983, by which any person who habitually or occasionally organizes public performances or entertainment within the area of the commune and requires those attending or participating to pay an entrance fee must pay a special tax on the gross amount of all receipts and by which in particular an annual tax of 25% is imposed on dance halls and restaurants connected therewith on the total amount of entrance fees, rents and cloakroom charges, the sale of programmes or dance cards, the proceeds from any refreshments and contributions or consideration which may replace or supplement such fees or prices, as well as any other charges, contrary to the prohibition on the imposition of any taxes on turnover other than VAT laid down by Article 33 of Directive 78/388/EEC, or not?

OJ C 126, 22.5.1990

State aid

Case C-122/90 *Emsland-Stärke v Commission*

Basis: Article 173 of the EEC Treaty

Annulment of the Commission Decision of 4 January 1990 on State aid NN 24/89 granted on the takeover of Wendland-Stärke GmbH by the Dutch firm AVEBE, with repayment of the aid granted.

OJ C 143, 13.6.1990

Social policy

Case C-89/90 *Heiderijk v Sociale Verzekeringsbank*

Basis: Article 177 of the EEC Treaty

In proceedings before a national court, may an individual rely on Article 4 (and/or Article 5) of Directive 79/7/EEC on equal treatment for men and women in matters of social security in order to challenge the effects of a national discriminatory provision which applied to his or her spouse, who is not a party to those proceedings?

Case C-157/90 *Infortec v Commission*
Basis: Article 173 of the EEC Treaty

Annulment of the Commission Decision of 9 March 1990 which states that expenditure of ESC 16 257 800 on aid programme No 870889/P3 is ineligible and should not be borne by the European Social Fund.

Free movement of workers

Case C-74/90 *Caparros Garcia v Bundesanstalt für Arbeit*
Basis: Article 177 of the EEC Treaty

1. Must Article 7 of the EEC Treaty and Article 7(2) of Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community be interpreted as meaning that an employee whose spouse resides abroad and receives no income from employment should not be placed in a less favourable tax category than an employee whose spouse resides within the jurisdiction?

2. Must Article 68(2) of Regulation No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community be interpreted as meaning that it also covers cases in which the amount of unemployment benefit does not depend directly on the number of dependants but on the entry of tax category III on the income tax card, which again depends on the fact that the employee is married and his spouse receives no income from employment and also lives within the jurisdiction?

3. Must Articles 48 and 51 of the EEC Treaty be interpreted as meaning that in cases such as those described above,

national law must grant an unemployed person who resides and has worked in the Member State concerned unemployment benefit in the same amount as he would have received had his wife also resided in that Member State?

Agriculture

Case C-113/90 1. *Gebrüder Schulte* and 2. *H & E Reinert v 1. Belgische Dienst voor Bedrijfsleven en Landbouw*, 2. *the Belgian State*, 3. *Instituut voor Veterinaire Keuring* and 4. *Vanden Avenne-Ooigem*
Basis: Article 177 of the EEC Treaty

1. May it be inferred from Article 2(2) of Regulation No 2173/79 on detailed rules for the disposal of beef bought in by intervention agencies that the declaration made by the applicant prevents him from making a claim on the basis of the non-compliance of the goods sold or on the basis of latent defects in the goods at the time of sale in the form of deep-frozen products when, immediately after thawing at their place of destination, those goods show signs of mould and, therefore, cannot be considered for processing, or does the 'declaration' in question cover rather the externally visible commercial characteristics of the product?

2. Does not the extension of this 'declaration' to cover hygiene characteristics which make the product unsuitable for processing but are not immediately visible on the spot conflict:

(a) with the purpose of Regulation No 1431/87 on the sale, at prices fixed at a standard rate in advance, of certain beef from intervention stocks in so far as this instrument relates to sales 'for processing';

(b) with the purpose of Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat in so far as this instrument makes the exporting State responsible for health controls on the meat to be exported?

OJ C 126, 22.5.1990

Cases C-116/90, C-117/90, C-118/90, C-119/90, C-123/90, C-124/90, C-125/90, C-

127/90, C-128/90, C-129/90, C-130/90, C-131/90, C-133/90, C-134/90, C-135/90, C-136/90, C-137/90, C-139/90, C-140/90, C-141/90, C-142/90, C-143/90, C-146/90, C-147/90, C-148/90, C-149/90, C-150/90, C-153/90, C-154/90 and C-156/90 *Frie, Brand, Gövert, Kamp, Horst, Brautmeier, Backhaus, Banning, Bons, Mittwede, Mohr, Behrens, Bussmann, Hülsemann, Grosse-Brochtrup, Pfender, Müller, Hülseberg, Herking, May, Brörmann, Evers, Schön-dube, Franken, Bösl, Krieft, Wüllner, Michelsen, Hartz and Schulte-Stratmann v Council and Commission*
Basis: Second paragraph of Article 215 of the EEC Treaty

Claim for damages on the grounds that Regulation No 857/84, as amended by Regulation No 764/89, and Regulation No 1371/84 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation No 804/68 are invalid in that they do not provide for the allocation of a reference quantity to producers who did not deliver milk during the reference year selected by the Member State concerned, in fulfilment of an undertaking given pursuant to Regulation No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds.

Case C-144/90 *Hansen v European Communities, represented by the Council*
Basis: Second paragraph of Article 215 of the EEC Treaty

Subject-matter identical with Cases C-116/90 *et seq.*, C-123/90 *et seq.*, C-133/90 *et seq.*, C-139/90 *et seq.*, C-146/90 *et seq.*, C-153/90, C-154/90 and C-156/90.

Infringements

Case C-152/90 *Commission v Italy*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that by not incorporating into national legislation Directive 85/433/EEC concerning the mutual recognition of diplomas, certificates and other evidence

of formal qualifications in pharmacy, including measures to facilitate the effective exercise of the right of establishment relating to certain activities in the field of pharmacy, as amended by Directive 85/584/EEC following the accession of Spain and Portugal, Italy has failed to fulfil its obligations under the Treaty.

OJ C 146, 15.6.1990

Case C-155/90 *Commission v Ireland*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by not correctly applying Directive 79/409/EEC on the conservation of wild birds, Ireland has failed to fulfil its obligations under that Directive, and in particular Article 9 thereof, and under Articles 5 and 189 of the EEC Treaty.

OJ C 146, 15.6.1990

Disputes between the Community and its staff

v Commission:

Case C-145/90P *Costacurta.*

OJ C 146, 15.6.1990

1.7.39. The following actions were brought before the Court of First Instance in May.

ECSC — Steel

Case T-26/90 *Finsider v Commission*
Basis: Articles 22 and 36 of the ECSC Treaty

Annulment of the Decision of 21 March 1990 concerning a fine imposed on Finsider under Article 58 of the ECSC Treaty.

Competition

Case T-24/90 *Automec v Commission*
Basis: Article 179 of the EEC Treaty

Annulment of the Commission Decision of 28 February 1990 rejecting the complaint lodged by the applicant.

OJ C 146, 15.6.1990

*Disputes between the Community and its staff*v *Commission*:Case T-25/90 *Latham*v *Economic and Social Committee*:Case T-25/90 *Schönherr*.

OJ C 146, 15.6.1990

Judgments

1.7.40. Decisions were given by the Court of Justice in the following cases in May.

*Free movement of goods*10.5.1990: Case C-118/88 *Suffolk Coastal District Council v Notcutts Garden Centres*

Removed from the Court Register.

(Interpretation of Articles 30 and 36 of the EEC Treaty)

23.5.1990: Case C-169/89 *Hoge Raad der Nederlanden v Gourmetterie Van den Burg*

Article 36 of the Treaty, read in conjunction with Council Directive 79/409/EEC on the conservation of wild birds, must be interpreted as meaning that a prohibition on importation and marketing cannot be justified in respect of a species of bird which does not occur in the territory of the legislating Member State but is found in another Member State where it may lawfully be hunted under the terms of that Directive and under the legislation of that other Member State, and which is neither migratory nor endangered within the meaning of the Directive.

*Customs union*2.5.1990: Case C-111/89 *Hoge Raad der Nederlanden v P. Bakker Hillegom*

1. Articles 12 and 16 of the Treaty are to be interpreted as meaning that fees charged for plant inspections on exportation, carried

out under an international convention intended to encourage the free movement of plants, are charges having an effect equivalent to customs duties when their amount is calculated according to their weight or invoice value, even where the total revenue from those inspections does not exceed the total amount of all the costs directly and indirectly connected therewith. The contrary applies only where the amount of each fee is related to the cost of the actual inspection in respect of which it is charged.

2. Articles 12 and 16 of the Treaty are to be interpreted as meaning that fees for field inspections of plants charged only in respect of exported products, and not in respect of those intended for the home market, constitute charges having an effect equivalent to customs duties, even if the inspections in question are carried out to meet the requirements of international conventions affecting only exported products. The contrary would apply only if it were established that the products intended for the home market derived no benefit from the inspections in question.

OJ C 132, 31.5.1990

17.5.1990: Case C-66/89 *Directeur général des douanes et des droits indirects v Powerex Europe*

Commission Regulation No 1203/86 on the classification of goods falling within sub-heading 85.21 D II of the Common Customs Tariff must be interpreted as meaning that it does not apply to silicon discs which must undergo extensive operations after importation, in particular selective diffusion by irradiation under an electron beam followed by a process of mounting or encapsulation.

23.5.1990: Cases C-51/90R *Comos Tank and Matex Nederland v Commission* and C-59/90R *Mobil Oil v Commission*

The applications for interim orders are dismissed.

(Seeking an order that the application of Commission Regulation No 313/90 on the classification of goods within code

2710 00 69 of the Combined Nomenclature be suspended.)

OJ C 151, 20.6.1990

Taxation

15.5.1990: Case C-4/89 *Comune di Carpaneto and Others v Ufficio Provinciale Imposta sul Valore Aggiunto di Piacenza*

1. The first subparagraph of Article 4(5) of the Sixth Directive must be interpreted as meaning that the activities engaged in by the authorities 'as public authorities' within the meaning of that provision are those carried on by the bodies governed by public law under the legal system that is applicable to them, with the exception of the activities which they carry on under the same legal conditions as private traders. It is for the national court to classify the activities in question in the light of that criterion.

2. The second subparagraph of Article 4(5) of the Sixth Directive must be interpreted as meaning that the Member States are under an obligation to treat bodies governed by public law as taxable persons in respect of the activities which they engage in as public authorities where those activities can also be carried on, in competition with them, by individuals, if their treatment as non-taxable persons is liable to give rise to significant distortions of competition, but that they are not under an obligation to transpose those criteria literally into their national legislation or to specify the quantitative limits of such treatment.

3. The third subparagraph of Article 4(5) of the Sixth Directive must be interpreted as meaning that it does not impose on the Member States an obligation to transpose into their tax legislation the criterion that, in order for the activities listed in Annex D to be considered taxable, they must not be carried out on such a small scale as to be negligible.

State aids

10.5.1990: Case C-61/88 *France v Commission*

Removed from the Court Register.

(Seeking annulment of Article 2 of Commission Decision 88/282/EEC on aid granted by the French Government in the wood-processing sector (Isoroy and Pinault).

Social affairs

2.5.1990: Case C-293/88 *Winter-Lutzins v Bestuur van de Sociale Verzekeringsbank*

Article 10(1) of Regulation No 1408/71, properly construed, does not preclude national legislation from preventing a person from acquiring the right to the benefit of the transitional provisions laid down in national legislation merely because he is not resident in the territory of the State in which the institution responsible for payment of benefit is situated, in view of the fact that Annex VI to the Regulation lays down a specific rule enabling periods before 1 January 1957 to be treated as periods of insurance in the case of persons satisfying certain conditions.

OJ C 132, 31.5.1990

3.5.1990: Case C-2/89 *Board of Management of the Sociale Verzekeringsbank v Heirs of and/or successors in title to Kits van Heijningen*

1. A person carrying on the activities of an employed person for two days a week and for two hours each day falls within the scope of Council Regulation No 1408/71 on the application of social security to employed persons, to self-employed persons and to members of their families moving within the Community, as amended, if that person meets the conditions laid down in Article 1(a) in conjunction with Article 2(1) of the Regulation.

2. Article 13(2) of Regulation No 1408/71 is to be interpreted as meaning that a person covered by that Regulation who carried on the activities of an employed person part-time in the territory of a Member State is subject to the legislation of that State both on the days on which the person carried on

those activities and on the days on which he does not carry them on.

3. The effect of Article 13(a) of Regulation No 1408/71 is that as against the persons referred to in that provision it is not possible to rely upon a provision of the national legislation applicable whereby admission to the social security scheme provided for by that legislation is made subject to the condition that the person concerned should reside in the Member State on whose territory the activity as an employed person is carried on.

OJ C 132, 31.5.1990

10.5.1990: Case C-163/89 *ONEM v Antonio Di Conti*

Article 69(4) is to be interpreted as meaning that an unemployed person whose competent State, within the meaning of that article, is Belgium and who goes to another Member State in order to seek employment there, in accordance with the provisions of Article 69, and returns to Belgium only after the expiry of the period of three months laid down in Article 69(1)(c), requalifies for benefits under the Belgian unemployment benefits scheme, pursuant to Article 69(4), on condition only that he has retained the status of a recipient under Belgian legislation and that he has been employed for at least three months since his return to Belgium.

OJ C 143, 13.6.1990

17.5.1990: Case C-262/88 *Barber v Guardian Royal Exchange Assurance*

1. The benefits paid by an employer to a worker in connection with the latter's compulsory redundancy fall within the scope of the second paragraph of Article 119 of the EEC Treaty, whether they are paid under a contract of employment, by virtue of legislative provisions or on a voluntary basis.

2. A pension paid under a contracted-out private occupational scheme falls within the scope of Article 119 of the EEC Treaty.

3. It is contrary to Article 119 of the Treaty for a man who is made compulsorily redundant to be entitled to claim only a deferred pension payable at the normal retirement age when a woman in the same position is entitled to an immediate retirement pension as a result of the application of an age condition that varies according to sex in the same way as is provided for by the national statutory pension scheme. The application of the principle of equal pay must be ensured in respect of each element of remuneration and not only on the basis of a comprehensive assessment of the consideration paid to workers.

4. Article 119 of the EEC Treaty may be relied upon before the national courts. It is for those courts to safeguard the rights which that provision confers on individuals, in particular where a contracted-out pension scheme does not pay to a man on redundancy an immediate pension such as would be granted in a similar case to a woman.

5. The direct effect of Article 119 of the EEC Treaty may not be relied upon in order to claim entitlement to a pension, with effect from a date prior to that of this judgment, except in the case of workers or those claiming under them who have before that date initiated legal proceedings or raised an equivalent claim under the applicable national law.

OJ C 146, 15.6.1990

Social policy

22.5.1990: Case C-28/90 *Snedker and Tømmerforbundet v H.O.K.*

Removed from the Court Register.

(Interpretation of Council Directive 77/187/EEC on the approximation of the laws of the Member States relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of businesses.)

Free movement of workers

8.5.1990: Case C-175/88 *Biehl v Administration des contributions (Luxembourg)*

Article 48(2) of the Treaty prohibits a Member State from providing in its tax legislation that sums deducted by way of tax from the salaries and wages of employed persons who are nationals of a Member State and are resident taxpayers during part of the year only because they take up residence in the country or leave it during the course of the tax year are to remain the property of the Treasury and cannot be refunded.

OJ C 135, 2.6.1990

Agriculture

2.5.1990: Case C-357/88 *Wilhelm Hopermann v Bundesanstalt für Landwirtschaftliche Marktordnung*

Observance of the obligation imposed by Article 18(1) of Commission Regulation No 2192/82 laying down detailed rules for the application of the special measures for peas and field beans, as amended by Commission Regulation No 3322/82, is a condition for the grant of the aid provided for in Article 3 of Council Regulation No 1431/82 laying down special measures for peas and field beans.

OJ C 132, 31.5.1990

2.5.1990: Case C-358/88 *Wilhelm Hopermann v Bundesanstalt für Landwirtschaftliche Marktordnung*

Granting of the aid provided for in Article 3 of Council Regulation No 1431/82 laying down special measures for peas and field beans is conditional upon observance of the time-limit laid down in Article 22(1) of Commission Regulation No 2192/88 laying down detailed rules for the application of the special measures for peas and field beans, as amended by Regulation No 3322/88.

OJ C 132, 31.5.1990

2.5.1990: Case C-27/89 *Société coopérative agricole de Rozay-en-Brie, Provins et environs v Office national interprofessionnel des céréales*

Consideration of the question raised has disclosed no factor of such a kind as to affect the validity of the regulations referred to by the national court.

OJ C 132, 31.5.1990

17.5.1990: Case C-87/89 *Société nationale interprofessionnelle de la tomate and Others v Commission*

1. The action for annulment is dismissed as inadmissible.

2. The action to establish non-contractual liability is dismissed as unfounded.

(Application for annulment of the Commission's Decision of 17 January 1989 and for compensation for the damage caused by the Commission.)

OJ C 146, 15.6.1990

17.5.1990: Case C-158/89 *Dietz-Matti v Germany*

1. Specification of the correct type of wine in the distillation declaration referred to in Article 2(2) of Commission Regulation No 2373/83 laying down, for the 1983/84 wine-growing year, detailed implementing rules concerning the distillation provided for in Article 11 of Regulation No 337/79 is a precondition for entitlement to aid.

2. In the absence of a Commission regulation laying down the lists of vine varieties corresponding to wines of Types A II and III, the German intervention agency was entitled to classify under Types A II or A III, on the basis of criteria such as those contained in the 'Bekanntmachung über die Zuordnung der Rebsorten zu den Tafelweinarten' (notice concerning the relationship of vine varieties to types of table wine) of 15 March 1979, vine varieties other than those listed in Article 2 of Council Regulation No 340/79 determining the types of table wines.

3. A blend of wines which under German designation rules may be marketed with the mention of only one vine variety may not for that reason, in the light of the above-mentioned Regulation No 340/79, be classi-

fied under the type of wine which corresponds to that vine variety. In the case of a mixture of wines of Types A II and A III, aid varying in accordance with the proportions of the constituent types of wine may be granted only if the distillation contract or declaration specifies, with regard to the constituent wines, the quantity, actual alcoholic strength by volume, and type of wine. If that is not the case, it will also not be possible to grant aid in respect of Type A I.

OJ C 151, 20.6.1990

22.5.1990: Case C-332/88 *Alimenta v Doux*

The opinion delivered by a veterinary expert provided for under Article 10 of Council Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat is not decisive or binding in its effect but does represent an important factor to be taken into account by national authorities or courts before which proceedings may be brought.

OJ C 151, 20.6.1990

Fisheries

2.5.1990: Case C-348/88 *Jelle Hakvoort v Staatsanwaltschaft Bremen*

1. The Community alone has power to adopt technical measures for determining mesh sizes. The technical rules for determining mesh sizes referred to in Council Regulation No 3094/86 laying down certain technical measures for the conservation of fishery resources are those contained in Commission Regulation No 2108/84 laying down detailed rules for determining the mesh size of fishing nets.

2. In addition to seeking to protect biological resources, Commission Regulation No 2108/84 is also intended to protect the captain of a vessel under inspection.

3. Inspectors are required to adhere to the inspection procedure laid down in Article 6 of Regulation No 2108/84.

Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters

15.5.1990: Case C-365/88 *Kongress Agentur Hagen v Zeehaghe*

1. In a case where a defendant domiciled in a contracting State has been sued in a court of another contracting State pursuant to Article 5(1) of the Brussels Convention, that court also has jurisdiction under Article 6(2) of the Brussels Convention to entertain an action on a guarantee brought against a person domiciled in a contracting state other than that of the court seized of the original proceedings.

OJ C 146, 15.6.1990

External relations

10.5.1990: Case C-241/87 *Maclane Watson v Council and Commission*

Removed from the Court Register.

(Seeking compensation for the loss suffered by the latter as a result of the acts and defaults of the European Economic Community in signing the Sixth International Tin Agreement and in participating in the operation of the International Tin Council.)

OJ C 146, 15.6.1990

10.5.1990: Case C-19/89 *AMT and Others v Council and Commission*

Removed from the Court Register.

(Seeking compensation for the loss suffered by the latter as a result of the acts and defaults of the European Economic Community in signing the Sixth International Tin Agreement and in participating in the operation of the International Tin Council.)

OJ C 146, 15.6.1990

Institutions

22.5.1990: Case C-70/88 *Parliament v Council*

1. The objection of inadmissibility raised by the Council is rejected.

2. The proceedings are to continue with regard to the substance of the case.

OJ C 146, 15.6.1990

Infringements

10.5.1990: Case C-89/88 *Commission v Greece*

Removed from the Court Register.

(Seeking a declaration that, by failing to adopt and to communicate to the Commission within the prescribed period the measures necessary to comply with Council Directive 74/561/EEC on admission to the occupation of road haulage operator in national and international transport operations, as amended by Council Directive 80/1178/EEC, the Hellenic Republic has failed to fulfil its obligations under the EEC Treaty.)

10.5.1990: Case C-260/88 *Commission v France*

Removed from the Court Register.

(Seeking a declaration that, by failing to adopt measures appropriate to penalize, with effect from 1 November 1984, any breaches of the system of production aid for olive oil, France has failed to fulfil its obligations pursuant to Articles 2 and 3 of Council Regulation No 2262/84 laying down special measures in respect of olive oil.)

10.5.1990: Case C-373/88 *Commission v Italy*

Removed from the Court Register.

(Seeking a declaration that, by refusing to pay interest under Article 11 of Council Regulation No 2891/77 implementing Council Decision 70/243/ECSC, EEC, Euratom on the replacement of financial contributions from Member States by the Communities' own resources, Italy has failed to fulfil its obligations under the Treaty.)

10.5.1990: Case C-271/89 *Commission v Luxembourg*

Removed from the Court Register.

(Seeking a declaration that, by failing to bring into force within the prescribed period the laws, regulations and administrative provisions needed in order to comply with Council Directive 84/525/EEC on the approximation of the laws of the Member States relating to seamless, steel gas cylinders, the Grand Duchy of Luxembourg has failed to fulfil its obligations under the Treaty.)

10.5.1990: Case C-273 *Commission v Luxembourg*

Removed from the Court Register.

(Seeking a declaration that, by failing to bring into force within the prescribed period the laws, regulations and administrative provisions needed in order to comply with Council Directive 84/526/EEC on the approximation of the laws of the Member States relating to seamless, unalloyed aluminium and aluminium alloy gas cylinders, the Grand Duchy of Luxembourg has failed its obligations under the Treaty.)

10.5.1990: Case C-275/89 *Commission v Luxembourg*

Removed from the Court Register.

(Seeking a declaration that, by failing to bring into force within the prescribed period the laws, regulations and administrative provisions needed in order to comply with Council Directive 84/527/EEC on the approximation of the laws of the Member States relating to welded unalloyed steel gas cylinders, the Grand Duchy of Luxembourg has failed to fulfil its obligations under the Treaty.)

23.5.1990: Case C-251/88 *Commission v Germany*

The application is dismissed.

(Seeking a declaration that, by failing to calculate correctly the basis of assessment of certain VAT own resources, by failing to make some of the Communities' own resources available to the Commission

within the stipulated periods, and by refusing to pay the interest due in respect of the delay in making the corresponding entries, the Federal Republic of Germany has failed to fulfil its obligations under the Treaty.)

OJ C 151, 20.6.1990

23.5.1990: Case C-31/89 *Commission v Spain*

By not granting exemption from value-added tax for permanent imports from another Member State by individuals of motor vehicles for private use, trailers, motor cycles, pleasure boats and private aircraft, contrary to Council Directive 83/183/EEC on tax exemptions applicable to permanent imports from a Member State of the personal property of individuals, the Kingdom of Spain has failed to fulfil its obligations under the EEC Treaty.

OJ C 151, 20.6.1990

1.7.41. Decisions were given by the Court of First Instance in the following cases in May.

Competition

21.5.1990: Case T-23/90R *Automobiles Peugeot and Peugeot v Commission*

The application for suspension of the operation of the Commission Decision of 26 March 1990 adopting provisional measures is dismissed.

OJ C 146, 15.6.1990

Disputes between the Community and its staff

v Commission

2.5.1990: Case T-127/89 *Henrichs*

OJ C 146, 15.6.1990

10.5.1990: Case T-117/89 *Sens*

OJ C 146, 15.6.1990

22.5.1990: Case T-50/89 *Sparr*

OJ C 146, 15.6.1990

Court of Auditors

1.7.42. Opinion on Council and Commission management of human resources.

In the course of the deliberations on the 1990 budget the Council and the Commission agreed to request the Court of Auditors to evaluate human resources management in both institutions. The section of the opinion dealing with the Commission contains a number of recommendations on the planning of work and the allocation of resources. In the Commission's view the general Community climate is at present not propitious to the introduction of a management system based on stable criteria, with evaluation over time, but this still remains one of its principal objectives. The conclusions of the current institutional debate should help the central Community administration in its efforts to establish efficient systems for the management and evaluation of resources.

1.7.43. Special report No 2/90 on the management and control of export refunds.

This report on three important markets — milk products, beef and veal, and cereals — begins by analysing the decision-making procedures within the Commission which result in the fixing of refund rates and the approval of export operations, and goes on to examine the controls carried out by the payment bodies and the customs authorities of the Member States on the movement of exports eligible for refunds.

OJ C 133, 31.5.1990

1.7.44. Appointment of Members and election of the President of the Court.

The above opinion (→ point 1.7.42) and report (→ point 1.7.43) were adopted by the Court as constituted following the change in its membership decided by the Council on 21 December. After consulting Parliament, the Council appointed Mr Androutsopoulos, Mr Carey, Mr Friedmann, Mr Middelhoek, Mr Strasser and Mr Thoss for the period 21 December 1989 to 20 December 1990 following the expiry of the terms of office of Mr Carey, Mr Haase, Mr Lelong,

Mr Mart, Mr Middelhoek and Mr Vallas.
On 9 January Mr Angioi was elected President for the period up to 20 December 1992.
OJ 382, 30.12.1989

Economic and Social Committee

277th plenary session

1.7.45. The 277th plenary session of the Economic and Social Committee was held in Brussels on 30 and 31 May with Mr Masprone in the chair. Mr Dondelinger, Member of the Commission, attended.

Opening the debate, Mr Dondelinger referred to the political developments surrounding formulation of the action programme for the development of the European audiovisual industry. The recent European Councils had provided the impetus for a new policy based on three areas of thrust: the legal basis for a European audiovisual area, new technology and promotion of the programmes industry. In the first of these areas the Commission would be giving priority to copyright and the definition of a framework for the various types of aid and for application of the rules on competition. In the second area it would be concentrating on European HDTV. And in the third area it was planning to encourage the production of European programmes as part of the main phase of the Media programme in conjunction with Audiovisual Eureka, which involves 26 European countries.

1.7.46. The Committee debated and adopted opinions on the following:

(i) concerted practices in the insurance sector (→ point 1.2.33);

(ii) the dimensions of road vehicles (→ point 1.2.217);

(iii) Community-EFTA relations (→ point 1.3.18).

1.7.47. The Committee adopted opinions on the following, either unanimously or *nem. con.*, without debate:

indirect taxes on the raising of capital (→ point 1.2.29);

border areas (Interreg) (own-initiative opinion) (→ point 1.2.79);

outlying regions (Regis) (own-initiative opinion) (→ point 1.2.80);

regional research, technological and innovative capacity (→ point 1.2.81);

placing on the market in the Community of animals and products of animal origin not covered by specific Community rules (→ point 1.2.181);

organic production of agricultural products and indications referring thereto on agricultural products and foodstuffs (→ point 1.2.189);

protective measures against the introduction into the Member States of organisms harmful to plants or plant products (→ point 1.2.190);

marketing of young plants and propagating material, other than seeds, of vegetables (→ point 1.2.191);

marketing of ornamental plant propagating material and ornamental plants (→ point 1.2.192);

marketing of fruit plant propagating material and fruit plants intended for fruit production (→ point 1.2.193);

operation of air-cargo services (→ point 1.2.200);

statistical classification of economic activities in the European Community (→ point 1.6.1).

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

May 1990 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	42.2942
DKR	Danish krone	7.80677
DM	German mark	2.04868
DR	Greek drachma	201.562
ESC	Portuguese escudo	181.070
FF	French franc	6.89808
HFL	Dutch guilder	2.30412
IRL	Irish pound	0.764232
LIT	Italian lira	1 505.44
PTA	Spanish peseta	128.071
UKL	Pound sterling	0.733524
AUD	Australian dollar	1.61692
CAD	Canadian dollar	1.44741
FMK	Finnish markka	4.83474
NKR	Norwegian krone	7.94014
NZD	New Zealand dollar	2.14691
OS	Austrian schilling	14.4162
SFR	Swiss franc	1.74693
SKR	Swedish krona	7.46029
USD	United States dollar	1.23220
YEN	Japanese yen	189.226

¹ Average for the month; OJ C 134, 1.6.1990.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3, and Bull. EC 9-1989, point 2.1.3.

Representative rates ('green' rates)

Conversion rates into national currencies for the ecu used in connection with the common agricultural policy

May 1990		
National currency/sector		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc All products	48.2869
DKR	Danish krone All products	8.93007
DM	German mark Cereals	2.37360
	Sheepmeat and goatmeat, eggs and poultrymeat, pigmeat, fishery products	2.35053
	Other crop products	2.36110
	Other products	2.34113
DR	Greek drachma Sheepmeat and goatmeat	211.490
	Structural measures	224.589
	Pigmeat	220.221
	Tobacco	224.722
	Beef and veal, milk and milk products	199.603
	Cereals, sugar, wine, olive oil	204.401
	Eggs and poultrymeat	183.177
	Other crop products	191.975
	Other products	176.576
ESC	Portuguese escudo Structural measures, tobacco	206.902
	Other products	199.761
FF	French franc Milk and milk products, beef and veal, pigmeat, tobacco	7.69787
HFL	Dutch guilder Cereals	2.66089
	Other products	2.63785
IRL	Irish pound Beef and veal, milk and milk products, tobacco	0.873900
	Other products	0.856765

May 1990		
National currency/sector		Value in national currency of ECU 1
LIT	Italian lira Pigmeat	1 726.00
	Cereals and oilseeds	1 700.00
	Wine	1 703.00
	Sheepmeat and goatmeat, sugar, eggs and poultrymeat	1 709.00
	Other products	1 751.67
PTA	Spanish peseta Sheepmeat and goatmeat	153.315
	Milk and milk products, structural measures	154.794
	Pigmeat	149.026
	Other livestock products	155.786
	Tobacco	153.498
	Rice, wine, olive oil, oilseeds	152.896
	Other crop products	154.213
UKL	Pound sterling Beef and veal	0.795232
	Pigmeat	0.756269
	Sheepmeat and goatmeat	0.702276
	Crop products	0.704335
	Other products	0.758185

2. Commemoration of the Schuman Declaration

2.2.1. Speeches by the Presidents of the Community institutions at the symposium held in Brussels on 8 May to mark the 40th anniversary of the Schuman Declaration.

2.2.2. Address by Mr Enrique Barón Crespo, President of the European Parliament.

‘Our presence here today is testimony to the fact that the Europe born on 9 May is still very much alive; and as we look towards a future that is gradually taking clearer shape, we can see that the political message proclaimed by Robert Schuman on 9 May 1950 retains just as much relevance, realism and inspiration 40 years later. In 1950 Europe was taking its first hesitant steps, against a forbidding post-war background of East-West tension centred mainly on the status of Germany. But so strong were the hopes and determination shared by our “founding fathers” that these ideas remain the cornerstone of the philosophy underlying our common enterprise today. Of course, there have been ups and downs: high hopes awakened, and disappointment because the tangible achievements have fallen short of people’s expectations. But, although accused of moving too slowly and criticized on many counts, Europe has withstood the “rough winds” that have shaken it. We live in a continent blessed by peace: a wonderful achievement after so many centuries of fratricidal conflict!

Since those early days our Community has grown and prospered and rather more recently a number of new Member States have found in it a guarantor of their newly fledged democracies.

Today we celebrate the anniversary of the Community’s inception through the Schuman plan with the added pleasure of knowing that it has now taken on a special significance: 1990 marks a genuine “renaissance” of Europe, a renaissance of its goals and ideals, a renaissance of the practical action it calls for and of the solidarity on which it must rest.

The new-found vitality of the Twelve is further heightened by the many changes taking place just beyond our borders. We feel a close sense of solidarity with the countries and peoples of Central and Eastern Europe as they embark on free multi-party elections, laying the foundations for the parliamentary democracy which will go to make up our common home, if such it is to be.

The unification of Germany is a clear signal that the continent of Europe is firmly on the road to a new era of cooperation, liberty and peace, and the quickening pace of these historic events has to some extent forced the pace of European integration to quicken too. We are particularly glad

to see the natural destiny of the German nation being fulfilled inside the Community framework. And although this momentous step prompted unease in some quarters, arousing fears that the progress of European integration might be held back, a positive approach has prevailed in the end. German unification has given a boost to the process of European union, as the Dublin European Council confirmed. To meet all these new challenges, political union and economic and monetary union are essential.

The principles and vision embodied in the Schuman Declaration, then, are not outdated; far from it. I should like to single out some especially telling examples of the farsightedness of Robert Schuman’s words that day. The essential political message of the Declaration lay in its spirit of reconciliation between former enemies — France and Germany in particular. The six founder members of the ECSC shared a common resolve to create a peaceful Europe.

The idea of reconciliation was the driving force behind the progress of European integration over the past decades. And tomorrow’s Europe will be the natural home for a reconciled and united German nation.

The idea launched in Dublin at the initiative of President Mitterand and Chancellor Kohl is not new but it has taken a long time to mature, for ranged against it stood national sovereignty and egoism. Now, however, the goal of political union — which the European Parliament has championed ceaselessly since 1984 — opens up a new dimension for Europe. It marks a step towards the European union to which we aspire for the sake of ordinary men and women. And although the term “European union” does not appear explicitly in Robert Schuman’s Declaration of 9 May 1950, the underlying idea is there in the words “this proposal will lay the first concrete foundations of the European federation which is indispensable to the preservation of peace”. Some years later the Treaty of Rome spelled it out more explicitly in the phrase “an ever-closer union among the peoples of Europe” and in 1985 the Single Act formally enshrined the goal of a European union. I am convinced that if Robert Schuman were still here today, he would be urging us to “accomplish it as swiftly as possible”.

The institution of which I am honoured to be President played a crucial part in those developments and has always advocated an approach aptly described by some as Utopian or maximalist. The strategy pursued by the European Parliament, as the guarantor and embodiment of democratic legitimacy, has indeed been to exploit the opportunities

offered by the Single Act to the full and to persevere undaunted, loyal to the spirit of Altiero Spinelli's draft Treaty on European union.

In March this year Parliament voted by a large majority to adopt the Martin Report, which clearly signals its intention "rapidly to transform the European Community into a European union of federal type... going beyond the single market and economic and monetary union" and maps out the institutional reforms that this will require. The Community will only function effectively if it is based on a satisfactory balance between the institutions — a balance which will have to bridge the current "democratic deficit", as it is termed.

I told the Heads of State or Government in Dublin that the time for caution, for the gradualist approach, had passed. The Community has to make a quantum leap forward commensurate with Europe's needs in the closing years of the century. In Dublin the Twelve seemed to understand that a comprehensive, coherent response was required to meet the challenges confronting us now. We welcome that. The brief they gave to the Foreign Ministers is of crucial importance: I believe that in June they will have to propose a Community that is more solidly based on parliamentary democracy. That alone will give political union its full dimension. The constitutional task before us marks a fascinating enterprise — and one that concerns us all.

On the eve of this fundamental reform of the founding Treaties a preparatory interinstitutional conference has been convened at our initiative to launch a dialogue between the Council, the Member States, the Commission and Parliament, opening on 17 May in Strasbourg. In this forum we will discuss together the agenda for the two intergovernmental conferences and consider how Parliament can participate.

For the sake of maximum coherence, the European Parliament would prefer there to be only a single intergovernmental conference. The mechanism to be set up following the second Dublin European Council must be consistent and effective. At all events we intend to keep a watchful eye on both conferences — on political union and economic and monetary union — to ensure that they proceed consistently, run in parallel and end together.

The first of January 1993 is due to mark the completion of the single market and the entry into force of economic and monetary union and political union. It should also mark the resolve of the 12 Member States to create a federal Europe by the end of the century. The European Parliament fervently hopes so. It would be a tremendous vindication of the man who taught us that it is the sum

of practical achievements which first of all create real solidarity.

United internally, Europe could then speak with one voice to the outside world. That, however, requires a genuine common foreign and security policy. Here again, I would like to return to a passage from Robert Schuman's Declaration: "The contribution which an organized and vital Europe can make to civilization is indispensable to the maintenance of peaceful relations". At a time when the contours of our continent are being redrawn this is the only approach that will guarantee the Twelve an active part in events and enable them to meet the expectations of their neighbours.

In this connection Robert Schuman also spoke of "an organization open to the participation of the other countries of Europe". Our Community has grown since 1950. What will it look like tomorrow? How far will the comity of European nations extend? There is no denying the attraction which the Community exerts on a number of other European countries: the cooperation agreements already concluded between the Community and the countries of Central and Eastern Europe, soon due to be transformed into association agreements, and the forthcoming negotiations between the Community and EFTA on the creation of a European economic area — not to mention the membership applications already received from some countries and the declarations of intent by others to apply in the medium term — only serve to highlight the fact.

Once the union is created, our task will be to meet the aspirations of those who wish to participate in working for the same goals of solidarity, cooperation and freedom.

A number of schemes have been put forward... but one thing is certain: the European Community will be one of the main pillars of this old continent of ours. (Indeed, with all the changes under way and the dynamism it has shown, "continent of tomorrow" would now be more appropriate.) We shall probably see a realignment in various arenas — I am thinking especially of the CSCE — with some of them possibly even overlapping in certain complementary fields.

But the Europe of tomorrow will also have to pay heed to appeals from elsewhere. It will have to show solidarity with the poorest countries, especially in the Mediterranean, Africa and Latin America. It will continue to play a mediating role in North-South relations, and it is our duty to show our partners that the closer links being forged with the countries of Eastern Europe will not work to their detriment.

Our Community will not be selfish. It will have to shoulder its responsibilities and act in solidarity

with other countries to combat the perils pressing in on us: hunger, drug abuse, overpopulation, environmental destruction, disease.

In conclusion, I should like to return to the opening words of Robert Schuman's Declaration: "World peace can be safeguarded only by constructive efforts commensurate with the dangers that threaten it."

The European Community must continue its constructive effort to become a haven of peace — and by peace I mean something embracing far more than the simple absence of war, for the dangers that face us now no longer reside in the threat of arms. May this haven of peace enable our citizens to live in harmony underpinned by shared democratic, human and cultural values and by its shining example encourage all those throughout the world who share the same goals. If we succeed in our enterprise, we shall have been faithful to the ideals of our founding fathers. But the road ahead is still long and hard. We must press on together.'

2.2.3. Address by Mr Gerard Collins, President of the Council.

'We are here today to commemorate Robert Schuman, to honour his achievements, to reaffirm our faith in his ideas and, of course, to salute his contemporaries, some of whom we are deeply honoured to have present with us today. Schuman would, I have no doubt, have been humble about his own achievements. He once commented that "we are all instruments, indeed imperfect instruments, of a Providence which plays a role in the achievement of great plans which are beyond our understanding". If Schuman and Monnet and those who worked closely with them were indeed instruments of Providence, truly they were remarkable instruments.

In his declaration on 9 May 1950, Robert Schuman spoke of the need to make "creative efforts proportionate to the dangers which threaten". The "creative efforts" of which he spoke are as necessary today as they were 40 years ago, but it is a measure of Schuman's achievement and that of his contemporaries that we can truly speak today of directing such creative efforts not so much towards the "dangers which threaten" Europe as towards the opportunities for our continent which are unfolding before our eyes.

As we look towards the future of Europe with even greater confidence than would have seemed justified only a matter of months ago, we might be tempted at today's ceremony to set our eyes only on that future. It is important that we should set aside a few hours, as we have done today to look to the great figures who were at the origin of the creation of the European Community. It is

important not just because it is right that they should be so honoured; but because it is in reflecting on their deeply held convictions as well as on their practical ideas that we will draw inspiration for the challenges which lie ahead.

What is most remarkable about the Schuman Declaration is its contemporary relevance. Its key elements remain at the heart of the process of European integration. In a sense, the task of our generation is and will remain to put flesh on the structure which was outlined by Robert Schuman 40 years ago. I would like, therefore, today, to reflect briefly on four of the elements so wisely identified by Monnet and Schuman, which made up that structure and which remain of the utmost relevance to our common task.

First, the Schuman Declaration reflected the need to combine an ambitious vision with pragmatic and gradual progress. Thus, on the one hand, Schuman set out a lofty vision which must at the time have seemed little more than a dream — a united Europe in which any war was "not merely unthinkable, but materially impossible". On the other hand, the Schuman Declaration recognized that "Europe will not be constructed all at once, or according to a single plan. It will be built through concrete achievements...". The recognition that imagination and realism had to go hand in hand has been a vital element in the construction of our Community. The vision without the realism would, so to speak, have been a car without wheels. The realism without the vision would have been a car without an engine. As we look towards negotiations later this year on further necessary changes to the Community Treaties, we must do so with the same combination of imagination and realism which has been the successful inspiration of our common enterprise from the outset.

The second important insight in the Schuman Declaration which I wish to underline today was its recognition that the process of European integration should remain open to others. Schuman proposed to place the new arrangement for the Franco-German production of coal and steel "within the framework of an organization open to the participation of the other countries of Europe". It is I think particularly fitting that this concept should be given expression here today by a President of the Council who comes from a country which was not one of the original Member States of the European Community. The non-exclusive nature of the vision described by Schuman has not just been a vital factor in the development of the Community but it remains at the heart of the momentous developments which have been taking place throughout the continent. Indeed the openness of the Schuman Declaration went beyond our continent when it promised that the proposed joint

production of coal and steel would, and I quote, "be offered to the world as a whole without distinction or exception". It is neither necessary nor possible to define today precisely the form which closer relations with all our neighbours in Europe and beyond will take in the longer term. What is necessary is that the openness prescribed by Schuman should continue to guide our enterprise. To borrow Shakespeare's words "the readiness is all". The third important element which we should recall today is the importance of our common institutions and the rules which govern them. The proposal 40 years ago to set up a common high authority was the boldest step of all into the brave new world which Schuman described and indeed made possible. Of course, the Community institutions have developed in a remarkable way. We now have a vibrant, democratically elected Parliament; a European Commission the remarkable effectiveness of which has been most recently recognized in the decision to confer on it responsibility for coordinating assistance to Eastern Europe from countries extending way beyond the Community itself; we have a Council of Ministers which takes common decisions for the benefit of all its citizens in a manner unparalleled anywhere in the world or indeed at any time in history; and a Court of Justice universally respected and exercising a formative role of the greatest importance in its interpretation of Community law. Of course the working of these institutions which have already been strengthened must be further improved; but the seed from which they have grown may already be found in the rich soil of the Schuman Declaration.

Finally the fourth aspect of the Declaration to which I wish to draw your attention briefly today is that it envisaged a Community in the real sense of that word rather than just a common market. The Declaration spoke of production but it also spoke of peace. It spoke of modernization and markets but it also spoke of equalizing and improving living conditions of workers. We have come a long way since then in terms of the social dimension and cohesion, in terms of a people's Europe and the environment. The essential insight, however, remains unchanged that while the market lies at the centre of our enterprise, it will utterly fail to meet the aspirations of the people of Europe if the process of transforming it into a real Community is not maintained. Our enterprise is doomed to fail if its races are always to the swift, its battles to the strong and if its weakest are expected to go to the wall. Of course, that was not Schuman's vision of a Community 40 years ago. It is not our vision today — and that is why we may look forward to our future in Europe with confidence and hope.'

2.2.4. Address by Mr Ole Due, President of the Court of Justice of the European Communities.

'Political vision and action: those are the essential features of the Schuman Declaration. It does not in itself constitute what the lawyers would term a source of law, but it remains, with its underlying ideas, a source of inspiration for the Court of Justice and all the other Community institutions.

It was, above all, an act of peace. The aim was to replace economic nationalism by solidarity. The means envisioned was to pool together, under common institutions, powers that had until then been the preserve of national sovereignty.

The Declaration proposed setting up a system based on the rule of law: not traditional international law, but a new kind of law which would apply to firms and enterprises as well as to States.

Set up under the ECSC Treaty with the general task of ensuring that "in the interpretation and application of this Treaty ... the law is observed" — an obligation later confirmed by the other two Treaties — the Court has followed these innovative ideas in its rulings.

It has taken great pains to avoid interpreting the Community Treaties as if they were simply treaties under traditional international law. It has elaborated a range of principles designed to safeguard the full freedom of the institutions to exercise their powers and to ensure the genuine effectiveness of Community rules. It has held that any rule which imposes clear, unambiguous and unconditional obligations on the Member States has direct effect in their domestic legal orders; and where rules do not satisfy this test, it has stressed that all national judicial and administrative authorities are bound to give effect to them as far as is within their powers and compatible with national law.

In exercising the powers conferred on it by the Treaties, and notably in its close cooperation with national courts over references for preliminary rulings, the Court has done its utmost to put into practice the ideas underlying the Schuman Declaration. That it has been able to do so is thanks to its complete independence, an independence guaranteed by the Treaty and always fully respected by the Member States and the other institutions.

How can the Court continue to play its vital role in the development of Community law inside a consolidated, strengthened and, in the longer term, enlarged Community?

An initial response was given last year, with the establishment of a Court of First Instance, but this was only a partial answer, particularly in view of

the limited jurisdiction granted to the new Court. Any institutional reform to meet the challenge posed by new areas of Community activity will therefore have to include a careful review of the rules governing the Court of Justice. The Court itself will not fail in its duty to put forward proposals when the time comes.

So far, political debate on this issue has concentrated on ways of making Community law more effective. Today is not the occasion to comment on the ideas that have been put forward. But I would like to stress the importance, especially in this context, of cooperation between national courts and the Court of Justice and of the effect accorded by the Court to the rules of Community law in the national legal orders. Increasingly Community citizens are coming to realize that this law is not just a foreign system imposed on their country by remote outside authorities that cannot be challenged in the courts, but that it is *their own* law which they can invoke against *their own* local and national authorities before *their own* courts.

In his memorandum of 3 May 1950 Jean Monnet wrote: "To alter the course of events, men's attitudes must be changed." Perhaps the realization I have just spoken of is a sign of the kind of change in men's attitudes that Jean Monnet hoped for. Surely that is the best guarantee, in the long run, to ensure the effectiveness of Community law and ultimately achieve the vision set out in the Schuman Declaration.'

2.2.5. Closing address by Mr Jacques Delors, President of the Commission of the Commission of the European Communities.

'I have said before that everything was contained in the Treaty establishing the European Coal and Steel Community, and hence in Robert Schuman's Declaration. I would like to illustrate the point by considering three things: the inception and direction of change, political motivation and, lastly, the validity of the institutional pattern established at that time. All this when — as the President of the Council, Mr Collins, remarked — it is more important than ever for us to combine vision and pragmatism. Just as in 1950, we currently face a world full of unknowns. We cannot tell what fate awaits the experiment of *perestroika*, or what new threats are going to emerge to trouble our citizens' security and peace, or ... I could go on. Vision and pragmatism are what is required of us — now, as then.

First the inception and direction of change. Jean Monnet said: "Change has to come from the outside by force of necessity." In 1949 and 1950 the necessity was there, in the shape of the German question as it stood then and the cold war. Mr

Clappier has recalled the failure of traditional methods to resolve the problems: there are some who would do well to remember it today.

Necessity also held us in its grip in 1984-85, although the circumstances were less dramatic. On that occasion we placed the accent on economic necessity — a prospect admittedly less stirring, but real and immediate nevertheless. The results are clear for all to see: before 1985 the annual growth rate of the European economy lay somewhere in the region of 1.5%, whereas now it is 3.5% or even higher. Before 1985, jobs were being lost at a rate of 600 000 a year, whereas now 1 800 000 new ones are created annually. Furthermore in February 1988, under the German Presidency (a fact we should not forget in view of Germany's financial contribution to the Community), we put in place an array of financial instruments with resources exceeding the Marshall Plan to enable the regions to benefit from the potential offered by a large single economic area.

Now necessity has intervened again. We are confronted by a new German question and, perhaps, the end of the cold war. Necessity faces us once more, but this time an eminently political necessity. For while economic and monetary union is still closely bound up with the strategy we have been pursuing since 1985, political union (or what I would prefer to call strengthening the political and institutional dimension of Europe) is dictated, as it were, by historical necessity.

However, the underlying motives were — and still are — political. This was so in 1984-85, even if we first had to prove that the necessity was there. I would like to quote something that Robert Schuman said in October 1953 in a talk at the College of Europe in Bruges: "We started" he said, "from political considerations far more than from economic ones. To disempoison relations between France and Germany. To safeguard peace. To create a climate of cooperation throughout Europe. Those were our prime objectives." We could replace "France" by the other countries of Europe and the statement would still hold good today.

Peace in Europe, the search for a new security framework — a formidable question that overshadows everything else, even if no one says so openly because it is so heavily charged with the unknown — the need for the world to face up to new dangers and to the problems of underdevelopment and inequality of opportunity, the creation of a climate of cooperation across Europe: these are the challenges confronting us now — a clear testimony to the enduring relevance of the Schuman Declaration.

Sometimes, though, I wonder whether the method is still the right one: right for the Community and

right for Greater Europe as well. My answer is: yes, it is still valid. And I will illustrate this by one or two topical points.

First we must keep a careful eye on the institutional balance. For that is what has enabled the Community, regardless of individuals and the capricious whims of history, to continue to advance — sometimes slowly, other times more swiftly. That is where the strength of our institutions lies. If some governments wish to alter any one of them, then they must also suggest ways of maintaining a balance that is just as dynamic, institutions that are just as strong — in other words, institutions that have a bounden duty to produce results and which will enable us to reach decisions. This could, of course, be taken as an opportunity to mount a defence and illustration of one of the institutions — namely the Commission. However, I will refrain from doing so here.

The second topical issue I would like to raise is “democratization”. This is a vital task. I often have the impression that what we have done in the past 40 years — and especially the past five, where the economic aspect has predominated — has been rather elitist in its approach and remote from the ordinary citizen. One way to bring ourselves closer is democratization. The mere idea, of course, sends a shiver of apprehension through some of our governments — and parliaments too. Yet this is very strange indeed — a contradiction, even — when they themselves never tire of telling the countries of Eastern Europe that one of the conditions for success — including material success — is to apply the recipe of pluralist democracy and direct popular representation.

The logic of democratization, ladies and gentlemen, is simple; and before we cloud the issue in discussion, we should remember one thing: an executive should be accountable to a parliament, a parliament that will legislate and sanction the executive’s actions, and a court of justice that can extend its powers to become a constitutional court precisely in order to ensure that the rights of all are respected.

To depart from that logic would be to build on sand. You may think I have forgotten the European Council and the Council of Ministers. Far from it; and least of all the Council of Ministers, as I think of another saying of Robert Schuman’s — one which I did not know before but which I cannot get out of my head now: “You are not negotiating, you are trying to find a solution”. To anyone who thinks we could abandon the *acquis communautaire* and build a grand new manor in its place I would say: “Come with me and sit in the corner at a General Affairs Council and Coreper. Then you’ll see. They seek solutions, they are duty-bound to come up with results, they are imbued

through and through with the Community spirit.” No, I have not forgotten them.

The simple fact is, however, that neither the European Council nor the Council of Ministers entertains the slightest notion of being accountable to the European Parliament. Yet a logical structure has to be found, all the same. The European Council has been playing an increasingly important role although it did not form part of the original ECSC scheme, and we are bound to admit that, acting on proposals from the Commission or the Council, it does perform its task of weighing up matters and setting things in motion quite well. As for the Council of Ministers, it too will have its part to play. But if we want to make fundamental changes to the system established by the ECSC Treaty, then we must always bear in mind the two principles of institutional balance and the simple law of democratization.

Whatever people may say, it is perfectly possible to implement those two principles without abandoning either national diversity (the Germans will still be German, the French, French and so on) or subsidiarity and so eventually arrive by a pragmatic route at a realistic — though not, of course, definitive — division of powers and responsibilities.

It seems to me, then, that the philosophy and pattern of the institutions bequeathed to us by Robert Schuman’s Declaration are still relevant today. But there are two further objections to be dealt with.

The first comes from those who question whether this approach is still valid when it comes to extending the Community to include foreign policy and security.

The answer is: no, not initially. The Community has to be allowed to mature. Political cooperation cannot move forward as fast as economic integration. Each country has its own diplomatic traditions, its own historical ties, its own geopolitical interests.

But with so many demands now being made on us throughout the world, the question being asked of our heads of government is: “Can you agree on some essential common interests in a strictly limited number of areas that will serve as a basis for common action?”

Those essential common interests will enable you to exert an influence commensurate with your economic strength, to assume the responsibilities to match the expectations of the less wealthy and less affluent. And those essential common interests will have to be agreed on. The task need not necessarily be given to the Commission, but a method along these lines will have to be found.

Otherwise we will relapse into negotiation rather than the search for a solution, as happens all too often in the case of political cooperation.

The second objection that could be raised is whether this is a realistic scheme for the Greater Europe of tomorrow. Max Kohnstamm, enthusiastic and dynamic as ever, has made a two-faceted proposal. "Why not," he suggests, "apply the same method in the CSCE, the Conference on Security and Cooperation in Europe?" And the answer he gives is: "Yes, but provided the Community is strengthened." The question is — which is the chicken and which is the egg?

As true, careful Europeans we shall have to keep a watchful eye on the *acquis communautaire* dur-

ing the coming months, to avoid throwing out the baby with the bath water.

Imagine the clamour we would face if, in a hastily cobbled-together package, confounding vision with pragmatism, we were to dream up a new structure in order to satisfy straight away the wishes — however ardent — of the Czechs, Poles, Norwegians, and Austrians. What would we do, knowing that inside the Community the spirit of Jean Monnet and Robert Schuman has to be rekindled anew every day as we learn to manage and exercise our joint sovereignty.

Let us, then, stretch out a welcoming hand to the other countries of Europe; but let us not throw away what we have gained through Robert Schuman, Jean Monnet, and all who worked with them.'

3. Special meeting of the European Council

2.3.1. Address on 16 May by Mr Charles Haughey, President of the European Council, to the European Parliament on the outcome of the special European Council held in Dublin on 28 April.

'Mr President, distinguished Members of the European Parliament, I am grateful for your invitation to address Parliament. It gives me the opportunity to speak to the directly elected representatives of over 320 million Europeans and to listen to your views on the great issues that face our Community and our continent. I know that the issues discussed at the special European Council in Dublin on 28 April are the subject of debate and thoughtful consideration in this chamber. For this reason it was important that the Heads of State or Government had the opportunity to hear the views of Parliament from your distinguished President at the beginning of our meeting.

Today, I want to report to you about the outcome of our meeting and about the decisions taken, which I believe are of vital importance to the future of Europe.

The meeting was convened in response to the dramatic unfolding of events in Europe over the past months. I believed, and my fellow Heads of State or Government agreed, that such was the pace of events and the need for a cohesive and

considered Community response that we should not wait until the scheduled European Council in June to act.

Our continent is undergoing a profound transformation; a period during which the future of the continent and its people are being shaped for a long time to come. It has demonstrated that the demand of peoples for their basic rights can never be finally subdued.

I need only mention the case of Solidarity in Poland. A major impetus for change was provided by President Gorbachev, but the dramatic revelation of what was really happening came at that moment six months ago when the people of Berlin began to tear down the wall that divided their city. At that moment too, as Vaclav Havel has observed, they began to sweep away the wall that had divided Europe for half a century. After decades of division we had suddenly and unexpectedly arrived at the beginning of the end of the barren post-war years of confrontation. Our ancient continent at last has the opportunity of fully realizing, through peace and cooperation, the enormous potential of its people and resources. The European Community is the anchor of stability for all of Europe at this time, the source of hope and optimism for the future. We must ensure that it provides the leadership and direction that is needed if Europe is to achieve the peace, democratic freedom and economic betterment her people are entitled to.

The most immediate and pressing challenges facing the Community, and those which originally led me to call the special Council were three:

- (i) the prospect of German unification and the consequent integration of the German Democratic Republic into the Community;
- (ii) the need to formulate an adequate and coherent policy towards the re-emerging democracies of Central and Eastern Europe;
- (iii) and the need to accelerate the process of European integration.

I believe that the European Council made substantive and decisive progress in all three areas.

Let me begin with German unification. Germany is a founder member of the Community, and the Federal Republic has, from the beginning, been a central pillar of European construction. The Federal Republic has never allowed its aspiration towards national unification to affect the movement toward European unity. Indeed, successive West German leaders have consistently maintained that German unification could only come about under a European roof.

The warm welcome which Heads of State or Government expressed for the prospect of German unification at the special Council was both unequivocal and important. I am pleased to have the opportunity of conveying this to Parliament in the presence of Chancellor Kohl and Prime Minister de Maizière.

But it is not only Germany which has cause for satisfaction. The incorporation of the territory of the GDR into the Federal Republic under Article 23 of the Basic Law will simultaneously create an additional 16 million Community citizens who will bring the benefit of their inherent skills and enterprise and enlarge the overall size of the single market. Special understanding will be required in the short term to enable this part of Germany to recover from the experience of the last 45 years and to adapt to the standards of the Community, but there can be no doubt of the Community's enrichment.

The special Council expressed its determination that the integration of the territory of the GDR into the Community would be completed with the minimum of disruption.

Fears on this latter aspect underestimate both the momentum which has built up behind the integration process and the reservoir of energy, determination and political skill available within the Community institutions, in Germany, and in the other Member States, which can be mobilized to tackle any difficulties which may arise. We are confident that both the Federal Republic and corre-

spondingly the Community can accommodate, without undue difficulty, the integration of a territory whose population is a quarter of that of the Federal Republic and less than a twentieth of that of the Community.

The Council expressed its view on this point in clear terms. It was satisfied that the integration of the German Democratic Republic will contribute to faster economic growth in the Community and agreed that integration should take place in conditions of economic balance and monetary stability.

I do not seek to diminish the problems involved, simply to stress that they are manageable. There will, of course, be a need for a detailed examination of the transitional arrangements, but the Federal Government has undertaken to keep the Community fully informed of any relevant measures discussed and agreed between the Federal and GDP authorities for the purpose of aligning their policies and their legislation. Furthermore the Commission will be fully involved in the discussions.

The Commission will be bringing forward proposals for transitional arrangements to apply to the present GDR territory on its integration into the Community. These will be kept to the necessary minimum. They will be designed to allow for the quickest possible assumption of the *acquis communautaire* compatible with conditions in the regions involved.

On the basis of discussions at the special Council, I am confident that incorporation of the territory of the GDR into the Community can be completed without detrimental implications for other regions of the Community. The Council heard an emphatic assurance from Chancellor Kohl that the integration of the GDR territory into the Community would not be achieved at the expense of the existing less-developed regions. This commitment, together with the statement in the Council conclusions, offers a timely reassurance to the people of the less-prosperous regions and once again illustrates the Community's determination to ensure that economic development should proceed in a cohesive and integrated manner.

German unification is, of course, only part of a wider scenario which is unfolding in the central and eastern areas of our continent. The great popular uprising which swept away the oppressive regime in the GDR has been repeated to varying extents in Hungary, Czechoslovakia, Poland, Bulgaria and Romania. New ideas and courageous leadership in Moscow are encouraging the rest of Europe to hope that negotiations will lead not only to mutually acceptable arrangements between the peoples who comprise the Soviet Union, but also

to the establishment of an entirely new relationship between all the peoples of Europe.

The impact of these changes on the Community and its people has been profound. As the political and physical barriers which have divided the Community from the East are being stripped away so too are the psychological divisions. Great cities like Dresden, Prague, Cracow, and Budapest are taking their place once again in our consciousness as repositories of European culture and history. The special Council, in applauding the process of change in Central and Eastern Europe, specifically acknowledged the common heritage and culture which the countries of this region share with the Community. The emerging democracies of Central and Eastern Europe are returning to the mainstream of European life with considerable expectations, aroused in large part by the achievements of the European Community. It is vital that the Community continues to provide leadership and inspiration to the rest of the continent and that we respond to the changes in Central and Eastern Europe in a positive and realistic way. This we have been doing, in a flexible approach, tailored to respond to the political and economic situation in each country.

The first stage of the Community's action plan is already under way, in the form of immediate short-term assistance, trade concessions, investment measures, financial stabilization measures and project aid. Programmes on professional training and student exchange will soon be finalized. A second phase — running parallel to the first — has seen the completion of a network of trade and cooperation agreements. The Council decided, on the basis of a communication from the Commission, to move on in the near future to negotiations with the countries of Central and Eastern Europe on Association Agreements which will include an institutional framework for political dialogue. Negotiations on these agreements are to be completed as soon as possible, on the understanding that conditions relating to democratic principles and the transition towards a market economy are fulfilled in these countries.

In addition to launching its own initiatives, the Community has also taken a leading role in the context of cooperation in the Group of 24 countries and in the establishment of a European Bank for Reconstruction and Development. The special Council called for action within the framework of the G-24 to be extended to cover the GDR, Czechoslovakia, Yugoslavia, Bulgaria and Romania. The Council also decided to encourage transfers of private capital and investments towards the countries of Central and Eastern Europe and invited the Commission to study the implementation of the most appropriate accompanying measures.

The Council's determination that the Community should establish a closer relationship with the countries of Central and Eastern Europe is part of a coherent strategy for its external relations. The special Council made it clear that the Community will act as a political entity on the international scene, open to good relations with other countries and groups of countries. As an essential part of this approach the Council confirmed that the Community should work actively for an early agreement with our EFTA partners, our closest and most intimate neighbours, on the establishment of a European economic area. In my meetings with EFTA leaders over the past months I have found a keen desire on their part to commence negotiations.

At a time when freedom and democracy are being restored in Central and Eastern Europe and progress is being made in arms-control negotiations it is now possible and necessary to develop a wider framework of peace, security and cooperation on our continent. The European Council decided that while Member States will maintain their existing security arrangements, the Community and its Member States will play a leading role in all proceedings and discussions within the CSCE process and in efforts to establish new political structures or agreements based on the Helsinki principles.

The CSCE can play a vital role in the wider framework and should be developed in new directions. There is now wide agreement on the desirability of holding a meeting of the CSCE at the highest level before the end of this year. That meeting can start the process of further development of the CSCE, a development which should be balanced. This further development will provide us with the occasion to encourage pluralist democracy and the rule of law, observance of human rights, economic cooperation and cooperation in the field of culture. Even before the CSCE Summit, the Community has made an essential contribution to economic cooperation in the CSCE. This was done at the Bonn Economic Conference last month. Next month, in Copenhagen, we can bring about a stronger commitment to human rights at the Conference on the Human Dimension there. The Mediterranean dimension of the CSCE will be further developed at the meeting in Palma de Mallorca in September. The Twelve are committed to a secure and stable balance of forces in Europe at lower levels and hope that significant and early progress in this direction can be made at the Vienna negotiations on conventional armed forces in Europe and confidence and security-building measures.

Last year President Bush and Secretary of State Baker called for a new relationship between the United States and the European Community.

Responding to this call, the European Council expressed the desire of the Twelve to further

strengthen the Community's transatlantic relationship, based on regular contacts at the highest levels. The Council expressed its satisfaction with the understanding which, as President of the European Council, I reached with President Bush earlier this year on the holding of a meeting between the US and EC Council Presidents during the term of each Council Presidency. The Council saw this and other regular meetings, including meetings with the Commission, as providing a good framework for the further expansion of relations between the Community and the United States. As a country whose people have close historical, cultural and family ties with the United States, the Irish Presidency appreciated having this opportunity to deepen the relationship between the Community and the US.

The Council also expressed its determination that the Community should intensify its policy of good relations and cooperation with the Mediterranean countries, pursue its special relationship with the ACP countries, and intensify cooperation with countries in Asia and Latin America. It confirmed the Community's intention of furthering its cooperation with Japan, Canada, Australia and other OECD members. As regards the GATT Uruguay Round negotiations, the Council emphasized the Community's continued full commitment to the negotiations and its determination to contribute to their successful conclusions.

The Council discussed a different sort of trade, a sinister one which represents a major and growing threat to the people of Europe; that is the internationally organized, criminal traffic in narcotics. It is not possible to exaggerate this menace. The damage inflicted by drug addiction, particularly to hundreds of thousands of young people, is one of the great shames of our civilization. Recently you had the opportunity to hear in this chamber from the President of Colombia, in a moving and eloquent address, about the violence and criminality associated with the drug trade. He made it clear that the problem was one with grave international consequences and which required international solidarity to deal with.

The time has come for the Community to fully and openly acknowledge the massive international dimensions of the illegal drugs trade and the absolute necessity for Member States to act together urgently and comprehensively to combat it. An organized international criminal organization can only be defeated by international cooperation among the forces of law and order. We discussed this in Dublin and asked the high-level coordinators group, Celad, in close consultation with the Commission, to report on measures to bring about more effective coordination and on priorities for action by the Community and Member States in

the context of a concerted action against drug abuse and illicit production, distribution and sale of narcotic drugs. This work will form the basis of a substantive discussion at the European Council in June.

During the course of the tour of Community capitals which I undertook in preparation for the Council, it became clear that there was a widespread realization among Members of the Council that the Community needed to review the nature and pace of its internal integration in response to the rapidly changing situation in Europe. There was determination that the objectives laid down in the Single European Act must be fully and effectively achieved in all respects. This includes the completion of the single market and the achievement of economic and monetary union.

There was also a definite view that if European union is to develop in a rounded and coherent way we must move positively to closer political union. The debate which took place at the special Council on the question of internal integration was perhaps the most constructive in which I have taken part at any European Council. I believe that the outcome represents a decisive step forward towards a more united, integrated Community.

Progress was made at the Council on several aspects of the union — trade, social, economic, monetary and political.

The Council expressed satisfaction with progress achieved so far and restated its commitment to establish, by the end of 1992, the single market providing for the movement, unhindered by internal frontiers, of people, goods, services and capital. It is clear that, having achieved much progress to date, the different Councils are now faced with the tougher, more contentious dossiers such as taxation and the free movement of persons. The Irish Presidency has maintained the momentum of work established in previous Presidencies. The Internal Market Ministers meeting informally on 23 and 24 March agreed that substantial progress has been made and the pace is still good. During the next few weeks, we expect progress in the areas of air transport liberalization, communication, insurance, vehicle emissions, testing and certification of products, food standards, animal and plant health, and right of residence. Long and difficult negotiations, however, lie ahead, with Member States having to make important concessions in the interests of agreement.

At our meeting in Dublin President Barón de Creso rightly reminded us that there are less than 1 000 days left before the 1992 deadline — 1 000 days; five Presidencies! To meet the deadline, which we must, all the Community institutions must work together to ensure that delays are kept

to a minimum and difficulties quickly resolved. I would like to express my appreciation of the excellent cooperation the Irish Presidency has received from Parliament and the Chairpersons of the Committees. In the time that remains I am confident that that cooperation will enable us to complete a satisfactory agenda of measures which will contribute to having the monumental task completed by December 1992. Member States too must be assiduous in translating Community requirements into domestic law where necessary, so that we can all keep faith with the people of Europe and present them with the free market they have been promised on 1 January 1993.

The European Council confirmed its commitment to establish in stages an economic and monetary union in accordance with the principles of economic and social cohesion and the conclusions of the European Councils in Madrid and Strasbourg. The special summit discussed the proposal put forward by Chancellor Kohl and President Mitterrand to set a date by which Treaty amendments providing for EMU should be in place. On the basis of that discussion, it was decided that the preparations for the intergovernmental conference on EMU, which are already well advanced, will be further intensified with the objective of allowing proposals agreed by the Conference to be ratified by Member States before the end of 1992. This is a brave decision, which again reflects the determination within the Council to respond positively to the train of events. Considerable progress has been made on EMU in the past months. Stage I will now commence as ordained on 1 July. Those Member States who have still to do so are applying themselves to the removal of controls on financial movements according to an agreed timetable. Now the European Council has unanimously decided, in respect of the subsequent stages of EMU, to accelerate on the considerable progress made at the informal meeting of Finance Ministers in April.

The European Council specifically confirmed its commitment to political union. I see this categorical declaration as fitting another segment into the mosaic of European union. There was consensus among the Heads of State or Government that the Community should respond to developments, both inside and outside the Community, by strengthening the democratic legitimacy of the union, improving the efficiency of the institutions, and ensuring unity and coherence in the Community's international action. This Parliament will, I am sure, fully endorse that decision; indeed it reflects many of the proposals put forward by the European Parliament.

Heads of State or Government had the opportunity of studying two complementary sets of proposals tabled by Member States. Firstly, a paper presented

by the Belgian Government, putting forward a series of concrete suggestions for institutional and procedural reforms. Secondly, the initiative of Chancellor Kohl and President Mitterrand calling for a second intergovernmental conference to agree the terms for the achievement of political union by the end of 1992.

Foreign Ministers were instructed to undertake a detailed examination and analysis, and to prepare proposals to be discussed at the European Council in June with a view to a decision on the holding of a second intergovernmental conference. This second conference is to work in parallel with the conference on economic and monetary union with a view to ratification by Member States in the same timeframe. All Member States agreed to participate fully in this work and many indicated their intention to put forward their own proposals alongside those already tabled by Belgium. The Foreign Ministers have already commenced work on the task entrusted to them. This weekend at their informal meeting in Ireland they will give the fullest consideration to all the issues involved. I am optimistic that the study being prepared by them will bring the object of political union into common focus and that agreement on the way forward will be determined at the European Council in June. It was Jean Monnet who said that "confidence is naturally established between people who take a common view of the problem to be resolved. When the problem becomes the same for everybody, and everyone has the same interest in its solution, differences and suspicions slip away, and often then friendship moves in".

We have started on the course to a common view. The process of European unification must be farsighted in its perception. It is the responsibility of those who are in office at present to advance a process which may not be fully achieved in our time, but will be left to others to complete.

The dramatic events which have overtaken our continent over the past few months have demonstrated the determination of our people to live in freedom and to assert their right to democratic government. They have shown the desire of the peoples of Eastern and Central Europe to rejoin the mainstream of European life. These developments have emphasized for the Community the importance of its own internal integration and the need to ensure that it is sufficiently developed to provide the example and leadership which Europe needs.

As we set about shaping the structures and procedures of an integrated unified Community, I believe we would be wise to look carefully at what has taken place in Central and Eastern Europe and learn as much as we can from it.

In particular, we should observe once again how, even after long periods of repression, national,

ethnic and cultural identities still prevail and that political structures, if they are to achieve permanence and stability, must fully recognize and support them. In constructing European union we must seek to eliminate that which divides us, but nurture and protect that which distinguishes us. Europe possesses a great richness in the diversity of its cultures, customs, languages, traditions, art and architecture. This deep reservoir of attractive features must be preserved as an essential component of Community life.

The European Council has set out three useful guidelines on which we can base our thinking: democratic legitimacy, effective institutions, and coherence in international action. The importance of democratic accountability within the Community cannot be overemphasized. We have seen all too clearly in Europe over the past months what happens when people are alienated from their system of government. We must, therefore, ensure that development of the Community's policy-making and legislative structure is accompanied by the necessary arrangements for democratic control, including an appropriate role for the European Parliament.

The negotiations on which we are about to embark at the forthcoming intergovernmental conferences are likely to result in an enlargement of the Community's competence. In an economic and monetary union the Community's institutions will have new responsibilities which must be discharged for the benefit of all. It will be necessary to ensure that they operate in accordance with their mandates and under appropriate control of elected representatives. The debate has already opened on this subject, stimulated in no small way by your own contributions. The role of the European Parliament, and the extent to which it will provide democratic control, will be a central part of the whole debate. Discussion will also focus on the balance to be maintained between the European Parliament and national parliaments and between the institutions of the Community. Approaches may differ on how best to proceed but our principles and our objectives are clear. Our Community and its institutions must be rooted in the democratic process; its actions must have the support of our people and respond to their needs and aspirations. I must commend Parliament for the efforts which it is making to confront this particular question by convening a European assizes, bringing together representatives of the European and national parliaments. The assizes still offer a useful opportunity for a constructive exchange of views between parliamentarians on how to ensure an adequate degree of democratic accountability for Community government, and to determine at what level this control should be exercised. The results of these discussions will, it is hoped, be

available in sufficient time to inform the work of the intergovernmental conference.

Before that, the Members of the Council will have the benefit of the substantial body of work already completed or currently under way in Parliament in the shape of a range of reports and resolutions on economic and monetary union and institutional reform. There will also be an opportunity for a full exchange of views at the discussion which you have arranged to take place tomorrow between Members of Parliament, the Council and the Commission with the participation of other institutions. Such dialogue is vital and will no doubt ensure that all legitimate concerns are taken into account in the intergovernmental negotiations.

The question of the effectiveness of the Community's institutions is inextricable from that of democratic legitimacy. It is crucial for the democratic legitimacy of the Community that the balance between the institutions reflects the will of the people of the Community. This balance should be reviewed periodically to reflect the development of the European identity of our citizens, since progress towards European union must be sustained by popular acceptance. Monnet said: "Nothing is possible without men, nothing will last without institutions".

We have, in the Treaties, established and developed certain institutions which have served the Community well. The Council, the Commission, Parliament and the Court of Justice as institutions are unique in many ways, and are specially tailored to the needs and realities of the Community. In particular, they seek to balance the aspiration of our peoples to a European future against the reality of deep and historic national identities. I feel that these institutions are quite capable, with appropriate and agreed development of their powers, responsibilities and operating procedures, of providing the Community's institutional framework for the foreseeable future.

The Community's ability to carry out the many complex tasks it has undertaken depends on the responsiveness and effectiveness of its institutions. If we are to meet the great objectives before us of completing the internal market, achieving economic and monetary union, integrating East Germany, and developing our international political and economic relations, we must be able to take decisions smoothly, efficiently and with the minimum of delay. We must at all costs avoid blockage or paralysis through bad management or lack of cooperation between the institutions. At the same time, decisions taken have to be balanced to take account of the interests of all concerned.

It is clear that the intergovernmental conference will have to look at the decision-making process

with a view to increasing its effectiveness. It should, in this context, consider whether qualified majority voting should be extended to cover additional areas of policy which have an overriding Community dimension.

The European Council has stressed the importance of unity and coherence in the conduct of the Community's international action. We must not become a self-centred Community, constantly pre-occupied by its own affairs. Indeed, we would not be allowed to be either by our own people or by the outside world. The Community is the largest trading bloc in the world: its prosperity depends on its relations with the rest of the world. This is not a question of choice: the Community cannot build a wall around itself. Its views and political support are constantly sought on issues and in situations everywhere in the world. But this is not new. The European Community has never seen its future as an isolated bloc of countries. We have always looked outward, cherishing our relations with the United States, Japan, Canada, Australia and the other OECD countries. The challenges posed by our relations with other countries have been an important stimulus to the Community. We have also long recognized that the growing gap between North and South, between the developed and the developing countries, must be a focus of our concern. We have developed effective cooperation policies through the Lomé Convention with the African, Caribbean and Pacific countries. We are linked in special arrangements with the Asean countries. We cooperate with the Central American countries in the San José process and with the Latin American countries. For many years we have been working towards common foreign policy positions through the framework of European political cooperation. Our cooperation in foreign policy questions is now an established feature of international affairs in general; whether in our relations with individual countries or in international organizations, starting with the UN itself.

Coordination between the positions adopted in the economic sphere and those adopted in EPC is increasingly a factor in our approach to external relations. This has been demonstrated during the Irish Presidency, particularly in our approach to the countries of Central and Eastern Europe.

I have no doubt however that this coordination can be further improved: this is one of the things the European Council had in mind in asking for a

detailed examination to be put in hand on the need for possible changes aiming at assuring unity and coherence in the Community's international action. It is in this perspective too that the Community sees the need to develop a wider framework of peace, security and cooperation for all of Europe. The Community and its Member States therefore will play a leading role in the CSCE process, which I have mentioned earlier. This wider framework will serve to anchor the historic changes that are taking place in Europe. The Community has been the pole of attraction for the countries of Central and Eastern Europe as they embarked on the road to liberty. We should ensure that we can still play the role in the future that our situation enables us to play and that the world demands from us for the benefit not only of ourselves, but of Europe as a whole.

I have mentioned the three guidelines given by the European Council for our future work. Let me add that the cement which will bind the bricks of European union will be the concept of subsidiarity. It is clear that decisions must be taken at the most appropriate level, whether at local, regional, national or Community level. It is very much to the credit of Parliament that you have been to the fore in seeking to define and elaborate this principle. For the Community the choice will normally be between national action and the development of appropriate Community policies. We must ensure that the outcome of our deliberations on this issue does not hold back the developments of Community policies or distort the aims of the Treaty or the *acquis communautaire*.

Mr President, ladies and gentlemen, I would like thank you once again for allowing me to address you on the outcome of what I believe to have been a most successful Council. The Community is faced with a great challenge of leadership in a new Europe. We must respond to that challenge with both courage and maturity. We must endeavour to build a strong Community based on democratic legitimacy, while at the same time preserving the richness of diversity which distinguishes us as Europeans. The special European Council showed that the Community has the political will to achieve for the people of Europe a Community that will fulfil their highest expectations. If we sustain this effort — and I am confident that we will — then the Community can be sure of its place in Europe, and Europe can be certain of its rightful place in the world.

4. Infringement proceedings

Failure to implement Directives

Letters of formal notice

2.4.1. In May the Commission sent letters of formal notice for failure to inform it of national measures to implement the following Directives:

Internal market

Commission Directive 88/485/EEC of 26 July 1988 amending the Annex to Council Directive 82/471/EEC concerning certain products used in animal nutrition (Belgium)
OJ L 239, 30.8.1988

Agriculture

Commission Directive 88/616/EEC of 30 November 1988 amending the Annex to Council Directive 70/524/EEC concerning additives in feedingstuffs (United Kingdom)
OJ L 343, 13.12.1988

Environment

Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste (Ireland)
OJ L 84, 31.3.1978

Council Directive 87/405/EEC of 25 June 1987 amending Directive 84/534/EEC on the approximation of the laws of the Member States relating to the permissible sound power level of tower cranes (United Kingdom)
OJ L 220, 8.8.1987

Council Directive 86/278/EEC of 12 June 1986 on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture (Belgium, Luxembourg, Netherlands, United Kingdom)
OJ L 181, 4.7.1986

Financial institutions and company law

Council Directive 77/799/EEC of 19 December 1977 concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation (Greece)
OJ L 336, 27.12.1977

Customs union and indirect taxation

Council Directive 88/664/EEC of 21 December 1988 amending for the ninth time Directive 69/169/EEC on the harmonization of provisions laid down by law, regulation or administrative action relating to exemption from turnover tax and excise duty on imports in international travel (Italy)
OJ L 382, 31.12.1988

Reasoned opinions

2.4.2. In May the Commission delivered reasoned opinions for failure to inform it of national measures to implement the following Directives:

Internal market

Council Directive 87/358/EEC of 25 June 1987 amending Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (Greece)
OJ L 192, 11.7.1987

Council Directive 87/403/EEC of 25 June 1987 supplementing Annex I to Directive 70/156/EEC on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (Greece)
OJ L 220, 8.8.1987

Council Directive 88/76/EEC of 3 December 1987 amending Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by gases from the engines of motor vehicles (Greece)
OJ L 36, 9.2.1988

Council Directive 88/77/EEC of 3 December 1987 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles (Greece)
OJ L 36, 9.2.1988

Commission Directive 88/194/EEC of 24 March 1988 adapting to technical progress Council Directive 71/320/EEC on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and their trailers (Greece)
OJ L 92, 9.4.1988

Commission Directive 88/195/EEC of 24 March 1988 adapting to technical progress Council Direc-

tive 80/1269/EEC on the approximation of the laws of the Member States relating to the engine power of motor vehicles (Greece)

OJ L 92, 9.4.1988

Commission Directive 88/366/EEC of 17 May 1988 on the adaptation to technical progress of Council Directive 77/649/EEC on the approximation of the laws of the Member States relating to the field of vision of motor vehicle drivers (Greece)

OJ L 181, 12.7.1988

Commission Directive 88/410/EEC of 21 June 1988 adapting to technical progress Council Directive 74/151/EEC on the approximation of the laws of the Member States relating to certain components or characteristics of wheeled agricultural or forestry tractors (Greece)

OJ L 200, 26.7.1988

Commission Directive 88/411/EEC of 21 June 1988 adapting to technical progress Council Directive 75/321/EEC on the approximation of the laws of the Member States relating to the steering equipment of wheeled agricultural or forestry tractors (Greece)

OJ L 200, 26.7.1988

Commission Directive 88/412/EEC of 22 June 1988 adapting to technical progress Council Directive 74/152/EEC on the approximation of the laws of the Member States relating to the maximum design speed and load platforms of wheeled agricultural and forestry tractors (Greece)

OJ L 200, 26.7.1988

Commission Directive 88/413/EEC of 22 June 1988 adapting to technical progress Council Directive 79/622/EEC on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors (static testing) (Greece)

OJ L 200, 26.7.1988

Commission Directive 88/414/EEC of 22 June 1988 adapting to technical progress Council Directive 80/720/EEC on the approximation of the laws of the Member States relating to the operating space, access to the driving position and the doors and windows of wheeled agricultural and forestry tractors (Greece)

OJ L 200, 26.7.1988

Council Directive 88/436/EEC of 16 June 1988 amending Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by

gases from engines of motor vehicles (Restriction of particulate pollutant emissions from diesel engines) (Greece)

OJ L 214, 6.8.1988

Commission Directive 88/465/EEC of 30 June 1988 adapting to technical progress Council Directive 78/764/EEC on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors (Greece)

OJ L 228, 17.8.1988

Council Directive 87/54/EEC of 16 December 1986 on the legal protection of topographies of semiconductor products (Greece)

OJ L 24, 27.1.1987

Financial institutions and company law

Second Council Directive 84/5/EEC of 30 December 1983 on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles (Greece)

OJ L 8, 11.1.1984

Council Directive 84/641/EEC of 10 December 1984 amending, particularly as regards tourist assistance, the first Directive (73/239/EEC) on the coordination of laws, regulations and administrative provision relating to the taking-up and pursuit of the business of direct insurance other than life assurance (Greece)

OJ L 339, 27.12.1984

Seventh Council Directive 83/349/EEC of 13 June 1983 based on Article 54(3)(g) of the Treaty on consolidated accounts (Belgium, Denmark, Ireland, Portugal)

OJ L 193, 18.7.1983

Eighth Council Directive 84/253/EEC of 10 April 1984 based on Article 54(3)(g) of the Treaty on the approval of persons responsible for carrying out the statutory audits of accounting documents (Ireland, Netherlands)

OJ L 126, 12.5.1984

Consumer protection

Council Directive 85/577/EEC of 20 December 1985 to protect the consumer in respect of contracts negotiated away from business premises (Greece)

OJ L 372, 31.12.1985

5. Additional references in the Official Journal

2.5.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 1/2-1990

Point 1.1.5

Proposal for a Council Regulation (EEC) No .../.. establishing a Community customs code

Proposal for a Council Regulation (EEC) No .../.. determining the cases and the special conditions under which the temporary importation arrangements may be used with total relief from import duties

OJ C 128, 23.5.1990

Bull. EC 3-1990

Point 1.1.62

Commission Decision 90/247/EEC of 14 March 1990 on the establishment of the Community support framework for Community structural assistance in the areas eligible for Objective 2 in Spain
OJ L 141, 2.6.1990

Point 1.1.188

Commission Decision 90/236/ECSC of 13 March 1990 approving aid from Belgium to the coal industry during 1990

OJ L 133, 24.5.1990

Bull. EC 5-1990

Point 1.1.191

Proposal for a Council Decision on Community actions for the elderly
OJ C 120, 16.5.1990

Points 1.6.31 to 1.6.35

Opinions adopted by the Economic and Social Committee during its session on 28 and 29 March 1990

OJ C 124, 21.5.1990

Bull. EC 4-1990

Point 1.1.16

Proposal for a Council Directive amending Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products

Proposal for a Council Directive extending the scope of Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products and laying down additional provisions for immunological veterinary medicinal products

OJ C 131, 30.5.1990

Point 1.1.17

Amendment to the proposal for a Council Regulation (EEC) laying down a Community procedure for the establishment of tolerances for residues of veterinary medicinal products

OJ C 131, 30.5.1990

Point 1.1.49

Amendment to the proposal for a Council Decision adopting the Community action programme for the development of continuing vocational training
OJ C 130, 29.5.1990

Point 1.1.113

Proposal for a Council Regulation (EEC) laying down, in respect of hops, the amount of aid to producers for the 1989 harvest

OJ C 127, 23.5.1990

Point 1.1.134

Proposal for a Council Regulation (EEC) on reinforcing the monitoring of certain expenditure chargeable to the Guarantee Section of the European Agricultural Guidance and Guarantee Fund
OJ C 126, 22.5.1990

Point 1.1.151

Proposal for a Council Regulation (EEC) on common rules for a denied boarding compensation

system in scheduled air transport
OJ C 129, 24.5.1990

Point 1.1.159

Proposal for a Council Decision concerning the implementation of an action programme to promote the development of the European audiovisual industry (1991-95)

Proposal for a Council Decision concerning the implementation of a Community vocational training measure in the audiovisual sector
OJ C 127, 23.5.1990

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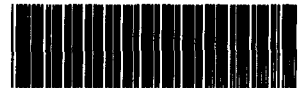
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