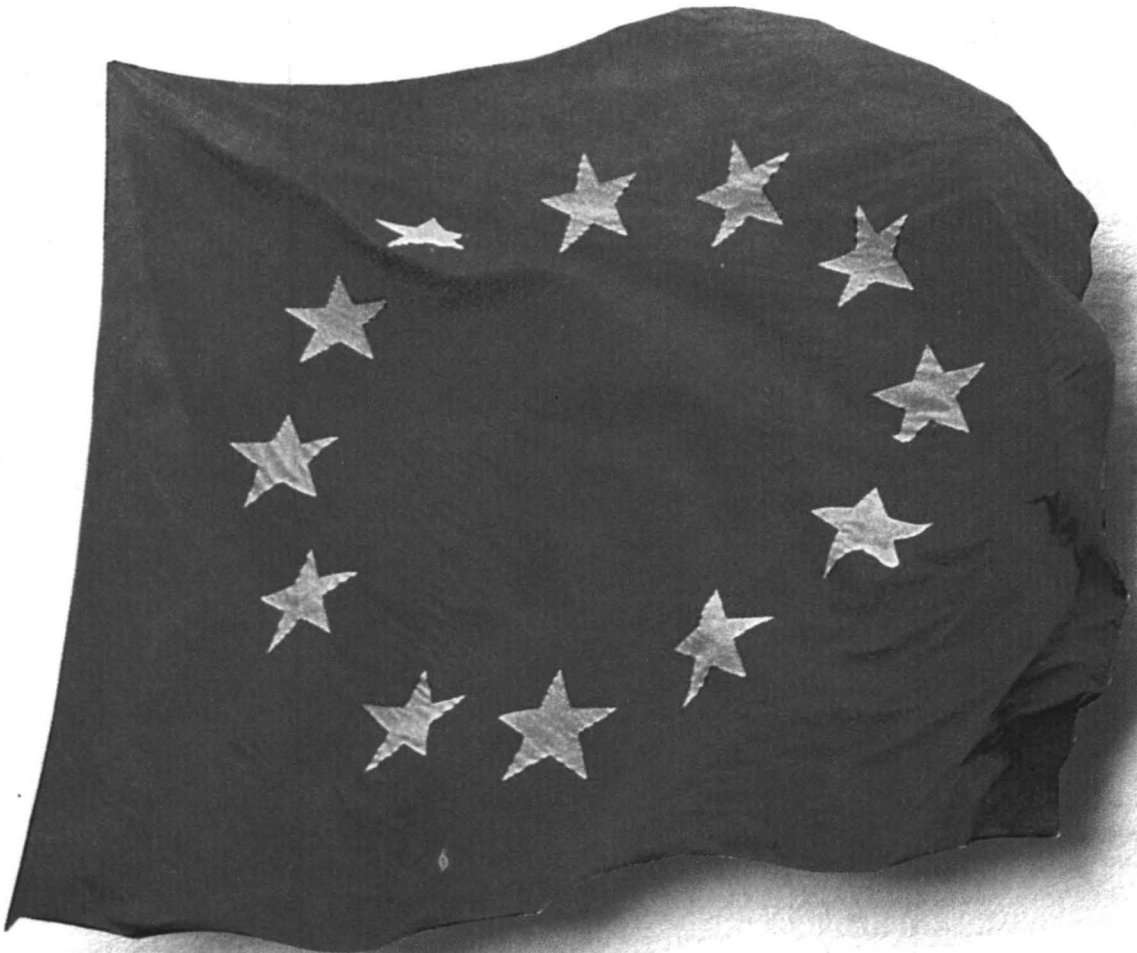


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No 6 1990 Volume 23

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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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- *4/90 The European Community and German unification

* In preparation.

1. European Council

Dublin, 25 and 26 June

1.1. This meeting of the Heads of State or Government of the Member States, at which the Commission was represented by Mr Delors and Mr Andriessen, was chaired by the Irish Taoiseach, Mr Charles J. Haughey. It first heard a statement by Mr E. Barón Crespo, President of the European Parliament, setting out Parliament's position and priorities with regard to the main Community topics, in particular the two forthcoming intergovernmental conferences. The meeting was another success for the Community, and significant progress was made on several fronts.

With respect to economic and monetary union, the first stage of which is to come into effect on 1 July, the European Council unanimously decided that the intergovernmental conference should open on 13 December, since sufficient progress had been made in preparation for it. The purpose of the conference is to determine the final stages of EMU, and it should conclude its work rapidly with a view to ratification of the results by Member States before the end of 1992. On the basis of an examination conducted by Foreign Ministers, the European Council agreed — again unanimously — that a second intergovernmental conference on political union should open on 14 December. It too should conclude its work rapidly so that the results, like those of the first conference, could be ratified by the end of 1992.

The European Council had an extensive exchange of views on possible assistance to the Soviet Union in support of the political and economic reforms it had undertaken. The European Council asked the Commission to assess the situation and prepare proposals for action in liaison with international financial agencies and in consultation with the Soviet Union. This would seem to be further confirmation of the Commission's international role, after the coordinating function in the Group of 24 entrusted to it by the Western Economic Summit in July 1989. Looking ahead to

the CSCE's autumn summit, the European Council agreed that the Community and the Member States should step up coordination with a view to determining and expressing a common position on all CSCE matters, in which they shared vital common interests. A cautious declaration on southern Africa was adopted, the European Council affirming its willingness to consider a gradual easing of the pressure exerted on the South African authorities once it was clear that the process of change begun earlier was continuing in the direction called for in Strasbourg.

The European Council noted that fulfilment of the commitments contained in the Single European Act is fundamental to the process of integration and the establishment of a European Union. It took stock of progress made in implementation of its provisions, identifying sectors where further efforts were needed. With respect to the protection of the environment, the European Council adopted a general declaration and asked the Commission to present a new action programme in 1991. The Commission was also given the task of preparing a Community programme to combat threats to the tropical rainforests in consultation with the countries concerned, especially Brazil. The European Council was convinced of the need to reinforce the campaign against drugs and organized crime, and asked the Council to reach agreement before the end of the year on the basis of the Commission's proposals on trade in precursors and on an integrated programme for cooperation with Colombia; it hoped that the adequate measures to combat money laundering would be adopted before July 1991. The Member States were invited to develop programmes to reduce drug demand, and Celad (the Coordinators Group on Drugs) was asked to prepare for the Rome European Council, in close consultation with the Commission, a European plan to combat drugs, including a wide range of measures.

The European Council also agreed to extend for two years the term of office of

Mr Delors as President of the Commission, and the terms of the present Vice-Presidents.

Conclusions of the Presidency

Introduction

1.2. The European Council, determined to ensure the continued dynamic development of the Community at a time of great challenge for Europe and the world, agreed to intensify the process of transforming relations as a whole among Member States into a European union invested with the necessary means of action. To this end it reviewed progress and laid down guidelines with regard to the full implementation of the Single European Act; it agreed to convene an intergovernmental conference on political union; it reviewed the preparatory work for the intergovernmental conference, already agreed, on economic and monetary union; and it fixed the opening dates for these two intergovernmental conferences.

1.3. With a view to enhancing the benefits which our peoples derive from belonging to a Community which has as its *raison d'être* the promotion of their rights, their freedoms and their welfare, the European Council dealt with a number of themes of particular relevance to the individual citizen, including the free movement of persons, the environment, drugs and their links with organized crime, and anti-Semitism. The European Council sees action in these areas as essential to the Union it wishes to achieve over the coming years.

1.4. The European Council, determined to strengthen the role of the Community in the world in order to meet its international responsibilities, reviewed progress in the Community's external relations and laid down guidelines for future action in a number of areas. The discussion reflected the increased coherence between the economic and political aspects of the Community's international action.

Progress towards European union

Implementation of the Single European Act

● References:

Council common position on the proposal for a Directive on the procurement procedures of entities in the water, energy, transport and

telecommunications sectors: Bull. EC 3-1990, point 1.1.21

Political agreement reached by the Council on proposals for Directives on direct taxation of firms (→ point 1.3.132 to 1.3.135)

Proposals for a Regulation and Directives on the abolition of tax frontiers: COM(90) 117, 182 and 183; Bull. EC 5-1990, points 1.2.2 to 1.2.5

Council agreement on the substance of proposals for Regulations on the second phase of liberalization of civil aviation (→ points 1.3.33 and 1.3.241 to 1.3.243)

Strasbourg European Council conclusions on the development and interconnection of trans-European networks: Bull. EC 12-1989, point 1.1.4.

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

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

Council resolution on action to assist the long-term unemployed: Bull. EC 5-1990, point 1.2.64

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

Council Directives 90/269/EEC and 90/270/EEC on the minimum health and safety regulations for the manual handling of loads where there is a risk particularly of back injury to workers, and for work with display screen equipment: OJ L 156, 21.6.1990; Bull. EC 5-1990, points 1.2.69 and 1.2.70

1.5. The fulfilment of the commitments contained in the Single European Act is fundamental to the process of integration and to the creation of a European union. Economic and monetary union and political union must be built on an area without internal frontiers in which the free movement of persons, goods, services and capital is ensured in accordance with the provisions of the Treaty, where economic and social cohesion is assured, and where the necessary accompanying policies to the internal market are developed.

The European Council took stock of progress towards the implementation of the Single European Act.

Internal market

1.6. The European Council welcomed the good progress which has been made in a number of fields in recent months, and noted that two thirds of the measures had now been agreed.

In the area of public procurement it noted the important agreement on the opening-up of the previously excluded sectors of water, energy, transport and telecommunications. The European Council looked forward to further progress being made in the area of public procurement, including the procurement of services.

Important progress has been made in the financial services sector. The European Council asked for rapid progress in the areas of investment services and of insurance. It also asked for rapid completion of work on intellectual property, and effective action in relation to takeovers within the Community.

As regards animal and plant health, the European Council called for rapid completion of the internal market in agriculture and foodstuffs, building on recent progress.

In the fiscal area, the recent agreement on the package of three cooperation measures on company tax is an important step forward. On indirect taxes, the European Council called for adoption before the end of the year of the new VAT and excise duties arrangements which are to apply from 1 January 1993.

The European Council welcomed the adoption of the second phase of the liberalization of air transport and other important recent advances in the transport sector. It stressed the importance of sustained progress in all areas of transport policy (in particular cabotage, fiscal harmonization in the road transport sector as early as possible and not later than 31 December 1990 and in accordance with the provisions of the Single European Act, and transit). In this connection it noted with particular interest the memorandum submitted by the Netherlands on this subject, which it asked the Transport Council to consider with a view to a report to the next European Council.

Recalling its conclusions at Strasbourg on development and interconnection of trans-European networks, the European Council asked that guidelines on this matter be agreed before the end of this year.

At its December meeting the European Council will undertake a general examination of the progress made towards achieving the internal market within the time limit fixed, on the basis of the Commission's report required by the Single European Act.

The European Council emphasized the vital importance of implementation of Community legislation at national level within the required time limits. It asked the Commission to strengthen its supervisory procedures in this context. It agreed to review the situation at its next meeting.

Research

1.7. The European Council welcomed the adoption of the third framework programme for the period 1990-94, which provides for ECU 5.7 billion to finance the Community research and development programme over that period. It called for early decisions on the specific programmes to be established under the framework programme.

Social dimension

1.8. The European Council recalled the particular importance which it attaches to the development of the social dimension in all its aspects with a view to ensuring that the opportunities offered by the completion of the internal market are fully exploited to the benefit of all of the peoples of the Community.

Despite the recent significant improvement in general economic conditions, long-term unemployment among adults and young people remains a major problem. It welcomed the measures adopted recently by the Council of Social Affairs on action to assist the long-term unemployed, on vocational training and on health and safety of workers.

The European Council welcomed the timetable established by the troika of Social Affairs Ministers and the Commission for the presentation and examination of proposals under the Commission action programme in application of the Community Charter of the Fundamental Social Rights of Workers.

EMS

1.9. The European Council noted the satisfactory functioning and recent development of the EMS.

Economic and monetary union

• References:

Report of the Committee chaired by Mr Delors on economic and monetary integration in the Community: Bull. EC 4-1989, points 1.1.1 to 1.1.5

Conclusions of the Madrid European Council: Bull. EC 6-1989, point 1.1.11

Conclusions of the Strasbourg European Council: Bull EC 12-1989, point 1.1.11

1.10. The first stage of economic and monetary union will come into effect on 1 July 1990. The European Council considered that this stage should be used to ensure convergence in the economic performance of Member States, to advance cohesion and to further the use of the ecu, all of which are of importance for further progress towards EMU.

The European Council reviewed the preparation of the forthcoming intergovernmental conference. It noted that all the relevant issues are now being fully and thoroughly clarified, with the constructive contribution of all Member States, and that common ground is emerging in a number of fields. In these circumstances the European Council decided that the intergovernmental conference will open on 13 December 1990 with a view to establishing the final stages of economic and monetary union in the perspective of the completion of the internal market and in the context of economic and social cohesion. The conference should conclude its work rapidly with the objective of ratification of the results by Member States before the end of 1992.

The European Council asked the Economic and Social Affairs Council and the General Affairs Council, assisted by the competent bodies, to carry out their work in such a way that negotiations on a concrete basis can be entered into as soon as the conference opens.

Political union

- **Reference:** Conclusion of the special meeting of the European Council, Dublin: Bull EC 4-1990, point 1.12

1.11. The European Council had an extensive exchange of views on the basis of the examination and analysis conducted by the Foreign Ministers and the ideas and proposals put forward by the Member States and the Commission.

On this basis, and following a discussion on the calling of an intergovernmental conference on political union, the President of the European Council noted the agreement to convene such a conference under Article 236 of the Treaty. The conference will open on 14 December 1990. It will adopt its own agenda, and conclude its work rapidly with the objective of ratification by Member States before the end of 1992.

Foreign Ministers will prepare the conference. Preparatory work will be based on the results of the deliberations of Foreign Ministers (Annex I)

and on contributions from national governments and the Commission, and will be conducted in such a way as to permit negotiations on a concrete basis to begin from the start of the conference.

Close dialogue will be maintained with the European Parliament, both in the preparatory phase and in the conference phase on political union as well as on economic and monetary union.

The European Council considered that the necessary coherence in the work of the two conferences should be ensured by the General Affairs Council.

German unification

- **Reference:** Conclusions of the special meeting of the European Council, Dublin: Bull. EC 4-1990, points 1.5 and 1.6

1.12. The European Council heard a report from the German Federal Chancellor on the progress towards German unification. It welcomed the conclusion of the inter-German State Treaty, which will promote and accelerate the integration of the territory of the German Democratic Republic into the Community.

The European Council expressed its satisfaction that the Commission has accelerated its preparatory work and intends to submit proposals for the necessary transitional arrangements in September. It asked the Council to reach early agreement in conformity with the guidelines laid down by the European Council in April.

The Members of the European Council also heard a report from the Prime Minister of the German Democratic Republic, who was accompanied by his Minister for Foreign Affairs, at the luncheon offered by the President of Ireland.

Progress in fields relating to a people's Europe

1.13. The European Council emphasized that a fundamental objective of European integration is the promotion of the rights, freedoms and welfare of the individual citizen. It emphasized the importance of a people's Europe which seeks to ensure and bring home in a direct and practical way the benefits of the Community to all its citizens.

Environment

- **References:**
Commission communication concerning a fourth environment action programme for the

Community: COM(86) 485; Bull. EC 9-1986, points 1.1.1 to 1.1.8

Council resolution on the strengthening of Community action in favour of the environment: OJ C 3, 7.1.1987; Bull. EC 12-1986, point 2.1.178

I.14. The European Council considered the role of the Community and its Member States in the protection of the environment within the Community and at global level. It agreed that a more enlightened and more systematic approach to environmental management is urgently required. It emphasized that research and environmental monitoring must be intensified to achieve a better understanding of the phenomena involved in global change and the implications of different courses of action. But the European Council stressed that research must not be used to justify procrastination; the areas of scientific uncertainty have been narrowed down, and the implementation of response measures can no longer be delayed.

Following its discussion, the European Council adopted the declaration in Annex II setting out guidelines for future action. It requested the Commission to use the objectives and the principles contained in the declaration as the basis of the Community's fifth action programme for the environment and to present in 1991 a draft of this programme. The European Council agreed to ask the Commission to analyse and prepare proposals for an appropriate Community programme to deal with the threat to the tropical rainforests in consultation with the countries concerned and in particular Brazil. It also agreed that the Community would consult other industrialized countries on concerted action on this question.

Free movement of persons

- **References:**

Council Directives 90/366/EEC, 90/365/EEC and 90/364/EEC on the right of residence for students, on the right of residence for employees and self-employed persons who have ceased their occupational activity, and on the right of residence for nationals of Member States for whom rules governing the right of residence have not yet been issued (→ points 1.3.262 to 1.3.265)

Six-monthly meeting of the Ministers for Immigration and the signature by 11 Member States of the Convention determining the State responsible for examining applications for asylum (→ point 1.5.7)

Conclusions of the Strasbourg European Council on the free movement of persons and a people's Europe: Bull. EC 12-1989, point 1.1.9

The Palma Document drawn up by the Coordinators Group on the free movement of persons: Bull. EC 6-1989, point 1.1.7

I.15. The European Council noted with satisfaction that there was now agreement on the three Directives on the right of residence.

It took note of the developments as set out in the Coordinators' Report on the free movement of persons. It welcomed the conclusion and signature by 11 Member States of the Convention determining the State responsible for examining applications for asylum, which is the first major legal instrument in the series necessary to ensure the free movement of people. It expressed the hope that this Convention will be signed by all Member States before the end of the year. It noted progress on the Convention on the crossing of the external borders of the Community and urged the competent bodies to take the necessary steps to ensure that this Convention would be signed by the end of this year in accordance with the conclusions reached by the European Council in Strasbourg. The European Council urged the Coordinators Group to speed up work on implementation of the measures contained in the Palma Document with a view to creating a Europe without frontiers.

Drugs and organized crime

- **References:**

Meeting of the Coordinators Group on Drugs (Celad) in Brussels on 29 and 30 May, and preparation of guidelines for a European campaign to combat drugs: Bull. EC 5-1990, point 1.2.250

Proposal for a Council Regulation laying down measures to be taken to discourage the diversion of certain substances to the illicit manufacture of narcotic drugs and psychotropic substances: COM(90) 215; Bull. EC 5-1990, point 1.2.6

Commission communication concerning the Community response to Colombia's special cooperation plan (→ points 1.4.23 to 1.4.26)

Proposal for a Directive on prevention of use of the financial system for the purpose of money laundering: OJ C 106, 28.4.1990; COM(90) 106; Bull. EC 3-1990, point 1.1.24

Economic declaration adopted by the Heads of State or Government of seven major industrial nations and the President of the Commission, Paris, 14 to 16 July 1989 (drug issues): Bull. EC 7/8-1989, point 3.2.2

I.16. The European Council held a thorough debate on the basis of reports from the High-level Coordinators Group, Celad, and from the Trevi Group. It agreed that drug addiction and traffic in

drugs are sources of great damage to individuals and society as well as to States and constitute a major menace to Europe and the rest of the world. In view of the extent of this scourge and in the perspective of a Europe without internal frontiers, the European Council agreed on the need for a coherent and effective policy at European level. In this context the European Council suggested the early convening of a conference of Western and Eastern European countries under the auspices of the Pompidou Group.

The European Council endorsed the conclusions of the two reports and asked the Council to reach agreement before the end of the year on the basis of the Commission's proposals on trade in precursors with non-Community countries and on an integrated programme for cooperation with Colombia, with particular regard to the sale and price of coffee and other substitute products. It welcomed the Commission proposal to combat money laundering and asked for final adoption of adequate measures before July 1991, drawing on the work of the GAFI set up in Paris in July 1989. It invited the Member States to adopt legislation which provides for seizure of the assets of persons involved in drug trafficking.

It stressed the responsibility of each Member State to develop an appropriate drug demand reduction programme. It also invited the Commission to present on a regular basis to the Council and Ministers for Health a report on work done in this area.

The European Council considered that effective action by each Member State, supported by joint action of the Twelve and the Community, should be a main priority over the coming years. The necessary human and material resources, both at national and Community level, would be provided for an effective fight against drugs and organized crime.

The European Council asked Celad, in close consultation with the Commission, to prepare for the meeting of the European Council in Rome a European plan to combat drugs covering measures on prevention, on demand reduction programmes, on health and social policy with regard to drug addicts, and on the suppression of drugs trafficking, and providing for an active European role in international action, bilaterally and in multilateral forums. It asked the Trevi Group to speed up work on the creation of a common information system, a European programme of training for law enforcement officers from drug-producing and transit countries, coordination of Member States' programmes of technical police cooperation with those countries, and the establishment of a European central drugs intelligence unit, if possible before the end of 1990. It urged the Group to

proceed with expanding the network of liaison officers in producer and transit countries and with improving controls at external frontiers, with particular regard to the infrastructure problems faced by Member States with a long coastline.

Anti-Semitism, racism and xenophobia

1.17. The European Council adopted the Declaration in Annex III.

External relations

• References:

Conclusions of the special meeting of the European Council, Dublin: Bull. EC 4-1990, points I.1 to I.16

Commission communication on redirecting the Community's Mediterranean policy (1992-96): Bull. EC 5-1990, point 1.3.24

Council Decision concerning the negotiating directives for an agreement with the EFTA countries on the establishment of a European economic area (→ point 1.4.6)

1.18. The European Council noted with satisfaction that the guidelines laid down at its special session in April for the Community's external policy are being translated into concrete action, notably:

- (i) the preparatory work for the CSCE Summit;
- (ii) the exploratory talks, soon to be opened, on Association Agreements with certain Central and Eastern European countries;
- (iii) the proposals submitted by the Commission on the renewal of the Community's Mediterranean policy;
- (iv) the agreement on a mandate for negotiations with the EFTA countries, which have now commenced with the objective of completion as soon as possible, with a view to creating a European economic area.

The European Council confirmed the will of the Community to act in a spirit of solidarity and cooperation with respect to those areas which, due to inadequate levels of development, necessitate an increased level of coordinated and multifaceted intervention by the Community and the Member States.

The European Council furthermore dealt with the following subjects:

The economic situation in the USSR

1.19. The European Council had a substantial discussion on the situation in the Soviet Union. It underlined the interest of the Community in the success of the political and economic reform initiated by President Gorbachev and its support for the efforts of the Soviet Union to make progress towards a democratic system and a market-oriented economy.

The European Council asked the Commission, in consultation as necessary with the International Monetary Fund, the World Bank, the European Investment Bank, the Organization for Economic Cooperation and Development, and the designated President of the European Bank for Reconstruction and Development, to consult the Government of the Soviet Union with a view to preparing urgently proposals covering short-term credits and longer-term support for structural reform. In this connection the Commission will examine the proposal of the Netherlands Government for the establishment of a European Energy Network.

The proposals thus established will be submitted in due course to the Council.

Central and Eastern Europe

1.20. The European Council welcomed the continuing progress being made in Central and Eastern European countries in establishing pluralist democracy founded on the rule of law, full respect for human rights, and the principles of the market-oriented economy. The European Council reaffirmed the right of individual citizens to participate fully in this process and called on all States to observe this principle without reservation. The European Council welcomed in particular the holding of free elections in Central and Eastern Europe and expressed the hope that these will lead to a fuller realization of democratic ideals, which of course entail full respect for the rights of the opposition parties. The European Council expressed its deep satisfaction at the progress already made and in prospect towards overcoming the divisions of Europe and restoring the unity of the continent, whose peoples share a common heritage and culture. The European Council recalled the contribution already made by the Community and the Member States to supporting the process of political and economic reform, notably through the Group of 24, and affirmed its intention to broaden and intensify that approach.

CSCE

1.21. The European Council reaffirms the important role played by the CSCE in the process

of change in Europe. At a time when our continent is actively engaged in surmounting its divisions, the CSCE provides a necessary framework for maintaining stability and promoting cooperation in Europe and for deepening the reforms that are under way.

It attaches great importance to the comprehensive nature of the CSCE process, which brings together the peoples and governments of Europe, the United States of America and Canada.

It welcomes the decision taken by the Member States of the CSCE to convene in Paris a summit of Heads of State or Government. The European Council proposes the date of 19 November 1990 for this meeting.

For the European Council, this summit has an exceptional importance. It should be an opportunity to define the crucial role which the CSCE will play in the future architecture of Europe and in establishing a new set of relations between participating States, based on the Helsinki principles, to be further expanded by new commitments and involving a balanced development of the CSCE, encompassing notably the development of pluralist democracy, the rule of law, human rights, better protection of minorities, human contacts, security, economic cooperation, the environment, further cooperation in the Mediterranean, and cooperation in the field of culture.

The European Council expects that the summit, among other things, will:

- (i) make a decisive contribution to strengthening stability and cooperation in Europe, and to disarmament;
- (ii) take note of the results obtained in talks relating to German unity, in particular its final settlement under international law;
- (iii) provide a basic orientation for future economic relations and cooperation in Europe. A closer association between the Community and other States member of the CSCE is an example of such relations and cooperation;
- (iv) set out guidelines for a democratic Europe and consolidate the principles of a State based on the rule of law.

The European Council proposes agreement on regular meetings of Heads of State or Government of the CSCE, as well as of Ministers for Foreign Affairs, and the establishment of a small administrative secretariat, as well as the holding of more frequent follow-up meetings. The summit will also provide the opportunity to consider the relationship between the CSCE process and other relevant institutions, such as the Council of Europe. Furthermore, the summit could take decisions on new

mechanisms in the field of security and cooperation in Europe, including suitable means to avoid conflict and disputes, and the active participation of parliamentary bodies.

The European Community and its Member States intend to assume a leading role in this enterprise and to contribute actively to all discussion within the CSCE process.

Considering the importance of the Paris Summit, the European Council has agreed that the Community and its Member States will strengthen their coordination with a view to defining and expressing a common position on all questions, in the various sectors of the CSCE, in which they have an essential common interest, and taking into account the importance of coordination with the participating States and organizations.

Transatlantic relations

- **Reference:** Conclusions of the special meeting of the European Council, Dublin: Bull. EC 4-1990, point I.10

I.22. The European Council expressed its satisfaction with the developments in the Community's relations with the United States of America, based on the structure laid down by the European Council in April and characterized by ever closer cooperation. They wish to take this cooperation further. Their commitment to this further cooperation could take the form of a joint transatlantic declaration on relations between the Twelve and the USA and Canada.

Uruguay Round

I.23. The European Council stressed that the successful conclusions of the Uruguay Round by December 1990 was a major priority for the Community. It emphasized the benefits for the peoples of the world by way of improved living standards that would flow from the gradual removal of barriers to multilateral free trade within the framework of strengthening the rules of the GATT. It reaffirmed the Community's determination to play a full and active part in the negotiations.

Africa

Southern Africa

I.24. The European Council adopted the Declaration in Annex IV.

Sub-Saharan Africa

I.25. The European Council expressed its serious concern about sub-Saharan Africa. The economic situation in these countries, including debt, is worrying. The European Council, emphasizing the commitment of the Community and its Member States to the development of Africa, in particular through the Lomé Convention, declared its determination to pursue this further and also its support for progress in the observance of human rights and in sound government management in sub-Saharan Africa.

Middle East

I.26. The European Council adopted the Declaration in Annex V.

Nuclear non-proliferation

I.27. The European Council adopted the Declaration in Annex VI.

Iranian earthquake

I.28. The European Council adopted the Declaration in Annex VII.

Cyprus

I.29. The European Council adopted the Declaration in Annex VIII.

Kashmir

I.30. The European Council discussed the current tension between India and Pakistan over the question of Kashmir. The European Community and its Member States enjoy excellent relations with India and Pakistan. They welcome and encourage recent efforts to de-escalate the state of tension between the two countries. They hope that such initial positive steps will lead to a fuller dialogue and a resolution of this problem in order that India and Pakistan can resume full and fruitful relations.

Greek economy

I.31. The European Council expresses its satisfaction with the initial measures adopted by the Greek Government for the stabilization, modernization and development of the Greek economy, and invites the Commission to examine, in close

collaboration with the Greek Government and the Economic and Financial Affairs Council, measures needed to ensure the successful restructuring of the Greek economy and its closer integration into the Community.

Presidency of the Commission

I.32. The European Council, in the presence of the President of the European Parliament, who will consult the enlarged Bureau, agreed to renew the mandate of Mr Jacques Delors as President of the Commission for the period 1991-92. It also agreed to renew the mandates of the present Vice-Presidents for the same period.

Seats of the institutions

I.33. After a debate on this question the European Council noted that the Presidency will submit a proposal for a definitive decision to the European Council in October 1990.

Terrorism

I.34. Following the most recent bombing outrage in London, the European Council renewed its categorical condemnation of all forms of terrorism and expressed its deep sympathy for the victims and their families.

Annex I

Political union

• References:

Conclusions of the special meeting of the European Council, Dublin: Bull. EC 4-1990, points I.1 to I.16

Conclusions of the Council meeting of 7 May and informal meeting of Foreign Ministers in Parknasilla, 19 and 20 May: Bull. EC 5-1990, point 1.1.1

Adoption by the Council at its meeting on 18 and 19 May of the report on the deliberations of Foreign Ministers (→ point 1.1.2)

Declaration of the Rhodes European Council on the international role of the European Community: Bull. EC 12-1988, point 1.1.10

Solemn Declaration on European Union signed by the 10 Heads of State or Government at Stuttgart on 19 June 1983: Bull. EC 6-1983, point 1.6.1

Introduction

I.35. The European Council agreed at its meeting on 28 April 1990 that a point had been reached where the further dynamic development of the Community had become an imperative not only because it corresponds to the direct interest of the 12 Member States but also because it has become a crucial element in the progress that is being made in establishing a reliable framework for peace and security in Europe. The European Council confirmed in this context its commitment to political union and decided that Foreign Ministers should carry out a detailed examination of the need for possible Treaty changes and prepare proposals for the European Council.

Written contributions have been submitted by Member States and ideas and suggestions compiled. Foreign Ministers carried out an examination and analysis of the issues at meetings in May and June with a view to the debate in the European Council on the convening of an intergovernmental conference on political union to define the necessary framework for transforming relations as a whole among the Member States into a European union invested with the necessary means of action.

The result of this work is set out below.

The overall objective of political union

Political union will need to strengthen in a global and balanced manner the capacity of the Community and its Member States to act in the areas of their common interests. The unity and coherence of its policies and actions should be ensured through strong and democratic institutions.

The union will remain open to membership by other European States who accept its final goals, while developing closer relations with other countries in the spirit of the Rhodes Declaration.

The transformation of the Community from an entity mainly based on economic integration and political cooperation into a union of a political nature, including a common foreign and security policy, raises a number of general questions.

• Scope

(i) To what extent does the union require further transfer of competence to the Community along with the provision of means necessary to achieve its objectives?

(ii) How will the union include and extend the notion of Community citizenship carrying with it specific rights (human, political, social, the right of complete free movement and residence, etc.) for

the citizens of Member States by virtue of these States belonging to the union?

(iii) To what extent will other areas currently dealt with in intergovernmental cooperation be included, such as aspects of free circulation of persons, the fight against drugs, and police and judicial cooperation?

- Institutional aspects

(i) To what extent will new or changed institutional arrangements be required to ensure the unity and coherence of all the constituent elements of the European union?

(ii) How should the role of the European Council, as defined in the Solemn Declaration on European Union and in the Single European Act, be developed in the construction of the union?

- General principles

The following questions should be considered with regard to certain general principles which have been advanced:

(i) In the context of ensuring respect for national identities and fundamental institutions, how best to reflect what is not implied by political union?

(ii) In the context of the application of the principle of subsidiarity, how to define it in such a way as to guarantee its operational effectiveness?

Democratic legitimacy

It is necessary to ensure that the principle of democratic accountability, to which all Member States of the Community subscribe, should be fully respected at Community level. The ongoing transfer of tasks to the Community and the corresponding increase in the power and responsibilities of its institutions require a strengthening of democratic control. This objective should be pursued through a range of measures, among which could be the following:

- increased involvement for the European Parliament:

(i) in the legislative process, possibly including forms of co-decision,

(ii) in the field of external relations;

- increased accountability through reinforced control by the European Parliament over the implementation of agreed Community policies;

- a reinforcement of the democratic character of other institutions (e.g. specific role of the European Parliament in the nomination of the President and Members of the Commission, greater transparency and openness in the working of the Community);

- greater involvement of the national parliaments in the democratic process within the union, in particular in areas where new competences will be transferred to the union.

Efficiency and effectiveness of the Community and its institutions

The adequacy of the Community's response, and of that of its institutions, to the needs arising from the new situation as well as from the implementation of the internal market, the attainment of EMU, the achievement of the aims of the Single European Act, the development of new policies and the enhancement of the Community's international role (including its capacity to respond to the aspirations of countries who wish to see their relations with the Community strengthened) should be examined from two angles: firstly, how to meet the challenges which the Community faces in an overall and balanced way; secondly, from the angle of the functioning of the institutions.

The question of the functioning of the institutions should be examined at several operational levels, while respecting the general balance between institutions:

(i) the European Parliament: (see 'Democratic legitimacy' above);

(ii) the Council: improving the decision-making process *inter alia* by enlarging the field covered by qualified majority voting; central coordination through the General Affairs Council; concentration and rationalization of Council work in general;

(iii) the Commission: the number of its Members and strengthening of its executive role with regard to implementing Community policies;

(iv) the Court of Justice: *inter alia* automatic enforceability of its judgments, where relevant;

(v) the Court of Auditors: the strengthening of its role in ensuring sound financial management;

(vi) Member States: ensuring the implementation and observance of Community law and European Court judgments.

In addition, consideration should be given to a review of the different types of legal instruments of the Community and the procedures leading to their adoption.

Unity and coherence of the Community's international action

In accordance with the conclusions reached by the European Council in Dublin on 28 April 1990, the

Community will act as a political entity on the international scene.

The proposal for a common foreign and security policy which takes account of the common interests of the Member States, acting with consistency and solidarity, and which institutionally goes beyond political cooperation as it currently functions, raises a number of questions, in particular the following:

- Scope

(i) the integration of economic, political and security aspects of foreign policy;

(ii) the definition of the security dimension;

(iii) the strengthening of the Community's diplomatic and political action *vis-à-vis* third countries, in international organizations and in other multilateral forums;

(iv) the evolution of the transfer of competences to the union, and in particular the definition of priority areas where transfer would take place at an initial stage.

- Decision-making

(i) use of the Community method (in full or in adapted form) and/or a *sui generis* method, bearing in mind the possibilities offered by the evolution over time of the degree of transfer of competence to the union, referred to above;

(ii) the Commission's role, including the faculty of launching initiatives and proposals;

(iii) establishment of a single decision-making structure; central role of the General Affairs Council and the European Council in this context; preparatory bodies; the organization and strengthening of the Secretariat;

(iv) modalities aimed at ensuring the necessary flexibility and efficiency to meet the requirements of formulation of foreign policy in various areas; consideration of decision procedures including the consensus rule, voting practices involving unanimity with abstentions, and qualified majority voting in specific areas.

- Implementation

There is a recognized need for clear rules and modalities for the implementation of the common foreign policy; the following are to be examined in this context:

(i) role of the Presidency (and of the 'Troika'), and of the Secretariat;

(ii) role of the Commission;

(iii) role of national diplomatic services in a strengthened collaboration.

Annex II

Declaration by the European Council on the environmental imperative

- References:

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): OJ C 115, 9.5.1990; Bull. EC 5-1990, point 1.2.77

Conclusions of the Council on the revision of the Montreal Protocol on Substances that Deplete the Ozone Layer (→ point 1.3.120)

Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Council resolution of 29 May on the environment and development: Bull. EC 5-1990, point 1.3.40

Conference of the Ministers for the Environment of the European Community, Central and Eastern Europe and the Commission, Dublin, 16 June (→ point 1.3.114)

Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency and the European Environment Information and Observation Network: OJ L 120, 11.5.1990; Bull. EC 5-1990, point 1.2.115

Commission communication on a fourth environment action programme for the Community: COM(86) 485; Bull. EC 9-1986, points 1.1.1 to 1.1.8

Council resolution on the strengthening of Community action in favour of the environment: OJ C 3, 7.1.1987; Bull. EC 12-1986, point 2.1.178

1.36. The natural environment which forms the life support system of our planet is gravely at risk. The earth's atmosphere is seriously threatened. The condition of water resources, including the seas and oceans, is causing concern, natural resources are being depleted and there is growing loss of genetic diversity. The quality of life — indeed, the continuation of life — could no longer be assured were recent trends to proceed unchallenged.

As Heads of State or Government of the European Community, we recognize our special responsibility for the environment, both to our own citizens and to the wider world. We undertake to intensify our efforts to protect and enhance the natural environment of the Community itself and the world of which it is part. We intend that action by the Community and its Member States will

be developed on a coordinated basis and on the principles of sustainable development and preventive and precautionary action. We have, therefore, adopted the following Declaration setting out guidelines for future action.

The Community dimension

The obligations of the European Community and its Member States in the area of environmental protection are clearly defined in the Treaties. There is also an increasing acceptance of a wider responsibility, as one of the foremost regional groupings in the world, to play a leading role in promoting concerted and effective action at global level, working with other industrialized countries, and assisting developing countries to overcome their special difficulties. The Community's credibility and effectiveness at this wider level depends in large measure on the ability to adopt progressive environmental measures for implementation and enforcement by its Member States. The internal and external dimensions of Community environment policy are therefore inextricably linked.

Completion of the internal market in 1992 will provide a major impetus to economic development in the Community. There must be a corresponding acceleration of effort to ensure that this development is sustainable and environmentally sound. In particular, the environmental risks inherent in greater production and in increased demand for transport, energy and infrastructure must be countered and environmental considerations must be fully and effectively integrated into these and all other policy areas.

The Community and the Member States must find effective solutions to all forms of pollution, including that created by the agricultural sector, and should support efforts to promote clean technology and non-polluting processes and products in industry. Better arrangements are also needed to protect the seas and coastal regions of Member States from the threat posed by the transport of oil and hazardous substances. This applies in particular to the marine waters to the west and south of the Community, where new cooperation arrangements should be developed without delay, with the help of the Commission.

While welcome progress has been made in recent times in the adoption of environmental measures at Community level, much more needs to be done taking due account of the subsidiarity principle, the differing environmental conditions in the regions of the Community and the need for balanced and cohesive development of these regions. We urge the Council and the Commission to press ahead with their work on this basis. The forthcoming intergovernmental conference should

address ways of accelerating Community decision-making on environmental legislation with a view to providing the Community with the necessary capacity in all respects to respond to the urgency of the situation.

Community environmental legislation will only be effective if it is fully implemented and enforced by Member States. We therefore renew our commitment in this respect. To ensure transparency, comparability of effort and full information for the public, we invite the Commission to conduct regular reviews and to publish detailed reports on its findings. There should also be periodic evaluations of existing Directives to ensure that they are adapted to scientific and technical progress and to resolve persistent difficulties in implementation; such reviews should not, of course, lead to a reduced standard of environmental protection in any case.

Standards designed to ensure a high level of environmental protection will remain the cornerstone of Community environment policy. But the traditional 'command and control' approach should now be supplemented, where appropriate, by economic and fiscal measures if environmental considerations are to be fully integrated into other policy areas, if pollution is to be prevented at source, and if the polluter is to pay. We therefore call on the Commission to accelerate its work in this field and to present, before the end of 1990, proposals for a framework or guidelines within which such measures could be put into effect by the Member States in a manner consistent with the Treaties.

Implementation of Community environmental measures and the protection of the common European heritage can give rise to unequal burdens for individual Member States. In this context, we welcome the recent Envireg initiative, under which support from the structural Funds will be provided for the management of hazardous wastes and the treatment of coastal waste water discharges. We invite the Commission to review the overall level of budgetary resources devoted to Community environment policy, currently disbursed through a number of separate funding mechanisms, and to submit its findings to the Council as soon as possible.

Global issues

The Community and its Member States have a special responsibility to encourage and participate in international action to combat global environmental problems. Their capacity to provide leadership in this sphere is enormous. The Community must use more effectively its position of moral, economic and political authority to advance inter-

national efforts to solve global problems and to promote sustainable development and respect for the global commons. In particular, the Antarctic deserves special protection as the last great unspoiled wilderness. The Community should also support efforts to build into international structures the capacity to respond more effectively to global problems.

Depletion of the ozone layer is a major cause for concern. The Community has already agreed to press for revision of the Montreal Protocol on Substances that Deplete the Ozone Layer so as to speed up considerably the complete elimination of these substances. It is also committed to the provision of additional financial and technical resources to assist developing countries in implementing the Protocol. We call on all the Contracting Parties to the Protocol to support these proposals and we call on States which have not already done so urgently to ratify or accede to the Protocol.

Recent scientific assessments show that man-made emissions are substantially increasing the atmospheric concentrations of greenhouse gases and that a business-as-usual approach will lead to additional global warming in the decades to come. We urge all countries to introduce extensive energy efficiency and conservation measures and to adopt as soon as possible targets and strategies for limiting emissions of greenhouse gases. We call on the Commission to expedite its proposals for concrete action and, in particular, measures relating to carbon dioxide emissions, with a view to establishing a strong Community position in preparation for the second World Climate Conference. The Community and its Member States will take all possible steps to promote the early adoption of a Climate Convention and associated protocols, including one on tropical forest protection.

We are gravely concerned at the continuing and rapid destruction of the tropical forests. We welcome the commitment of the new Government of Brazil to halt this destruction and to promote sustainable forest management. The Community and its Member States will actively support this process. We have asked the Commission to open discussions as a matter of urgency with Brazil and the other Amazonian Pact countries with a view to developing a concrete action programme involving the Community, its Member States and these countries. Elements for priority consideration should include debt for forest conservation exchanges; codes of conduct for timber importing industries; and the additional resources necessary to enable the forests to be preserved and managed on a sustainable basis, making optimal use of existing agencies and mechanisms. We appeal to other industrialized countries to join us in our

efforts. In our own countries, we will work to protect the forests and to extend and strengthen programmes of afforestation.

Destruction of the tropical forests, soil erosion, desertification and other environmental problems of the developing countries can be fully addressed only in the context of North-South relationships generally. Nevertheless, the Community together with the Member States should play a major role in assisting these countries in their efforts to achieve long-term sustainable development. In this context, we welcome the provisions of the Fourth Lomé Convention under which increased assistance is to be given to ACP countries, at their request, in the field of population, environment and sustainable resource development. We also welcome the strategy set out in the Resolution on Environment and Development agreed by the Council on 29 May 1990, particularly in regard to the recognition of the need for additional resources to help deal with the environmental problems of developing countries. More generally, the cooperation agreements between the Community and the countries of Asia and Latin America falling outside the Lomé framework should increasingly emphasize our shared environmental concerns.

The environmental situation in Central and Eastern Europe presents special challenges. We endorse the agreement reached in Dublin on 16 June 1990 between the Environment Ministers of the Community and those of Central and Eastern Europe on the steps to be taken to improve the environment in Europe as a whole and in Central and Eastern Europe in particular. Remedial measures must be taken by these countries to clear up problems which have developed through years of neglect and to ensure that their future economic development is sustainable. They need the support of the Community and its Member States in order to achieve these objectives. Action already taken within the Phare programme is encouraging but will need to be developed further, both in the context of the expanded Group of 24 programme and in the cooperation agreements between the Community and the countries of Central and Eastern Europe. We look forward also to the contribution to be made by the European Bank for Reconstruction and Development in this regard.

Personal attitudes and shared responsibilities

Increased public awareness and concern for environmental issues is one of the major developments of our time. We note with satisfaction the adoption of the Regulation to establish the European Environment Agency, which will provide reliable and objective information on the state of the environment for the citizens of Europe.

Another important development is the adoption of the Directive on freedom of access to environmental information, which will greatly increase the availability of information to the public and will lead to the publication of regular state of the environment reports. We invite the Member States to accompany these reports by national environment action plans, prepared in a form which will attract maximum public interest and support.

We urge Member States to take positive steps to disseminate environmental information widely among their citizens in order to build up more caring and more responsible attitudes, a greater understanding, based on sound scientific assessments, of the nature and causes of problems, and a better appreciation of the costs and other implications of possible solutions.

The development of higher levels of knowledge and understanding of environmental issues will facilitate more effective action by the Community and its Member States to protect the environment. The objective of such action must be to guarantee citizens the right to a clean and healthy environment, particularly in regard to:

- (i) the quality of air;
- (ii) rivers, lakes, coastal and marine waters;
- (iii) the quality of food and drinking water;
- (iv) protection against noise;
- (v) protection against contamination of soil, soil erosion and desertification;
- (vi) preservation of habitats, flora and fauna, landscape and other elements of the natural heritage;
- (vii) the amenity quality of residential areas.

The full achievement of this objective must be a shared responsibility. Problems cannot be resolved without concerted action. In each country, everyone — government, public authorities, private undertakings, individuals and groups — must be fully involved. Acceptance at all levels of this concept must be promoted.

Mankind is the trustee of the natural environment and has the duty to ensure its enlightened stewardship for the benefit of this and future generations. Solidarity must be shown with the poorer and less developed nations.

We note with interest the conclusions of the Siena Forum on International Law of the Environment and suggest that these should be considered by the 1992 UN Conference on Environment and Development.

All of our decisions matter. The environment is dependent on our collective actions, and tomorrow's environment depends on how we act today.

The European Council invites the Commission to use these principles and objectives as the basis of the fifth action programme for the environment and to present a draft of such a programme in 1991.

Annex III

Declaration on anti-Semitism, racism and xenophobia

- **References:**

Declaration against Racism and Xenophobia adopted on 11 June 1986 by the European Parliament, the Council and the Commission: OJ C 158, 25.6.1986; Bull. EC 6-1986, point 1.4.1

Second meeting of the CSCE Conference on the Human Dimension (→ point 1.4.66)

1.37. The European Council expresses its deep revulsion at recent manifestations of anti-Semitism, racism and xenophobia, particularly expressions of anti-Semitism involving acts of desecration perpetrated against the dead, which are calculated to cause the utmost distress to the living. It is all the more distressing that such abominations should enjoy any currency precisely at a time when we are commemorating the end of the Second World War.

The European Council deplors all manifestations of these phenomena. It agrees that vigorous measures must be taken to combat them, whenever and wherever they appear in the Community. The Member States will assess the extent to which their national legislation must effectively be used in order to counter them.

The European Council has taken note of the fact that these problems are not restricted to the Member States of the Community. Comparable outrages have also occurred in recent times elsewhere in Europe.

The European Council also recalls the Declaration of the Community Institutions and the Member States against Racism and Xenophobia of 11 June 1986. It considers respect for the dignity of the human being and the elimination of manifestations of discrimination to be of paramount importance. Such manifestations, including expressions of prejudice directed against foreign immigrants, are unacceptable. The European Council underlines the positive contribution that workers from third countries have made and continue to make to the development of the Community as a whole.

Against this background, the European Council recalls the United Nations Convention on the Elim-

ination of Racial Discrimination, the Council of Europe Declaration on Intolerance, and ongoing work in the framework of the CSCE. The European Council supports action, notably in the context of the human dimension of the CSCE, to counter anti-Semitism, racism, incitement to hatred and xenophobia. The importance which the Community and its Member States attach to this subject is illustrated by the proposals against racism and xenophobia made in their name, and by the initiatives on related issues taken by individual Member States at the current session of the CHD in Copenhagen.

Annex IV

Declaration on southern Africa

- **References:**

Commission participation in Namibian independence ceremonies: Bull. EC 3-1990, point 1.2.44

Fourth ACP-EEC Convention signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Declaration on southern Africa by the Strasbourg European Council: Bull. EC 12-1989, point 1.1.24

I.38. The European Council welcomes the important changes that have taken place in southern Africa since it met in Strasbourg.

The European Council warmly welcomes the successful conclusion of the process of bringing Namibia to independence with a constitution based on multi-party democracy and human rights. The European Community and its Member States will continue to give aid and support to the people of Namibia as they build their new country, in particular in the framework of the new Lomé Convention. They welcome the talks which have taken place between the Angolan Government and Unita under Portuguese auspices. They look forward to the resolution of the conflict in Angola and also of that in Mozambique through dialogue.

The European Council greatly welcomes the significant changes that have taken place in South Africa in recent months: the release of Nelson Mandela and of other political prisoners; the unbanning of political organizations; the substantial lifting of the state of emergency; the commitment by the Government to abolish the apartheid system and to create a democratic and non-racial South Africa, and its willingness to enter into negotiations on the future of South Africa with the representatives of the majority.

They pay tribute to the parts played in bringing about these changes by President F.W. de Klerk and Mr Nelson Mandela. The efforts of President F.W. de Klerk to bring about a new era in South Africa are testimony to his foresight and courage. Mr Nelson Mandela, a prisoner for 27 years, has inspired millions of South Africans opposed to apartheid and thereby amply demonstrated his qualities of statesmanship, qualities that will be required in the challenging period ahead in South Africa.

The objective of the European Community and its Member States is the complete dismantlement of the apartheid system, by peaceful means and without delay, and its replacement by a united, non-racial and democratic State in which all people shall enjoy common and equal citizenship and where respect for universally recognized human rights is guaranteed. They welcome the joint commitment between the South African Government and the ANC in the Groote Schuur Minute to stability and a peaceful process of negotiations. They call on all parties in South Africa to endorse this objective. It is the intention of the European Community and its Member States to encourage, by every means available to them, the early opening of negotiations leading to the creation of a united, non-racial and democratic South Africa.

Negotiations on a new South Africa should get under way without delay. The substantial progress made towards removal of the obstacles represented by the state of emergency and the detention of political prisoners is welcome. The European Council looks forward to early agreement between the South African Government and the ANC on the conditions in which exiles can return and on the definition of political prisoners leading to their release. The European Council calls on all parties to remove the remaining obstacles to peaceful negotiations and to refrain from violence or advocacy of violence.

The European Council fully recognizes that a new post-apartheid South Africa should be able to avail itself of all the economic resources, including access to external finance, required to ensure its future prosperity and the full development of all its people. South Africa faces acute socioeconomic problems, especially in the areas of employment, education and housing, against a background of a high rate of population growth. These problems have been greatly exacerbated by apartheid. Positive action is needed to rectify imbalances.

Through the programme of positive measures, the Community has, for a number of years, been providing assistance to the victims of apartheid. In the light of the recent developments in South Africa and as a strong signal of political support to those disadvantaged by apartheid and of the will to

contribute to a new socioeconomic balance, the Community intends to increase the funds being made available under its programme and to adapt the programme to the needs of the new situation, including those connected with the return and resettlement of exiles. It welcomes the positive attitude being displayed by all parties, including the new South African Government, to such programmes.

At its meeting in Strasbourg in December last, the European Council decided that the Community and its Member States would maintain the pressure that they exert on the South African authorities in order to promote the profound and irreversible changes which they have repeatedly stood for. The European Council affirms its willingness to consider a gradual relaxation of this pressure when there is further clear evidence that the process of change already initiated continues in the direction called for at Strasbourg.

The European Council holds the view that the new South Africa, which will have harnessed the full richness, not only of its physical, but also of its abundant human resources, has the potential to act as a stimulus for growth in the southern African region. The European Council looks forward to being able to welcome, in the near future, a new, democratic and economically prosperous South Africa as it takes its proper place as an African nation in the international community.

Annex V

Declaration on the Middle East

● **References:**

Declaration on the Middle East by the Venice European Council: Bull. EC 6-1980, point 1.1.6

Declaration on the Middle East by the Madrid European Council: Bull. EC 6-1989, points 1.1.17 and 1.1.23

Declaration on the Middle East by the Strasbourg European Council: Bull. EC 12-1989, point 1.1.21

1.39. The European Council recalls its long-standing position of principle on the Arab-Israeli conflict in the Middle East. It is determined to encourage all efforts to promote dialogue between the parties directly concerned, leading to the negotiation of a comprehensive settlement consistent with the principles it has set out, beginning with the Venice Declaration 10 years ago and further developed since, notably in the Madrid Declaration. This settlement should be found in the framework of an international peace conference under the auspices of the United Nations with the

participation of the PLO. The European Council expresses its support for every effort by the permanent members of the Security Council to create a climate of confidence between the parties and, in this way, to facilitate the convening of the international peace conference.

The European Council welcomes the commitment to continuing the peace process expressed in the letter to the President of the European Council from the Prime Minister of Israel. The European Council hopes that it will be followed in practice. It stresses the urgent need for Israel to begin a political dialogue with the Palestinian people which could lead to a comprehensive, just and lasting settlement to the Arab-Israeli conflict. Such a settlement should be on the basis of resolutions 242 and 338 of the Security Council based on the principle of 'land for peace'.

The European Council stresses that all parties have a responsibility to refrain from actions or statements which might impede steps towards dialogue and negotiation. Those who would choose violent over peaceful means for achieving political objectives cannot be allowed to prevail. Neither the taking of human life, whatever the circumstances, nor violence against civilians can play any part in achieving peace and reconciliation.

Threats of war and of the use of weapons of mass destruction serve only to increase tension in the region and should be eschewed. The Community and its Member States have consistently condemned both threats and acts of violence in the region, whatever their origin. In such a delicate situation, all channels of dialogue and negotiation should be kept open.

The European Council is concerned that, by making territorial compromise ever more difficult, Israel's settlement policy in the Occupied Territories presents a growing obstacle to peace in the region. Reiterating that Jewish settlements in the territories occupied by Israel since 1967, including East Jerusalem, are illegal under international law, it calls earnestly on the Government of Israel not to permit settlements there. The European Council recognizes and supports the right of Soviet Jews to emigrate to Israel and elsewhere. It is, however, firmly of the view that this right must not be implemented at the expense of the rights of the Palestinians in the Occupied Territories.

Recent events underline once again that the status quo in the Occupied Territories is untenable. The lamentable position concerning the observance of human rights in the Occupied Territories has led the Community and its Member States to set out repeatedly their concern. They are resolved to step up their already significant support for the protec-

tion of the human rights of the population of the Occupied Territories.

In the present situation, and particularly with regard to the protection of the population, the United Nations, too, can and should play a useful role. The European Council supports a role of the United Nations.

The European Council refers to the obligation on Parties to the Geneva Convention Relative to the Protection of Civilian Persons in Time of War to respect and to ensure respect for its provisions. The Twelve have repeatedly called on Israel to adhere to its obligations towards the Palestinian population in the territory under its occupation which is protected by that Convention. They have observed that it has notably failed to do so in a number of important areas. Concerned that the human rights of the population of the Occupied Territories continue to be inadequately protected, the European Council calls for further action, in accordance with the Convention, to ensure that protection.

The European Council has reviewed the range of actions taken on the basis of the Strasbourg Declaration in order to arrest the deterioration of the economic and social situation in the Occupied Territories and to help to preserve the future of Palestinian society. It notes with satisfaction the significant increase of Community aid, particularly in the 1990 programme of direct aid which is ready for adoption. It confirms its determination to double direct Community aid by 1992.

The European Council also expresses its satisfaction with the growth in exports of agricultural produce from the Occupied Territories to the Community. It invites the Community institutions to take appropriate action for a rapid further improvement of the conditions of access to the Community market for Palestinian products and to examine further possibilities for increasing trade between the Community and the Occupied Territories.

As an expression of the importance which the European Council attaches to facilitating the speedy and efficient implementation of the Community's expanding programme for the benefit of the population of the Occupied Territories, the Commission is invited to appoint a representative to the Occupied Territories for this purpose at an early date.

Annex VI

Declaration on nuclear non-proliferation

I.40. The European Council strongly supports and is fully committed to the objective of nuclear

non-proliferation. It believes that the further spread of nuclear weapons or other nuclear explosive devices would endanger stability and threaten regional and global security. The European Council attaches the greatest importance to the maintenance of an effective international nuclear non-proliferation regime and will make every effort to contribute to strengthening non-proliferation and encouraging the participation of further countries in the regime. The Treaty on the Non-Proliferation of Nuclear Weapons (NPT) is an important element in that regime. The 12 Member States of the European Community, parties to the NPT or not, will work actively to secure a successful outcome to the discussions which will take place in the forthcoming months, and in particular the deliberations of the Fourth Review Conference of the NPT, and hope that those discussions will provide stable and assured solutions to the problems encountered by the international community in preventing the spread of nuclear weapons. The European Council expresses its concern that there is a continuing risk that further countries may acquire nuclear weapons and that a number of countries remain outside the non-proliferation regime. It calls on all States to join in efforts to eliminate this risk of nuclear proliferation.

The European Council recognizes the indispensable role played by the IAEA and its safeguards in the development of the peaceful uses of nuclear energy. It recognizes that these safeguards are the cornerstone of an effective non-proliferation regime. The European Council reaffirms the need for the peaceful application of nuclear energy to take place under credible, effective and efficient international safeguards. In this connection, it recalls the important contribution of Euratom safeguards. For their part, the 12 Member States of the Community have accepted, in accordance with their respective individual status, the exercise of international controls on their nuclear installations and apply constraints to their export policies. The European Council strongly supports the application of safeguards on as universal a basis as possible. It calls on other States to subscribe to similar commitments.

The European Council believes in the need for an equitable and stable framework for international nuclear trade. The 12 Member States of the European Community have collectively adhered to the Nuclear Suppliers Group Guidelines, thereby assuming a basic common discipline for their nuclear exports. The European Council expresses the hope that other countries will conduct their nuclear export policies on a similar basis. Within the framework of guidelines for nuclear trade, the European Council wishes to cooperate with all countries, especially developing countries. While maintaining and further developing the existing

non-proliferation regime, the European Council will work to uphold the right of all countries to the development of research, production and use of nuclear energy for peaceful purposes.

In a context where several countries in various regions of the world perceive an increasing role for nuclear energy, the European Council believes that the development of the peaceful uses of nuclear energy should be inseparable from necessary action to eliminate the risk of proliferation of nuclear arms, and should be accompanied by the utmost attention to safety. In that regard the 12 Member States of the European Community have proposed that the IAEA convene a technical conference in 1991, to review the situation in the field of nuclear safety as well as to formulate recommendations on further measures for improving safety in order to supplement existing measures in this field.

The European Council reaffirms once again its support for the objective of the non-proliferation of nuclear weapons and will continue to work in a spirit of dialogue and cooperation in order to enlarge the international consensus in favour of an effective non-proliferation regime.

Annex VII

Declaration on the Iranian earthquake

- **Reference:** Emergency aid granted by the Commission (→ point 1.4.44)

1.41. The European Council expresses its profound sympathy to the Government and people of

the Islamic Republic of Iran at the terrible loss of life, injuries and devastation caused by the earthquake in north-west Iran on 21 June.

The Community and its Member States wish to give all possible assistance to the victims of this disaster. They have already begun a substantial programme of relief and will give every consideration to immediate further aid and to reconstruction assistance.

The European Council conveys the deep sympathy of the people of the European Community to the injured and condolences to those families and friends who have been bereaved.

Annex VIII

Declaration on Cyprus

1.42. The European Council discussed the Cyprus question in the light of the impasse in the intercommunal dialogue.

The European Council, deeply concerned at the situation, fully reaffirms its previous declarations and its support for the unity, independence, sovereignty and territorial integrity of Cyprus in accordance with the relevant UN resolutions. Reiterating that the Cyprus problem affects EC-Turkey relations and bearing in mind the importance of these relations, it stresses the need for the prompt elimination of the obstacles that are preventing the pursuit of effective intercommunal talks aimed at finding a just and viable solution to the question of Cyprus on the basis of the mission of good offices of the Secretary-General, as it was recently reaffirmed by Resolution 649/90 of the Security Council.

PART ONE

ACTIVITIES IN JUNE 1990

1. Political dimension of European integration

Intergovernmental conference on political union

1.1.1. Dublin European Council, 25 and 26 June.

Conclusions of the Presidency. On the basis of an analysis by the Foreign Ministers (→ point 1.1.2) and ideas and proposals put forward by the Member States and the Commission, the President noted that agreement had been reached to convene an intergovernmental conference on political union under Article 236 of the Treaty (→ points I.11 and I.35).

Preparations for the European Council

1.1.2. Results of the deliberations of the Foreign Ministers.

- **References:**

Conclusions of the special meeting of the European Council, Dublin, 28 April: Bull. EC 4-1990, point I.12

Conclusions adopted by the Council on 7 May and informal meeting of the Foreign Ministers, Parknasilla, 19 and 20 May: Bull. EC 5-1990, point 1.1.1

Report adopted by the Council (General Affairs) on 18 and 19 June. The Council noted that the report prepared by the personal representatives of the Foreign Ministers formed a good basis for further discussions and agreed to adopt it (→ point I.35) for transmission to the European Council to enable it to decide whether or not to call a second intergovernmental conference on political union in parallel with the one to be held on economic and monetary union. In this connection, the Council stressed the need to ensure strict coordination between the two conferences, in particular with regard to the institutional aspects.

1.1.3. Parliament resolution on the institutional guidelines for the second Dublin Summit.

- **References:**

Parliament resolution on the intergovernmental conference decided on at the European Council in Madrid: OJ C 323, 27.12.1989; Bull. EC 11-1989, points 2.7.2 to 2.7.4

Parliament resolution on the intergovernmental 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

Parliament resolution on economic and monetary union: OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.1

Interinstitutional preparatory conference held in Strasbourg on 17 May: Bull. EC 5-1990, point 1.1.2

Adopted on 14 June. Parliament reaffirmed the essential elements of European union and declared that it could not agree to solutions aimed at strengthening unilaterally the intergovernmental institutions of the Community, or aimed at diminishing its role as the legitimate representative of the citizens of Europe and at confining the Commission to a technical role in areas where it should be the driving force behind the process of European unification. Parliament solemnly formulated a number of requests to the Heads of State or Government meeting in the European Council, the President of the Commission and the Foreign Ministers and hoped that, at the interinstitutional preparatory conference agreement would be reached between it, the Commission and the Member States on the close involvement of Parliament with intergovernmental conferences.

OJ C 175, 16.7.1990

1.1.4. Parliament resolution on the role of European political cooperation in security policy and on security policy cooperation in Europe.

- **References:**

Parliament resolution on security policy and European integration: OJ C 15, 22.1.1990; Bull. EC 12-1989, point 2.3.6

Parliament resolution on the intergovernmental 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

Adopted on 14 June. Parliament called on the Foreign Ministers meeting in the context

of political cooperation to work towards the full integration of the latter into the Community's activities at the forthcoming intergovernmental conference, while taking into consideration all aspects of external and security policy. It also called on them to work out the basis for a common external and security policy, bearing in mind the new

relations between European States, and to ensure that the Community adopted common positions at all levels of the Conference on Security and Cooperation in Europe (CSCE), in particular by presenting proposals to secure lasting peace in Europe at the CSCE Summit to be held in the autumn.

OJ C 175, 16.7.1990

2. German unification and relations with the GDR

1.2.1. Work progressed at an accelerated pace in the Community in order to prepare for German unification. Parliament set up a temporary Committee on German Unification (rapporteur: Mr A.J. Donnelly (S/UK)) to look at all the consequences unification would have for the Community. The Commission took part in the discussions between the two Germanys leading to the Staatsvertrag and is involved in the discussions which might lead to an Einigungsvertrag. The Commission has stated that in addition to the texts already adopted (→ points 1.2.3 to 1.2.9) it is preparing a legislative package containing the derogations and the transitional and technical measures necessary for the integration of the territory of the German Democratic Republic into the Community (→ point 1.2.2). These proposals are to be put before Parliament and the Council in September.

1.2.2. Commission communication on the Community and German unification: implications of the Staatsvertrag.

- **Reference:** Conclusions of the special meeting of the European Council, Dublin, 28 April: Bull. EC 4-1990, point I.6

Adopted by the Commission on 13 June. The purpose of this communication is to give a brief summary of the contents of the

Staatsvertrag and set out the timetable for making the necessary adjustments to Community law to incorporate the German Democratic Republic into the Community.

Customs union with the German Democratic Republic

1.2.3. Council Regulation (EEC) No 1794/90 on transitional measures with regard to trade with the German Democratic Republic.

- **Reference:** Conclusions of the special meeting of the European Council, Dublin, 28 April: Bull. EC 4-1990, point I.6

Commission proposal adopted on 13 June. The aim of this proposal is to create the conditions conducive to the establishment of a *de facto* customs union between the Community and the German Democratic Republic during the period preceding the unification of the latter and the Federal Republic of Germany. In view of the immediate establishment of a monetary union between the Federal Republic of Germany and the German Democratic Republic and the latter's progressive integration into the economic and social system of the Federal Republic, it is important to grant free access, into the territory of the Community,

to industrial goods from the German Democratic Republic, just as the Democratic Republic must let Community products enter freely into its territory. In practice, the text put before the Council for its approval empowers the Commission to suspend the application of customs duties and any charges having equivalent effect as well as quantitative restrictions and any restrictive measures resulting from common commercial policy instruments, once it has established that the GDR has introduced into its trade with third countries the Common Customs Tariff, Community customs legislation and the other common commercial policy measures as well as measures guaranteeing free access to Community goods. Derogations are provided for, however, enabling protective measures to be taken, to prevent serious economic difficulties being caused by free access, particularly for the German Democratic Republic. There are separate acts for goods covered by the ECSC Treaty (→ point 1.2.5) and agricultural products.

COM(90) 265

Adopted by the Council on 28 June

OJ L 166, 29.6.1990

1.2.4. Commission Regulation (EEC) No 1795/90 concerning the methods of implementation of Council Regulation (EEC) No 1794/90.

- **Reference:** Conclusions of the special meeting of the Dublin European Council on 28 April 1990: Bull. EC 4-1990, point I.6
- **Basic Regulation:** Council Regulation No 1794/90 on transitional measures concerning trade with the German Democratic Republic (→ point 1.2.3)

Adopted by the Commission on 29 June.

The Commission established that the German Democratic Republic had met the conditions required by Council Regulation (EEC) No 1794/90 and suspended the application of customs duties and any charges having equivalent effect, and quantitative restrictions and any restrictive measures resulting from the instruments of the commercial policy.

OJ L 166, 29.6.1990

1.2.5. Commission Decision 1796/90/ECSC on the suspension of customs duties and quantitative restrictions for products falling within the ECSC Treaty coming from the German Democratic Republic.

• **References:**

Conclusions of the special meeting of the European Council, Dublin, 28 April: Bull. EC 4-1990, point I.6

Council Regulation (EEC) No 1794/90 on transitional measures concerning trade with the German Democratic Republic (→ point 1.2.3)

Draft Decision approved on first reading by the Commission on 21 June. Purpose: to align the measures applied to products falling within the ECSC Treaty on those adopted for industrial products in trade with the German Democratic Republic.

Assent given by the Council on 28 June.

ECSC Consultative Committee consulted on 29 June. Favourable opinion.

Adopted by the Commission on 29 June.

OJ L 166, 29.6.1990

1.2.6. Proposal for a Regulation on transitional measures concerning trade with the German Democratic Republic in the agriculture and fisheries sector.

- **Reference:** Conclusions of the special meeting of the European Council, Dublin, 28 April: Bull. EC 4-1990, point I.6

Adopted by the Commission on 13 June.

Purpose: to implement a simple and rapid procedure to ensure reciprocity of treatment, as from 1 July, as regards suspension of the collection of levies and granting of refunds on goods in the agriculture and fisheries sector in trade between the Community and the German Democratic Republic. The proposal provides for the Commission to abolish the levies, other charges and quantitative measures on condition that the German Democratic Republic establishes mechanisms identical to those of the CAP, guarantees free access for Community goods and takes the necessary measures to ensure that Community import rules

are not evaded with regard to products imported from non-member countries.

OJ C 165, 6.7.1990 and COM(90) 282

Access by the German Democratic Republic to the Community's financial instruments

1.2.7. Decision 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, Dublin, 28 April: Bull. EC 5-1990, point 1.3.11

Adopted by the Council on 11 June.

1.2.8. Proposal for a Decision amending Decision 77/270/Euratom empowering the Commission to issue Euratom loans for the purpose of contributing to the financing of nuclear power stations in the German Democratic Republic.

- **Decision to be amended:** Decision 77/720/Euratom: OJ L 88, 6.4.1977; Bull. EC 3-1977, point 2.1.101

Adopted by the Commission on 13 June. Purpose: to make Decision 77/270/Euratom applicable to the German Democratic Republic during the interim adjustment period prior to the unification of the German Democratic Republic and the Federal Republic of Germany.

1.2.9. Draft Commission Decision authorizing loans on the capital market with a view to the granting of loans for financing coal and steel investment projects in the German Democratic Republic.

- **Reference:** Conclusions of the special meeting of the European Council, Dublin, 28 April: Bull. EC 4-1990, point 1.6

Approved in principle by the Commission on 13 June. Purpose: to grant the German Democratic Republic loans for investment in the coal and steel sector pursuant to Article 95 of the ECSC Treaty.

Consultative Committee consulted on 28 June. Favourable opinion.

Visit

1.2.10. Visit to the Commission on 1 June by Mr Lothar de Maizière, East German Prime Minister.

Mr Lothar de Maizière was received by Mr Delors and several Commission Members. He outlined the specific difficulties which the GDR had to cope with in the course of its integration into the territory of the Community, including the adjustment of agriculture and the restructuring of industry, as well as environmental questions. The East German Prime Minister stressed that a fairly long transition period was needed and pointed out that the GDR required help during this period with information on Community legislation and the organization of communication networks.

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

Economic and monetary policy

1.3.1. European Council meeting in Dublin on 25 and 26 June.

Conclusions of the Presidency. After reviewing preparations for the forthcoming inter-governmental conference, the European Council noted that all the relevant issues were now being fully clarified. It decided that the conference would open on 13 December with a view to establishing the final stages of economic and monetary union in the perspective of the completion of the internal market and in the context of economic and social cohesion (→ point I.10).

Economic and monetary union

1.3.2. Preparations for the intergovernmental conference.

- **References:**

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

Conclusions of the Madrid European Council: Bull. EC 6-1989, point 1.1.2 *et seq.*

Conclusions of the Strasbourg European Council: Bull. EC 12-1989, point 1.1.2 *et seq.*

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

Discussion by the Council (Economic and Financial Affairs) on 11 June. Objective: continuation of the preparatory work on economic and monetary union. The Council heard reports from the Chairmen of the Committee of Central Bank Governors, the Monetary Committee and the Permanent Representatives Committee on the progress made by those committees and a report from the Chairman of the Economic Policy Committee on the cost/benefit aspects of implementation of EMU. The Ministers held a detailed discussion on the basis of the facts highlighted in those reports.

In concluding the discussion, the President stated that he intended to prepare a summary report on this matter for the European Council meeting in Dublin (→ point 1.3.1) which would reflect the work carried out by the Council (both Economic and Financial Affairs and General Affairs) and would pinpoint the main problems to be resolved, particularly in the institutional sphere.

The Council also asked the various committees to press on with their work with a view in particular to the next informal meeting to be held by the Ministers in September. Finally, the Council noted that the Commission intended to present to it a comprehensive report on EMU before the end of July.

1.3.3. First multilateral surveillance exercise.

- **References:**

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

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

Conducted by the Council (Economic and Financial Affairs) on 11 June. Objective: first application of the procedures laid down in the 'convergence' Decision of 12 March. This multilateral surveillance exercise was important because it took place only a few days before the first stage of economic and monetary union began. It showed that the Community was embarking on this first stage under favourable economic conditions, although some problems of convergence remained, particularly as regards inflation and budget deficits.

Economic situation

1.3.4. Economic outlook for the Community in 1990 and 1991.

- **Reference:** Annual Economic Report 1988-89: Bull. EC 10-1988, points 1.1.1 to 1.1.5

Presented by the Commission on 11 June. According to the Report, economic growth in the Community was continuing at a rate of some 3%. Investment, which should grow by 4.5% in 1990 and by 4% in 1991, remained the most buoyant component of internal demand. Employment was likely to increase by 1.4% this year and by 0.9% in 1991, while unemployment could fall further, to 8.3% of the labour force next year. Inflation, which remained high this year (at 4.8%), might then fall somewhat. The budgetary consolidation effort was slackening, since the borrowing requirement was increasing this year as a percentage of GDP. While the Community's external position was improving slightly, the difficulties of assessing the economic impact of events in Germany were adding to the uncertainty attaching to the forecasts.

Community borrowings

1.3.5. Thirteenth six-monthly report on the rate of utilization of the NCI tranches.

- **Basic Decision:** Council Decision 83/200/EEC of 19 April 1983; OJ L 112, 28.4.1983; Bull. EC 4-1983, point 2.1.8
- **Previous report:** Bull. EC 1/2-1990, point 1.1.4

Adoption by the Commission on 7 June of the report covering the period from 1 July to 31 December 1989. Authorizations for borrowing under NCI III currently total ECU 2.9 billion, leaving a reserve of ECU 100 million. The breakdown of loans signed shows that the largest share has gone to Italy, with France in second position. In the case of NCI IV authorizations, Spain has the second largest share, with a total of 91% of authorizations having already been used up.

Internal market

1.3.6. The European Council welcomed the good progress which had been made in a number of fields in recent months regarding completion of the internal market and noted

that two thirds of the measures had now been agreed (→ point I.6).

Removal of physical barriers

Inspection of goods

Simplification of customs formalities

1.3.7. Proposal for a Regulation on Community transit.

- **Regulation to be amended:** Council Regulation (EEC) No 222/77 on Community transit; OJ L 38, 9.2.1977
- **Commission proposal:** OJ C 307, 6.12.1989; COM(89) 480; Bull. EC 10-1989, point 2.1.26
- **Economic and Social Committee opinion:** OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.5
- **European Parliament opinion (first reading):** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.6

Common position adopted by the Council (Internal Market) on 20 June.

General legislation

1.3.8. Council Regulation (EEC) No 1716/90 amending Regulation (EEC) No 1031/88 determining the persons liable for payment of a customs debt.

- **Regulation amended:** Council Regulation (EEC) No 1031/88; OJ L 102, 21.4.1988; Bull. EC 4-1988, point 2.1.65
- **Commission proposal:** OJ C 42, 8.6.1989; COM(89) 214; Bull. EC 5-1989, point 2.1.36
- **Economic and Social Committee opinion:** OJ C 298, 27.11.1989; Bull. EC 9-1989, point 2.1.22
- **European Parliament opinion (first reading):** OJ C 323, 27.12.1989; Bull. EC 11-1989, point 2.1.20
- **Council common position:** Bull. EC 12-1989, point 2.1.38
- **European Parliament opinion (second reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.7

Adopted by the Council on 20 June. Objective: to cover a further case in which a customs debt is incurred in free zones or free warehouses.

OJ C 160, 26.6.1990

Common Customs Tariff and Combined Nomenclature

1.3.9. Council Regulation (EEC) No 1716/90 on the information provided by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature.

- **Commission proposal:** OJ C 256, 8.10.1981; COM(81) 483; Bull. EC 9-1981, point 2.1.25
- **Economic and Social Committee opinion:** OJ C 64, 15.3.1982; Bull. EC 12-1981, 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
- **Proposal re-examined by the Commission:** OJ C 142, 12.6.1990; COM(90) 198; Bull. EC 5-1990, point 1.2.13

Adopted by the Council on 20 June. Objective: to enable traders, from 1 January 1991, to request binding tariff information from the competent authorities. Such information indicates the tariff classification to be used for the goods in question and can be relied upon in all Member States once an initial running-in period has expired. The Regulation represents a major contribution to legal certainty for traders and to the facilitation of import and export transactions.

OJ L 160, 26.6.1990

Origin of goods

1.3.10. Council Regulation (EEC) No 1929/90 derogating from the definition of the concept of 'originating products' to take account of the special situation of the Netherlands Antilles with regard to chemical-proof overalls falling within CN code 6210 10 99.

- **References:**
Council Decision 86/283/EEC on the association of the overseas countries and terri-

tries (OCTs) with the European Economic Community: OJ L 175, 1.7.1986; Bull. EC 6-1986, point 2.2.43

Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff: OJ L 256, 7.9.1987; Bull. EC 7/8-1987, point 2.1.80

- **Commission proposal:** COM(90) 111; Bull. EC 3-1990, point 1.1.12

Adopted by the Council on 29 June.

OJ L 174, 7.7.1990

1.3.11. Council Regulations (EEC) Nos 1945/90 to 1950/90 on the application of Decision No 1/90 of the EEC-Austria, EEC-Finland, EEC-Iceland, EEC-Norway, EEC-Sweden and EEC-Switzerland Joint Committees amending Protocol 3 concerning the definition of the concept of 'originating products' and methods of administrative cooperation following the suspension of the customs duties applicable by the Community of Ten and the EFTA countries to imports from Spain.

- **Protocols amended:** OJ L 149, 15.6.1988 (Austria and Finland); OJ L 180, 9.7.1988 (Iceland and Norway); OJ L 216, 8.8.1988 (Sweden and Switzerland)
- **Commission proposal:** COM(89) 556; Bull. EC 11-1989; point 2.1.26
- **Community common position:** Bull. EC 1/2-1990, point 1.1.13

Adopted by the Council on 29 June.

OJ L 176, 10.7.1990

1.3.12. Proposal for a Council Decision on the procedure concerning derogations from the rules of origin set out in Protocol No 1 to the ACP-EEC Convention.

- **References:**
Fourth ACP-EEC Convention signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3
Council Regulation (EEC) No 714/90 concerning the application of Decision No 2/90 of the ACP-EEC Council of Ministers on transitional measures to be applied from 1 March 1990: OJ L 84, 30.3.1990; Bull. EC 3-1990, point 1.2.45

Adopted by the Commission on 26 June. Objective: firstly, to introduce simplified procedures for examining derogations from

the Lomé Convention's rules or origin, and in particular for establishing the Member States' common position; secondly, to speed up the administrative work involved through the adoption of a standard text for approving derogations..

COM(90) 280

1.3.13. Proposal for a Regulation derogating from the definition of 'originating products' to take account of the special situation of Saint-Pierre and Miquelon with regard to certain fisheries products.

- **References:**

Council Decision 90/146/EEC on the association of the overseas countries and territories (OCTs) with the European Economic Community: OJ L 84, 30.3.1990; Bull. EC 3-1990, point 1.2.46

Council Regulation (EEC) No 499/87 derogating from the definition of 'originating products' to take account of the special situation of Saint-Pierre and Miquelon with regard to certain fishery products: OJ L 51, 20.2.1987; Bull. EC 2-1987, point 2.1.50

Adopted by the Commission on 27 June. Objective: to extend until 30 November 1994 a temporary derogation from the preferential origin rules of the OCT Decision for certain fisheries products processed in Saint-Pierre and Miquelon.

COM(90) 285

International cooperation

1.3.14. Convention on temporary admission of the Customs Cooperation Council (CCC).

Commission communication to the Council adopted on 14 June. Objective: to enable the Commission to sign, on behalf of the Community, the Convention on temporary admission of the Customs Cooperation Council.

COM(90) 255

Decision concerning the signing adopted by the Council on 20 June.

Convention signed in Istanbul on 28 June.

1.3.15. Council Regulation (EEC) No 1794/90 on transitional measures concerning trade with the German Democratic Republic (→ point 1.2.3.).

Removal of technical and legal barriers

Free movement of goods

Removal of trade barriers

1.3.16. Council Directive on the approximation of the laws of the Member States relating to active implantable electromedical devices.

- **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):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.21

Re-examined proposal adopted by the Commission on 14 June.

OJ C 165, 6.7.1990; COM(90) 247

Adopted by the Council on 29 June. Objective: to introduce uniform Community legislation governing the marketing of the abovementioned devices and designed to protect the health and safety of patients and other users. Application of the provisions of this Directive by Member States will begin on 1 January 1993 on an optional basis. Existing national legislation will continue to apply alongside the Community legislation until the end of 1994. The Directive provides for the harmonized arrangements alone to be applied from 1 January 1995.

1.3.17. Council Directive on the approximation 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):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.20

Re-examined proposal adopted by the Commission on 18 June..

OJ C 167, 10.7.1990; COM(90) 276

Adopted by the Council on 20 June. Objective: to ensure, firstly, free movement for all non-automatic weighing instruments used for commercial transactions and, secondly, a high level of metrological accuracy in such instruments.

1.3.18. 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:** OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.13
- **European Parliament opinion (first reading):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.23

Amended proposal adopted by the Commission on 18 June. Objective: to extend the scope of the Directive to cover electrically, hydraulically and electro-hydraulically operated lifts.

OJ C 170, 12.7.1990; COM(90) 274

Council common position adopted on 20 June.

1.3.19. Proposal for a Directive amending Directive 87/404/EEC on the approximation 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, 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:** OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.12
- **European Parliament opinion (first reading):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.22

Council common position adopted on 20 June.

1.3.20. Proposal for a Directive amending 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.

- **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:** OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.14
- **European Parliament opinion (first reading):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.24

Council common position adopted on 20 June.

1.3.21. Proposal for a Directive amending Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery.

- **Directive to be amended:** Council Directive 89/392/EEC: OJ L 183, 29.6.1989; Bull. EC 6-1989, point 2.1.15
- **Commission proposal:** OJ C 37, 17.2.1990; COM(89) 624; Bull. EC 12-1989, point 2.1.21
- **Economic and Social Committee opinion:** OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.15

European Parliament opinion (first reading) on 13 June. Favourable, subject to certain amendments.

OJ C 175, 16.7.1990

1.3.22. Council Directive on the approximation of the laws of the Member States relating to appliances burning gaseous fuels.

- **Commission proposal:** OJ C 42, 21.2.1989; COM(88) 786; Bull. EC 12-1988, point 2.1.21

- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.18
- **Economic and Social Committee opinion:** OJ C 194, 31.7.1989; Bull. EC 5-1989, point 2.1.19
- **Amended Commission proposal:** OJ C 260, 13.10.1989; COM(89) 459; Bull. EC 9-1989, point 2.1.16
- **Council common position:** Bull. EC 12-1989, point 2.1.22

European Parliament opinion (second reading) on 13 June. Favourable, subject to certain amendments.

OJ C 175, 16.7.1990

Re-examined proposal adopted by the Commission on 29 June..

COM(90) 304

Adopted by the Council on 29 June. Objective: to harmonize national legislation governing safety and energy savings in connection with appliances burning gaseous fuels and to remove trade barriers.

1.3.23. Proposal for a Directive on nutrition labelling of foodstuffs.

- **Commission proposal:** OJ C 282, 5.11.1988; COM(88) 489; Bull. EC 9-1988, point 2.1.9
- **Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 1.1.28
- **European Parliament opinion (first reading):** OJ C 158, 25.6.1989; Bull. EC 5-1989, point 2.1.27
- **Amended Commission proposal:** OJ C 296, 24.11.1989; Bull. EC 7/8-1989, point 2.1.20
- **Council common position:** Bull. EC 1/2-1990, point 1.1.21

European Parliament opinion (second reading) on 13 June. Favourable, subject to various amendments.

1.3.24. Proposal for a 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.

- **Commission proposal:** OJ C 61, 10.3.1989; COM(88) 779; Bull. EC 12-1988, point 2.1.34
- **Economic and Social Committee opinion:** OJ C 201, 7.8.1989; Bull. EC 6-1989, point 2.1.24

- **European Parliament opinion (first reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.17
- **Amended Commission proposal:** COM(90) 135; Bull. EC 4-1990, point 1.1.16

Common position adopted by the Council (Agriculture) on 25 June.

1.3.25. Proposal for a Directive amending Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products.

- **Commission proposal:** OJ C 61, 10.3.1989; COM(88) 779; Bull. EC 12-1988, point 2.1.34
- **Economic and Social Committee opinion:** OJ C 201, 7.8.1989; Bull. EC 6-1989, point 2.1.24
- **European Parliament opinion (first reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.17
- **Amended Commission proposal:** COM(90) 135; Bull. EC 4-1990, point 1.1.16

Common position adopted by the Council (Agriculture) on 25 June.

1.3.26. Council Regulation laying down a Community procedure for the establishment of tolerances for residues of veterinary medicinal products.

- **Commission proposal:** OJ C 61, 10.3.1989; COM(88) 779; Bull. EC 12-1988, point 2.1.34
- **Economic and Social Committee opinion:** OJ C 201, 7.8.1989; Bull. EC 6-1989, point 2.1.24
- **European Parliament opinion (first reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.18
- **Amended Commission proposal:** COM(90) 135; Bull. EC 4-1990, point 1.1.17

Adopted by the Council (Agriculture) on 25 June. Objective: to provide, among other things, for the drawing up of a list of active pharmaceutical substances used in the veterinary medicinal products for which the residue tolerances are established. The procedure for establishing these tolerances must involve a single scientific evaluation of the best possible level.

Standardization, certification and testing

1.3.27. 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:** OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.20
- **European Parliament opinion (first reading):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.27

Common position adopted by the Council on 20 June.

Public procurement

1.3.28. Proposal for a Directive on the procurement procedures of entities providing water, energy, transport and telecommunications services.

- **Commission proposals:** OJ C 319, 12.12.1988; OJ C 40, 17.2.1989; COM(88) 377; COM(88) 378; Bull. EC 6-1988, point 2.1.51; Supplement 6/88 — Bull. EC
- **Economic and Social Committee opinion:** OJ C 139, 5.6.1989; Bull. EC 3-1989, point 2.1.12
- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.13
- **Amended Commission proposal:** OJ C 264, 16.10.1989; COM(90) 380; Bull. EC 7/8-1989, point 2.1.12
- **Council agreement in principle on a common position:** Bull. EC 1/2-1990, point 1.1.6
- **Council common position:** Bull. EC 3-1990, point 1.1.21

European Parliament opinion (second reading) on 13 June. Favourable, subject to various amendments.

OJ C 175, 16.7.1990

Common market in services

Financial services

1.3.29. Proposal for a second Directive on the coordination of laws, regulations and

administrative provisions relating to direct life assurance, laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 79/267/EEC.

- **Directive to be amended:** Council Directive 79/267/EEC on the coordination of laws, regulations and administrative provisions relating to the taking up and pursuit of the business of direct life assurance (First Directive): OJ L 63, 13.3.1979
- **Commission proposal:** OJ C 38, 15.2.1989; COM(88) 729; Bull. EC 12-1988, point 2.1.145
- **Economic and Social Committee opinion:** OJ C 298, 27.11.1989; Bull. EC 9-1989, point 2.1.10
- **Amended Commission proposal:** OJ C 72, 22.3.1990; COM(90) 46; Bull. EC 3-1990, point 1.1.22

European Parliament opinion (first reading) on 13 June. Favourable, subject to various amendments.

OJ C 175, 16.7.1990

Second amendment to the proposal adopted by the Commission on 29 June. Objective: firstly, to underline the importance of the professional qualification and independence of insurance brokers; secondly, to confirm Member States' freedom to introduce specific tax arrangements covering the dividing-up of composite companies, particularly as regards the taxation of capital gains.

COM(90) 305

Common position agreed in principle by the Council on 20 June and formally adopted on 29 June.

1.3.30. Proposal for a Directive amending, particularly as regards motor vehicle liability insurance, the first Council Directive 73/239/EEC and the second Council Directive 88/357/EEC on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 73/239/EEC.

- **Directives to be amended:** Council Directive 73/239/EEC: OJ L 228, 16.8.1973

Council Directive 88/357/EEC: OJ L 172, 4.7.1988; Bull. EC 6-1988, point 2.1.124

- **Commission proposal:** OJ C 65, 15.3.1989; COM(88) 791; Bull. EC 12-1988, point 2.1.143
- **Economic and Social Committee opinion:** OJ C 194, 31.7.1989; Bull. EC 5-1989, point 2.1.10
- **European Parliament opinion (first reading):** OJ C 68, 19.3.1990; Bull. EC 1/2-1990, point 1.1.27

Amended proposal adopted by the Commission on 20 June.

COM(90) 278

Common position adopted by the Council (Internal Market) on 20 June.

1.3.31. 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:** Bull. EC 5-1990, point 1.2.29

European Parliament opinion on 15 June. Favourable.

OJ C 175, 16.7.1990

Creation of a financial area

1.3.32. Commission Decision 90/348/EEC extending and amending Decision 85/594/EEC authorizing Greece to take certain safeguard measures under Article 108(3) of the EEC Treaty.

- **Decision extended and amended:** Commission Decision 85/594/EEC: OJ L 373, 31.12.1985; Bull. EC 11-1985, point 1.3.3

Adopted by the Commission on 28 June.

Objective: to extend until 31 December 1990 the authorization given to Greece to apply, in accordance with Article 108(3) of the Treaty, certain safeguard measures concerning capital movements and transfers for purposes of tourism. However, the scope of the restriction authorized has been reduced.

OJ L 170, 3.7.1990

Competition

I

Second stage in the liberalization of civil aviation — application of the competition rules

1.3.33. 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 2.1.42
- **Economic and Social Committee opinion:** OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.26
- **European Parliament opinion:** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.32

Amended proposal adopted by the Commission on 11 June. Objective: to take account of certain amendments proposed by Parliament with a view to extending the Regulation's period of validity.

OJ C 159, 29.6.1990; COM(90) 264

Agreement on the substance given by the Council (Transport) on 18 June. Objective: to extend until 31 December 1992 block exemptions previously granted for a limited period. Such extension is warranted by the new liberalization measures in the air transport sector adopted by the Community. Provision is also made in the amendment for block exemptions for consultations on cargo rates.

Concerted practices between shipping companies

1.3.34. Commission report on the possibility of a block exemption for consortia agreements in the field of maritime transport. Proposal for a Regulation on the application of Article 85(3) of the Treaty to

certain categories of agreements, decisions and concerted practices between shipping companies.

- **Reference:** Council Regulation (EEC) No 4056/86 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport: OJ L 378, 31.12.1986; Bull. EC 12-1986, point 2.1.300

Adopted by the Commission on 18 June. Objective: to empower the Commission to grant, subject to certain conditions, a block exemption for consortia agreements in liner shipping. The Commission would then be able, in accordance with Article 85(3) of the Treaty, to declare Article 85(1) inapplicable to certain categories of agreements between undertakings, decisions by associations of undertakings and concerted practices aimed at promoting or establishing cooperation in the joint operation of maritime transport services or of combined maritime and land transport services.

OJ C 167, 10.7.1990; COM(90) 260

II

General rules applying to businesses

Air transport

1.3.35. Commission memorandum on the application of the competition rules to air transport, incorporating:

- (i) 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;
- (ii) 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;
- (iii) proposal for Regulation on the application of Article 85(3) of the Treaty to

certain categories of agreements and concerted practices in the air transport sector.

- **Regulations to be amended:**
 - Council Regulation (EEC) No 3975/87: OJ L 374, 31.12.1987; Bull. EC 12-1987, point 2.1.280
 - Council Regulation (EEC) No 3976/87: OJ L 374, 31.12.1987; Bull. EC 12-1987, point 2.1.280
- **Commission proposals:** OJ C 248, 29.9.1989; COM(90) 417; Bull. EC 9-1989, point 2.1.43
- **Economic and Social Committee opinion:** OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.26

European Parliament opinion on 15 June. Favourable, subject to various amendments.
OJ C 175, 16.7.1990

Insurance

1.3.36 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(90) 641; Bull. EC 12-1989, point 2.1.79
- **Economic and Social Committee opinion:** Bull. EC 5-1990, point 1.2.33

Agreement in principle of the Council (Internal Market) given on 20 June. Objective: to empower the Commission to grant a block exemption from the competition rules for certain categories of agreements in the insurance sector.

Restrictive practices, mergers and dominant positions: specific cases

Mergers

Mondadori

1.3.37. Commission Decision to reject an application for interim measures in respect of the takeover of the Italian firm of publishers Mondadori by the Berlusconi group. Although it considered there was no flagrant violation of Article 86 of the EEC

Treaty such as would justify the adoption of interim measures, the Commission nevertheless ordered a detailed investigation into the case on the basis of Articles 85 and 86.

Adopted by the Commission on 19 June.

Ilva, Zincor and Lavezzari

1.3.38. Commission Decision under Article 66(2) of the ECSC Treaty. Authorization of the acquisition by Ilva of an extra 30% share in two Italian electrogalvanized sheet producers, Zincor Italia and Lavezzari Lamiere Sud. After this acquisition Ilva's share will have increased to 65%.

Adopted by the Commission on 8 June.

Stinnes and Schöder

1.3.39. Commission Decision under Article 66(2) of the ECSC Treaty. Authorization of the acquisition by Stinnes Stahlhandel GmbH of the entire share capital of Baustahl Schöder GmbH.

Adopted by the Commission on 28 June.

Distributive trades

Kuhn

1.3.40. Commission intervention under Article 85(1) of the EEC Treaty. With a view to ensuring the freedom of parallel trade in farm equipment, the Commission has prevailed upon Kuhn SA, Saverne, a manufacturer of such equipment, to write to its distributors confirming that they may book orders originating from any part of the common market.

Proceedings terminated on 21 June.

State aid

General schemes

Germany

1.3.41. Decision to raise no objection to 11 measures designed to help the economy of the German Democratic Republic.

Adopted by the Commission on 20 June. Assistance in the form of loans, grants and tax relief is to be made available, targeted mainly at small business. Both Community and non-Community firms are eligible.

Research and development

Germany

1.3.42. Commission Decision to terminate the Article 93(2) proceedings initiated in respect of aid for research and development in the sphere of transport and traffic.

Adopted by the Commission on 20 June. Aid is to be granted to State-owned scientific institutes, the Bundesbahn and private firms for research and development work aimed at improving public transport, including high-speed and magnetic levitation trains.

Industry schemes

Greece

1.3.43. Commission Decision to initiate Article 93(2) proceedings in respect of the award of aid to Neorion Shipyards of Syros.

Adopted by the Commission on 20 June. In 1987 an export subsidy of ECU 6 500 was granted and debts totalling ECU 4.75 million were converted into capital; in 1988 a guarantee was provided covering a loan of ECU 9.95 million.

Italy

1.3.44. Commission Decision to terminate the Article 93(2) proceedings initiated in respect of the award of aid for shipbuilding.

Adopted by the Commission on 20 June. Approval was given to Act No 856/86, Act No 234/89 introducing aid in the form of grants for the period 1988-91 (ECU 439 million), and the award of aid in the form of the offsetting of the losses incurred by

Fincantieri in 1987 (ECU 57 million) and 1988 (ECU 89 million).

1.3.45. Final negative Commission Decision under Commission Decision No 322/89/ECSC (steel aid code) concerning aid to Tirreno steelworks and Siderpotenza.

Adopted by the Commission on 20 June. Tirreno steelworks was to have received a soft loan of ECU 445 000 and a grant of ECU 221 000, and Siderpotenza a soft loan of ECU 675 000 and a grant of ECU 506 000.

Netherlands

1.3.46. Commission Decision to initiate Article 93(2) proceedings in respect of aid for the construction of manure-processing factories.

Adopted by the Commission on 6 June. The Dutch Government proposes to grant additional aid amounting to ECU 110 million for the construction of 20 manure-processing factories, costing a total of ECU 350-450 million.

United Kingdom

1.3.47. Commission Decision under Article 93(2) of the EEC Treaty concerning aid provided by the British Government to the Rover Group.

• References:

Proceedings initiated under Article 93(2) of the EEC Treaty on 29 March 1988: OJ C 106, 22.4.1988; Bull. EC 3-1988, point 2.1.83

Conditional Decision adopted on 13 July 1988: OJ L 25, 28.1.1989; Bull. EC 7/8-1988, point 2.1.65

European Parliament resolution on the Commission's statement on the UK motor industry: OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.22

Adopted by the Commission on 27 June. The Commission decided that the UK authorities had not complied with the conditions set out in the Decision of 13 July 1988 and that they must recover from the

recipients the sum of ECU 61 million granted unlawfully after Rover was sold. The UK authorities must also reinstate the terms of sale as communicated to the Commission at the time of the sale.

Decisions to raise no objection

Germany

1.3.48. *Adopted by the Commission on 1 June.* National programme of Community interest for the promotion of consultancy activities and of services to small businesses in Schleswig-Holstein.

1.3.49. *Adopted by the Commission on 6 June.* Scheme to promote small businesses and projects self-managed on a cooperative basis in Saarland.

1.3.50. *Adopted by the Commission on 7 June.* Aid to promote investment in environmental protection in Hesse.

1.3.51. *Adopted by the Commission on 11 June.* Extension until the end of 1990 of the joint Federal Government/Länder programme's special Bremen Scheme. Investment aid for businesses and infrastructure.

1.3.52. *Adopted by the Commission on 20 June.* Aid to the shipyard Sürken Werft, Papenburg, in the form of guarantees covering two loans totalling ECU 6.33 million and production aid worth ECU 2.78 million.

1.3.53. *Adopted by the Commission on 26 June.* The Saarland authorities are extending until 31 December 1991 the scheme to encourage the recruitment of young graduates and are increasing the budget to ECU 467 000.

1.3.54. *Adopted by the Commission on 27 June.* Amendment of the Hesse regional aid programme.

1.3.55. *Adopted by the Commission on 28 June.* Scheme of aid in the form of grants to encourage business start-ups in Saarland.

Spain

1.3.56. *Adopted by the Commission on 6 June.* Scheme operated by the autonomous community of Asturias to promote innovative industrial activities, industrial modernization of tourism services, trade fairs and exhibitions, craft trades and youth employment.

1.3.57. *Adopted by the Commission on 20 June.* Grants to improve quality control among small businesses in Madrid and for staff training in this sphere.

1.3.58. *Adopted by the Commission on 20 June.* Aid to cover the allowances paid to workers made redundant or taking early retirement as a result of the partial closure of certain works belonging to steelmakers J. M. Aristain SA and E. Orbezo SA.

1.3.59. *Adopted by the Commission on 22 June.* Aid granted by the regional government of Castilla-La Mancha to small businesses carrying out investments. Approval was given for an increase in maximum intensity (from 25 to 35%) and extension of the scheme to the mining industries, back-up services to industry and the hotel, tourism and leisure industries.

France

1.3.60. *Adopted by the Commission on 20 June.* Reform of the Industrial Redevelopment Fund designed to assist individual investment projects and collective operations in favour of small businesses.

1.3.61. *Adopted by the Commission on 25 June.* Provision of a further ECU 71.48 million to development corporations in steel closure areas.

Italy

1.3.62. *Adopted by the Commission on 6 June.* Aid to Telettra SpA and RAI (Radio Televisione Italiana) SpA in respect of their participation in Eureka project EU-256, high-definition television, and to Italsiel

SpA and Sidercad in respect of their participation in Eureka project EU-130, computer aided manufacturing for constructional steelwork industry expert systems.

1.3.63. *Adopted by the Commission on 20 June.* Aid to Telettra SpA in respect of its participation in Eureka project EU-189, very high bit-rate optical transmission system; to Auselda AED Group SpA in respect of its participation in Eureka project EU-58, Europolis, new intelligent control system to aid urban and interurban traffic and advanced metropolitan information control and monitoring; and to Alfa Romeo Avio SpA in respect of its participation in Eureka project EU-33, use of composite ceramics in axial flow gas turbines.

Netherlands

1.3.64. *Adopted by the Commission on 11 June.* Refinancing for 1990 of the R&D aid scheme entitled 'Subsidieregeling Bedrijfsgericht onderzoek door collectiviteiten.

1.3.65. *Adopted by the Commission on 20 June.* Grants for feasibility studies and basic industrial research carried out by small businesses in the fields of biotechnology, information technology and the environment.

1.3.66. *Adopted by the Commission on 20 June.* Extension of the scheme of aid for shipbuilding in the form of investment premiums for sea-going vessels.

1.3.67. *Adopted by the Commission on 28 June.* Amendment of the law governing the media, and in particular newspaper publishing aid schemes.

Portugal

1.3.68. *Adopted by the Commission on 20 June.* Grants made by the regional government of the Azores to businessmen under the age of 35 for the creation of businesses in the services sector and the processing industry.

Public enterprises

Greece

1.3.69. Termination of the infringement proceedings initiated in respect of the insurance of public property.

- References:

Commission Decision 85/276/EEC concerning the insurance in Greece of public property: OJ L 152, 11.6.1985

Judgment of the Court of Justice in Case 226/87 *Commission v Greece*: Bull. EC 6-1988, point 2.4.34

Dispatch to the Greek Government of a Commission reasoned opinion: Bull. EC 10-1989, point 2.1.82

Commission Decision adopted on 20 June. The Greek Government, by promulgating Act No 1875/90, has brought its public property insurance scheme into line with Commission Decision 85/276/EEC of 24 April 1985, which was addressed to it under Article 90(3) of the EEC Treaty, and with the judgment of the Court of Justice in Case 226/87. The Greek Government had laid down by law in 1982 that all public property had to be insured exclusively with Greek public-sector insurance companies, and that Greek State-owned banks had to recommend to their customers that they take out insurance with a public-sector insurance company. These measures were incompatible with a number of provisions of Community law. The offending scheme was abolished after the Commission initiated fresh proceedings under Article 169 of the EEC Treaty for infringement of Article 171, a reasoned opinion on the matter being sent in October 1989.

Following the changes made to the law this year, all insurance companies operating on the Greek market are now accorded identical non-discriminatory treatment. The Commission has therefore decided to terminate the infringement proceedings.

Social dimension

I

Forms of employment other than full-time open-ended employment relationships — Atypical work

1.3.70. Communication from the Commission to the Council concerning three proposals for Directives relating to atypical work.

- References:

Communication of 29 November 1989 from the Commission concerning its action programme relating to the implementation of the Community Charter of Basic Social Rights for Workers; COM(89) 568; Bull. EC 11-1989, point 2.1.80

Proposal for a Directive on temporary work: OJ C 62, 12.3.1982; COM(81) 775; Bull. EC 12-1981, points 1.1.4 and 1.1.5; Amended proposal: OJ C 18, 22.1.1983; COM(82) 830; Bull. EC 12-1982, point 2.1.56

Proposal for a Directive concerning temporary work and fixed-duration contracts: OJ C 128, 19.5.1982; COM(82) 155; Bull. EC 4-1982, points 1.2.1 to 1.2.7; Amended proposal: OJ C 133, 21.5.1984; COM(84) 159; Bull. EC 4-1984, point 2.1.59

Adopted by the Commission on 13 June. These three proposals (→ points 1.3.71 to 1.3.73) are designed to ensure a minimum of consistency between the highly varied forms of employment contract other than those of an open-ended type (in particular fixed-term contracts, part-time working, temporary work and seasonal work), which have developed in the Community over the years. They are also intended to eliminate distortions of competition which could be caused by differences in social costs, to increase the transparency of the labour market at Community level, to improve workers' living and working conditions and to protect health and safety at the workplace. The Commission does not aim to call into question these specific forms of employment relationship, which are regarded as indispensable given the issues raised by the devel-

opment of a coherent strategy for growth and employment, but wishes to combat abuses and prevent any spread in the increasing prevalence of insecurity and segmentation on the labour market. The Commission would therefore be withdrawing its proposals concerning voluntary part-time work and concerning temporary work and fixed-duration contracts.

1.3.71. Proposal for a Council Directive on the approximation of the laws of the Member States relating to certain employment relationships with regard to working conditions.

Adopted by the Commission on 13 June. The proposal stipulates that part-time and temporary workers should, under conditions comparable to those enjoyed by workers employed full-time for an indefinite duration, have access to vocational training and social services provided by the undertaking and be entitled to benefits in cash and in kind granted under social assistance schemes or under non-contributory social security schemes. These same workers would have to be taken into account, on the same footing as the other employees — and in proportion to the duration of their work — for calculating the threshold at which workers' representative bodies are required to be set up within the undertaking.

Further specific measures are designed to ensure that:

- (i) the employer specifies, in the contract of temporary employment, the grounds for recourse to this type of employment relationship;
- (ii) Member States take appropriate measures, as regards temporary workers, to ensure that clauses prohibiting or preventing the conclusion of a contract of employment between the user undertaking and the temporary employee are null and void or capable of being declared so.

COM(90) 228

1.3.72. Proposal for a Council Directive on the approximation of the laws of the

Member States relating to certain employment relationships with regard to distortions of competition.

Adopted by the Commission on 13 June. The proposal contains two series of provisions. The first aims to eliminate practices giving rise to distortion of competition between undertakings, with regard to the social protection of employees covered by this Directive (part-time and temporary workers), including areas such as rules on annual holiday entitlement and entitlement to seniority and dismissal allowances, *vis-à-vis* workers employed full-time for an indefinite duration, in proportion to the total hours worked. The second series of provisions aims to ensure that national laws provide for a limit on the renewal of temporary employment contracts of a duration of 12 months or less for a given job, so that the total period of employment does not exceed 36 months.

COM(90) 228

1.3.73. Proposal for a Council Directive supplementing the introduction of measures to encourage improvements in the safety and health of temporary workers.

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

Adopted by the Commission on 13 June. This proposal draws attention to the need to ensure that temporary workers enjoy the same conditions as those of other workers, as regards health and safety at work. It thus supplements the framework Directive 89/391/EEC and stipulates, in particular, that the assignment contract linking the user undertaking to the temporary employment business must specify the characteristics of the job to be filled, with specific reference to the risks involved, that the temporary worker must be informed of such risks and that he or she must receive appropriate training if necessary. The proposal also stipulates that, apart from exceptional cases, temporary workers must not be used

for work requiring special medical supervision over a long period.

COM(90) 228

Protection of crew members on board vessels

1.3.74. Proposal for a Council Directive on the minimum health and safety requirements for improved medical treatment on board vessels.

• **References:**

Communication from the Commission to the Council concerning safety, hygiene and health at work: OJ C 28, 3.2.1988; Bull. EC 10-1987, point 2.1.93

Council Resolution of 21.12.1987 on safety, hygiene and health at work: OJ C 28, 3.2.1988; Bull. EC 12-1987, point 2.1.138

Adopted by the Commission on 29 June.

This proposal, which constitutes a comprehensive attempt to provide measures to protect crew members from ill effects to their health arising from accidents or illnesses occurring on board, has the following principal objectives:

(i) to encourage harmonization of the medical equipment and medicines in the medicine chests of merchant ships flying the flag of a Member State, in a way which takes account of the possibility of receiving medical assistance by radio;

(ii) to provide for and ensure the presence on board of specific compulsory medical supplies which must be carried on such vessels when they have dangerous substances loaded on board;

(iii) to set out the general criteria for the training of those who are to use the medical supplies;

(iv) to promote the introduction of a system providing medical data on seamen.

Indirectly the proposal will eventually make it easier to restock vessels' medicine chests in ports in the Community.

COM(90) 272

Financial instruments

European Social Fund

1.3.75. Call for expressions of interest in participating in the multiannual programme of studies and technical assistance in the areas of activity of the European Social Fund (1990-93).

- **Reference:** Council Regulation (EEC) No 4255/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Published by the Commission on 1 June.

Purpose: to invite interested parties to make known their ideas and interest, to help the Commission to identify the topics most suitable for putting out to tender and to encourage contacts between the participants in the programme.

OJ C 134, 1.6.1990

Living and working conditions

Immigration

1.3.76. European Parliament resolution on migrant workers from third countries.

- **Reference:** Joint Declaration of 11 June 1986 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
- **European Parliament resolution** concerning the fight against racism and xenophobia: OJ C 69, 20.3.1989; Bull. EC 2-1989, point 2.1.82
- **Commission Report** on the social integration of migrants from third countries; Bull. EC 6-1989, point 2.1.103

Adopted by the European Parliament on 14 June. The Parliament, having regard to the likely increase in immigration by migrant workers from third countries and the adverse consequences which might arise from the absence of a common immigration policy, considered it necessary to examine the possibility of gradually extending to migrant workers from third countries the

rights granted to Community workers and announced that a European conference would be held in June 1991, with a view to arriving at the definition of a platform of common problems and implementing an overall coordinated Community campaign.
OJ C 175, 16.7.1990

1.3.77. Council 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; 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; 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):** OJ C 147, 18.6.1990; Bull. EC 5-1990, point 1.2.68
- **Re-examined Commission proposal:** COM(90) 221; Bull. EC 5-1990, point 1.2.68

Adopted by the Council on 28 June.

Vocational training

1.3.78. Interim report by the Commission on the implementation of Council Decision 85/368/EEC of 16 July 1985 on the comparability of vocational training qualifications between the Member States of the European Community.

- **Basic Decision:** Council Decision 85/368/EEC of 16 July 1985: OJ L 199, 31.7.1985; Bull. EC 7/8-1985, point 2.1.88

Adopted by the Commission on 1 June.
Purpose: to review the work accomplished and the difficulties encountered, and to list the measures adopted for completing the

work on the comparability of qualifications before the end of 1992 and the measures envisaged at national level for the utilization of this work.

COM(90) 225

Regional policy

I

Objective 1992 and regional policy

1.3.79. Dublin Conference on Regional Policies in the Single Market.

Dublin Conference, 10 and 11 June. This conference, organized by the Commission and the Council Presidency, brought together ministers responsible for regional policies in the Member States and representatives from the business communities in Europe, Japan and the United States. It stressed the following factors as influencing business decisions in terms of investment location: costs and profitability of the operations concerned, need for rapid transport links and telecommunications, availability of a skilled local workforce, together with good access to academic institutions and research bodies, an adequate network of suppliers and a supportive attitude from national or regional authorities.

In this connection, regional policy at Community and national level is a long-term task which should aim to create poles of attraction for business investment. Regional policy must also take into account the specific corporate strategies of business and encourage small and medium-sized enterprises. It must not be limited to direct financial assistance for the development of poorer regions but must also represent an important dimension for other Community policies such as research and development, transport, industry and the environment.

Effective regional policy must be based on a successful partnership between public

authorities at Community, national and regional level.

This first meeting was a useful exercise and plans were laid to pursue the dialogue on a permanent basis, for example through working groups of the representative organizations of business.

Structural measures in less-developed regions

Greece

1.3.80. Commission financing decision in support of a regional operational programme in Thrace.

- **Basic Decision:** Commission Decision 89/642/EEC concerning the Community support framework: OJ L 370, 19.12.1989; Bull EC 10-1989, point 2.1.102

Adopted by the Commission on 18 June. Grant of ECU 90 million from the European Regional Development Fund for the period up to 1993 for an infrastructural improvement programme.

Portugal

Prodep

1.3.81. Commission financing decision in support of an integrated operational programme for the development of education in Portugal (Prodep).

- **Basic Decision:** Commission Decision 89/642/EEC concerning the Community support framework: OJ L 370, 19.12.1989; Bull EC 10-1989, point 2.1.102

Adopted by the Commission on 19 June. Purpose: to upgrade the Portuguese educational system, bringing it closer to European standards, through the provision of Community assistance totalling ECU 395 million from the European Regional Development Fund and ECU 177 million from the European Social Fund for the period up to 1993.

Pedraa

1.3.82. Commission financing decision in support of a specific development programme for the autonomous region of the Azores (Pedraa).

- **Basic Decision:** Commission Decision 89/642/EEC concerning the Community support framework: OJ L 370, 19.12.1989; Bull EC 10-1989, point 2.1.102

Adopted by the Commission on 19 June. Grant of assistance totalling ECU 153 million from the European Regional Development Fund and ECU 25 million from the European Social Fund. The objectives of the Pedraa programme are to increase the size and efficiency of the economic infrastructure network, maximize human resource potential, modernize the regional productive base, expand the non-traditional sector, improve the quality of life and correct social imbalances.

Structural measures in declining industrial regions

France

1.3.83. Commission financing decisions in support of 12 operational programmes.

- **Basic Decision:** Commission Decision of 20 December 1989 concerning the Community support framework: Bull. EC 12-1989, point 2.1.131

Adopted by the Commission on 18 June. Grant of assistance from the European Regional Development Fund totalling ECU 162 million for programmes to improve economic development in employment areas and create new jobs. The sums allocated to each region are as follows (ECU million): Picardy: 28; Nord/Pas-de-Calais (economic development): 20.5; Nord/Pas-de-Calais (training): 16.1; Brittany: 13.6; Provence-Alpes-Côte d'Azur: 10.7; Poitou-Charentes: 10; Burgundy: 9.6; Languedoc-Roussillon: 8.5; Lower Normandy: 7.6; Champagne-Ardenne: 6.6; Midi-Pyrénées: 2.8.

Federal Republic of Germany

1.3.84. Commission financing decision in support of an operational programme.

- **Basic Decision:** Commission Decision of 28 December 1989 on the Community support framework: Bull. EC 12-1989, point 2.1.131

Adopted by the Commission on 18 June. Grant of assistance from the European Regional Development Fund totalling ECU 18 million for an operational programme for the *Land* of Bremen containing the following priority objectives: diversification and modernization of the industrial sector; improvement of services to businesses and promotion of tourism; measures to improve environmental protection.

Commission initiatives

Interreg

1.3.85. Commission projects with a view to a Community initiative concerning the development of internal and external border areas of the Community (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 other existing financial instruments: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.159
- **Commission financing decisions:** Bull. EC 11-1989, point 2.1.110
- **Approval of general guidelines by the Commission:** Bull. EC 3-1990, point 1.1.58
- **Economic and Social Committee opinion:** Bull. EC 5-1990, point 1.2.79

Resolution of the European Parliament, 15 June. Favourable, although Parliament was unhappy with the legal instrument chosen by the Commission ('communications' to the Member States) and the practice of submitting each Community initiative separately. It supported the substance of the Commission proposal but considered that the regional authorities in border areas

should be required to participate in preparation of the operational programmes, failing which financing would cease to be granted. It approved the extension of the Interreg programme to cover transfrontier cooperation with the countries of Eastern Europe and suggested that measures be taken to extend the programme to the GDR, at the latest on the creation of German economic and monetary union.

OJ C 175, 16.7.1990

Regis

1.3.86. Commission proposal on a Community initiative to assist the remoter regions of the Community (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 financing decisions:** Bull. EC 11-1989, point 2.1.110
- **Approval of general guidelines by the Commission:** Bull. EC 3-1990, point 1.1.58
- **Economic and Social Committee opinion:** Bull. EC 5-1990, point 1.2.80

Resolution of the European Parliament, 15 June. Favourable, despite the legal form chosen by the Commission (→ point 1.3.85). It proposed certain changes, notably to the budget allocation which it sought to raise to ECU 300 million and to the methods of approach to local environmental protection and tourism development. It requested the Commission to draw up a specific programme for other islands in areas covered by Objectives 1, 2 and 5b in the context of the reform of the structural Funds and to allocate budgets between Member States on the basis of criteria which it listed.

OJ C 175, 16.7.1990

Stride

1.3.87. Commission plan for a Community initiative to strengthen regional

capacity for research, technology and innovation (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 financing decisions:** Bull. EC 11-1989, point 2.1.110
- **Commission approval of general guidelines:** Bull. EC 3-1990, point 1.1.70
- **Economic and Social Committee opinion:** Bull. EC 5-1990, point 1.2.81

Resolution of the European Parliament, 15 June. Despite making the same comments on form as in respect of the Interreg (→ point 1.3.85) and Regis (→ point 1.3.86) programmes, Parliament approved the plan and stressed the need for less-favoured regions to be supported in ways that might be quite different in terms of research fields, organization and communication from those established research centres in the more-favoured regions. It again asked the Commission to stress the importance of integration of the different participants at regional level.

OJ L 175, 16.7.1990

Renaval

1.3.88. Commission Decision 90/340/EEC concerning the areas referred to in Article 3(2) of Council Regulation (EEC) No 2506/88: Fife (Scotland) and Gibraltar.

- **Basic Regulation:** Council Regulation (EEC) No 2506/88 establishing a Community programme for the conversion of shipbuilding areas (Renaval programme): OJ L 225, 15.8.1988; Bull. EC 7/8-1988, point 1.2.98

Adopted by the Commission on 18 June. Agreement on the United Kingdom request for the inclusion of Fife (Scotland) in the Renaval programme.

OJ L 162, 18.6.1990

1.3.89. Commission financing decisions concerning the Netherlands in respect of the

areas referred to in Article 3(2) of Regulation (EEC) No 2506/88: Amsterdam-Noord and Rhine Delta.

- **Basic Regulation:** Council Regulation (EEC) No 2506/88 establishing a Community programme for the conversion of shipbuilding areas (Renaval programme): OJ L 225, 15.8.1988; Bull. EC 7/8-1988, point 2.1.98
- **Decision on Renaval programme eligibility:** Commission Decision 89/484/EEC concerning the areas referred to in Article 3(2) of Regulation (EEC) No 2506/88: OJ L 235, 12.8.1989; Bull. EC 7/8-1989, point 2.1.121

Adopted by the Commission on 18 June. Grant of Renaval assistance totalling ECU 28 million for the period up to 1993 for measures to improve production-linked infrastructure and promote consultancy services for SMEs.

Preparatory and support measures

1.3.90. Consultative Council of Regional and Local Authorities.

- **Previous meeting:** Bull. EC 10-1989, point 2.1.100

Sixth meeting in Brussels, 21 and 22 June. The Consultative Council adopted an opinion on the Community Stride (→ point 1.3.87) and Interreg (→ point 1.3.85) initiatives.

Transitional measures

Integrated Mediterranean programmes

1.3.91 Commission Decision on the provision of the first instalment of assistance from the EAGGF Guidance Section for 1990 under the integrated Mediterranean programmes (IMPs) — France and Italy.

- **References:**

Council Regulation (EEC) No 2088/85 on the integrated Mediterranean programmes: OJ L 197, 27.7.1985; Bull. EC 7/8-1985, point 2.1.106

Commission Decisions approving the integrated Mediterranean programmes for Pro-

vence-Alpes-Côte d'Azur, Drôme, Midi-Pyrénées, Aquitaine, Languedoc-Roussillon: OJ L 34, 6.2.1988, OJ L 32, 4.2.1988, OJ L 12, 16.1.1988, OJ L 14, 19.1.1988; Bull. EC 7/8-1987, point 2.1.153

Commission Decision of 21 December 1989 on the content and detailed programming of the second phase of the French IMPs (1988-92): Bull. EC 7/8-1989, point 2.1.118; Bull. EC 12-1989, point 2.1.135

Commission Decision approving the integrated Mediterranean programmes for the regions of Toscana (OJ L 188, 19.7.1988; Bull. EC 6-1988, points 2.1.162 and 2.1.167), Marche (OJ L 107, 28.4.1988; Bull. EC 3-1988, point 2.1.112; Bull. EC 5-1988, point 2.1.105), Umbria (OJ L 156, 23.6.1988; Bull. EC 5-1988, point 2.1.104), Molise (OJ L 160, 28.6.1988; Bull. EC 3-1988, point 2.1.112) and Sardegna (OJ L 223, 13.8.1988; Bull. EC 7/8-1988, point 2.1.112)

Adopted by the Commission on 15 June. Provision of the first instalment of assistance from the EAGGF Guidance Section for 1990 to 35 projects forming part of the integrated Mediterranean programmes amounting to a total of ECU 23.45 million. These projects, which involve the improvement of infrastructure in rural areas and forestry operations, break down as follows:

- (i) France: 23 projects costing ECU 9.95 million;
- (ii) Italy: 12 projects costing ECU 13.50 million.

Research and technology

I

Scientific and technological cooperation with non-Community countries

1.3.92. Communication from the Commission on cooperation in science and technology with third countries.

Adopted by the Commission on 13 June. The Commission describes the various

instruments for cooperation between the Community and third countries in the field of science and technology; it identifies the general principles and guidelines of Community policy for establishing cooperation with these countries or groups of countries and sets out the options for a reference framework for future activities in this field. It highlights three main principles, which apply independently of the forms of cooperation used and of the geographical situation of the countries concerned, namely:

- (i) support for global initiatives to tackle common problems for the world as a whole;
- (ii) the Community's contribution to the international scientific community;
- (iii) selective cooperation activities in the field of science and technology at international level.

In the context of the increasing globalization of the world economy and the development of science and technology world-wide, these three principles should be applied in conjunction with criteria that relate to the specific characteristics and geographical situation of the countries concerned, so that the action taken can be tailored accordingly. On this basis the countries are divided into three main categories: neighbouring European countries (distinguishing between EFTA member countries on the one hand and the countries of Central and Eastern Europe on the other), developed countries outside Europe and the newly-industrializing or developing countries.

COM(90) 256

1.3.93. Communication from the Commission on scientific and technological cooperation with the countries of Central and Eastern Europe.

Adopted by the Commission on 13 June. The Commission lists the areas in which scientific and technological cooperation could be undertaken between the Community and the countries concerned to their mutual benefit. It also proposes a number of methods of cooperation on the basis of an analysis of the structural problems. Having regard to the specific needs of the countries

of Central and Eastern Europe and the size of the technology gap separating them from the Community, three types of activity are envisaged:

(i) development of research activity concentrating on the introduction and adaptation of technologies, including in industry and services, rather than technological advance;

(ii) strengthening of the already established cooperation between centres of excellence in the Community and scientists working in the countries concerned, chiefly through participation in Community research programmes and bilateral and multilateral scientific and technological cooperation agreements;

(iii) promotion of cooperation in the field of human resources, particularly with a view to meeting the need to train programme managers and to increase awareness among industrialists of the importance of science and technology for innovation.

The communication outlines the instruments available or proposed; these include European scientific and technical cooperation within COST, participation in R&TD programmes, work undertaken within the normal framework of bilateral and multilateral agreements, coordinated aid within the Group of 24 and financial assistance.

COM(90) 257

1.3.94. Communication from the Commission on the Community's relations with the countries of Central and Eastern Europe — the role of telecommunications.

Adopted by the Commission on 13 June. This communication deals with the role of telecommunications in the development of the Community's relations with the countries of Central and Eastern Europe. Based on a preliminary analysis of the current telecommunications situation and the short-term outlook in these countries, the Commission lists a number of possible activities, with particular emphasis on the European context. The following lines of action are proposed:

(i) active support for information interchange, in particular through the immediate provision of assistance with regard to sources, services and access methods;

(ii) greater integration of the telecommunications networks and services of Central and Eastern European countries within the trans-European telecommunications system;

(iii) trade promotion and technology transfer;

(iv) evaluation of programmes and projects eligible for financial aid from the Community and the Group of 24.

COM(90) 258

1.3.95. Council Resolution concerning cooperation in the field of scientific and technical research (COST) and Central and Eastern European States.

• **Reference:** Council Resolution concerning cooperation in the field of scientific and technical research (COST) and the European Communities: OJ C 171, 6.7.1989; Bull. EC 6-1989, point 2.1.52

Adopted by the Council (Research) on 29 June. The Council welcomed the possibility of gradually integrating into the COST cooperation framework the Central and Eastern European States undergoing political reforms, while emphasizing that such cooperation should have a clear scientific justification and be mutually beneficial. It acknowledged the advantages of broadening the scope of cooperation and encouraged the COST Committee of Senior Officials and the Commission to undertake, in liaison with the countries concerned, a thorough examination of the procedures involved.

OJ C 172, 13.7.1990

Establishment of the internal market for telecommunications services

1.3.96. Council Directive on the establishment of the internal market for telecom-

munications services through the implementation of open network provision.

- **Commission proposal:** OJ C 39, 16.2.1989; COM(88) 825; Bull. EC 12-1988, point 2.1.73
- **Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.1.65
- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.81
- **Revised Commission 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
- **European Parliament opinion (second reading):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.107

Re-examined proposal adopted by the Commission on 12 June.

Adopted by the Council (Telecommunications) on 28 June. Purpose: to facilitate the provision of services using public telecommunications networks and/or public telecommunications services within and between the Member States, and in particular the provision of services by companies or natural persons established in a Member State other than that of the country or natural person for whom the services are intended. The Directive will enter into force on 1 January 1991.

II

Framework programme for R&TD 1987-91

Quality of life

1.3.97. Decision adopting a specific research and technological development programme in the field of health: human genome analysis (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
- **Amended Commission 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
- **European Parliament opinion (second reading):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.87

Re-examined proposal adopted by the Commission on 11 June. Purpose: to take into account most of the amendments proposed by Parliament in second reading.

COM(90) 251

Adopted by the Council (Research) on 29 June. The aims of the programme, which has an appropriation of ECU 15 million for two years, are to use and improve new biotechnologies in the study of the human genome for a better understanding of the mechanisms of genetic function, and also to prevent and treat human diseases. Efforts will therefore be made to optimize cooperation with the programmes of non-member States and international organizations. At the same time measures will be taken to develop an integrated approach to the medical, ethical, social and legal aspects of possible applications of the results obtained from the programme to ensure that they are not misused and with a view to establishing a set of bioethical principles to be applied for future developments.

Language industry

1.3.98. Proposal for a Decision adopting a specific programme for the preparation of the development of an operational Eurotra system.

- **Reference:** Council Decision 82/752/EEC adopting a European Economic Community research and development programme for a machine translation system of advanced design — OJ L 317, 31.12.1982; Bull. EC 11-1982, point 2.1.25
- **Commission proposal:** OJ C 7, 12.1.1990; COM(89) 603; Bull. EC 12-1989, point 2.1.74
- **Economic and Social Committee opinion:** Bull. EC 4-1990, point 1.1.71

Endorsed by the European Parliament (first reading) on 13 June, subject to certain amendments.

OJ C 175, 16.7.1990

Common position established by the Council (Research) on 29 June.

Transport

1.3.99. Proposal for a Decision adopting a specific research and technological development programme in the field of transport (Euret) 1990-93.

- **Commission proposal:** OJ C 318, 20.12.1989; COM(89) 557; Bull. EC 11-1989, point 2.1.52
- **Economic and Social Committee opinion:** OJ C 124, 21.5.1990; Bull. EC 3-1990, point 1.1.72

Endorsed by the European Parliament (first reading) on 13 June, subject to certain amendments.

OJ C 175, 16.7.1990

Common position established by the Council (Research) on 29 June.

1.3.100. Call for expressions of interest in the Euret programme.

- **Reference:** proposal for a Decision adopting a specific research and technological development programme in the field of transport (Euret) 1990-93 (→ point 1.3.99)

Published by the Commission on 15 June. Purpose: to enable bodies wishing to respond to the call for proposals, which will be issued following the adoption of a common position by the Council, to prepare associations with partners in other countries.

OJ C 146, 15.6.1990

European scientific and technological cooperation

1.3.101. Announcement of opportunities to promote the results of Community R&TD in the framework of the specific programme for the dissemination and util-

ization of scientific and technological research results (Value programme).

- **Basic decision:** Council Decision 89/412/EEC on a specific programme for the dissemination and utilization of scientific and technological research results (Value): OJ L 200, 13.7.1989; Bull. EC 6-1989, point 2.1.69

Published by the Commission on 1 June.

Purpose: to inform contractors who are or have been participants in Community projects, and their licensees and/or exploitation partners, of the opportunity to submit proposals with a view to obtaining technical or financial support for promoting the exploitation of relevant results obtained under these projects.

OJ C 134, 1.6.1990

Telecommunications and information services

Telecommunications

1.3.102. Proposal for a Directive on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity.

- **Commission proposal:** OJ C 211, 17.8.1989; COM(89) 289; Bull. EC 6-1989, point 2.1.65
- **Economic and Social Committee opinion:** OJ C 329, 30.12.1989; Bull. EC 10-1989, point 2.1.64
- **European Parliament opinion (first reading):** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.70

Amended proposal adopted by the Commission on 16 June. Purpose: to take account of Parliament's opinion.

COM(90) 263

Agreement in principle reached by the Council (Telecommunications) on 28 June with a view to the establishment of a common position.

1.3.103. Council conclusions on the introduction of the integrated services digital network (ISDN) in the Community.

- **References:**

Council Resolution: OJ C 196, 18.7.1989; Bull. EC 7/8-1989, point 2.1.59

1989 Commission progress report on the introduction of the integrated services digital network in the European Community — COM(90) 123; Bull. EC 3-1990, point 1.1.75

Adopted by the Council (Telecommunications) on 28 June.

'The Council welcomes the Commission's 1989 progress report on the coordinated introduction of ISDN in the Community and notes the substantial progress made by Member States in implementing ISDN services. The commitments undertaken by telecommunications organizations under the CEPT MOU and the significant advances made in drawing up the necessary standards within ETSI are viewed as encouraging evidence of the widest possible pan-European cooperation which the Council supports.

The Council recognizes the need to develop marketing efforts and in this respect notes Commission proposals relating to the creation of a European ISDN user forum which would take into account existing efforts at the national level in Member States, and the preparation of a 'European ISDN Atlas'. The Council would also welcome participation by telecommunications organizations in a European ISDN presentation at the Telecom Geneva 1991 exhibition.

The Council invites the Commission, taking into account the STAR evaluation, to examine possibilities for supporting infrastructure and application aspects of ISDN in the less-favoured regions of the Community so as to promote the fullest possible availability of advanced communications.

Considering that the success of ISDN will depend on the availability of terminals, the Council invites the European industry to make every effort to ensure the timely availability of suitable terminals. The Council considers that the good progress made to date will facilitate the development of ISDN in Europe to the benefit of industry, service providers and users, and invites all parties to continue to coordinate their efforts as practicable in order to implement ISDN in Europe by 1992.'

1.3.104. Council conclusions on cooperation in the postal sector.

Adopted by the Council (Telecommunications) on 28 June. Taking the view that postal services would continue to play an important economic and social role in the Community particularly in the context of

completion of the internal market, the Council concluded that further study would have to be made of the question of the Community dimension of postal services and therefore requested the Commission to study sectors and options which could be the subject of proposals to that end.

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

Adopted by the Council on 28 June. The Council identified the major policy goals in the area of European cooperation on radio frequencies, namely the strengthening of European cooperation with the objective of providing for a sufficient frequency spectrum for new services, the timely allocation of sufficient frequency sources to mobile and satellite applications, promoting the most efficient use of the frequency spectrum and developing common European positions in relation to the use of the frequency spectrum in the context of international frequency harmonization. It also noted with satisfaction the current reform of radio frequency planning and coordination mechanisms undertaken by the European Conference on Posts and Telecommunications (CEPT).

OJ C 166, 7.7.1990

Other areas of Community R&TD

1.3.106. Draft Commission Decision concerning the granting of financial aid to technical coal research projects for 1990.

- **Reference:** Medium-term guidelines for technical coal research (1990-95): OJ C 52, 1.3.1989; Bull. EC 2-1989, point 2.1.3
- **Commission draft:** Bull. EC 4-1990, point 1.1.72

Endorsed by the ECSC Consultative Committee on 24 June.

1.3.107. ECSC Consultative Committee resolution on Community financial aid to technical steel research projects and pilot/

demonstration projects in the steel sector under Article 55(2)(c) of the ECSC Treaty.

● **References:**

Medium-term guidelines for technical steel research (1986-90): OJ C 216, 16.11.1985; Bull. EC 7/8-1985, point 2.1.228

Commission communication on the granting of financial support for pilot and/or demonstration projects in the iron and steel industry pursuant to Article 55 of the Treaty establishing the European Coal and Steel Community for the period 1988 to 1992: OJ C 317, 28.11.1987

Adopted by the ECSC Consultative Committee on 29 June. The Committee emphasized the vital importance of research in a sector where innovation was becoming essential to success and the need to develop research by providing adequate Community funding. It therefore requested the Commission to take all necessary measures to resolve the problems connected with the presentation of the programme so as to enable the funding earmarked in the ECSC budget for 1990 to be authorized.

International cooperation

1.3.108. Eureka Ministerial Conference

● **References:**

European Technology Conference held in Paris on 17 July 1985: Bull. EC 7/8-1985, points 2.1.210 and 2.1.211

Adoption of a declaration in principle in Hanover on 5 and 6 November 1987: Bull. EC 11-1987, point 2.1.182

Eighth meeting held in Rome on 31 May and 1 June. This meeting, at which the Commission was represented by Mr F.M. Pandolfi, Vice-President, provided an opportunity to approve Eureka projects for 1990. Topics discussed by the delegations from the 19 member countries (the Member States of the Community, the member countries of EFTA and Turkey) also included relations with third countries, especially those of Central and Eastern Europe, the results of the Italian Presidency and the programme of the incoming Netherlands Presidency, as well as progress in the area of high-definition television.

1.3.109. International Radio Consultative Committee (CCIR).

● **References:**

Council Decision 89/337/EEC on high-definition television: OJ L 142, 25.5.1989; Bull. EC 4-1989, point 2.1.62

Council Decision 89/630/EEC on the common action to be taken by the Member States with respect to the adoption of a single worldwide high-definition television production standard by the Plenary Assembly of the International Radio Consultative Committee (CCIR) in 1990: OJ L 363, 13.12.1989; Bull. EC 12-1989, point 2.1.65

Plenary meeting held in Düsseldorf from 21 May to 1 June. Recommendations were adopted on the following five subjects: the drawing up of 23 of the 34 basic parameters considered necessary for the full definition of an HDTV standard, the development of subjective methods for assessing the quality of HDTV images regardless of the standard used, the transfer of HDTV images on to film, international trade in HDTV programmes on magnetic media and the definition of methods of transferring back from cinema film to a magnetic medium (HDTV). These decisions, which represent a major step towards the definition of a world-wide HDTV production standard, leave open the possibility of eventually adopting a single standard in line with European proposals drawn up within the framework of the Eureka project.

1.3.110. Proposal for a Decision on the conclusion of a cooperation agreement between the European Economic Community and the Republic of Iceland on a programme plan to stimulate the international cooperation and interchange necessary for European research scientists (Science).

● **Basic decision:** Council Decision 88/419/EEC adopting a programme plan to stimulate the international cooperation and interchange needed by European research scientists (1988-92) (Science): OJ L 206, 30.7.1988; Bull. EC 6-1988, point 2.1.175

● **References:**

Framework Agreement for scientific and technical cooperation between the European

Communities and the Republic of Iceland: OJ L 14, 18.1.1990

Cooperation agreements between the European Economic Community and the Republic of Austria, the Republic of Finland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on a programme plan to stimulate the international cooperation and interchange needed by European research scientists (Science): OJ L 50, 26.2.1990

Adopted by the Commission on 22 June.
Purpose: to conclude with Iceland, which had expressed a desire to cooperate in the development of the Science programme plan under the framework agreement for scientific and technical cooperation between it and the Communities, a cooperation agreement enabling Iceland to take part in this programme plan.

COM(90) 241

1.3.111. Visit by Mr Pandolfi, Vice-President of the Commission, to Finland, Norway and Sweden from 13 to 15 June 1990.

• **References:**

Council Decision 90/221/EEC, Euratom on a framework programme for 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

Council Decision authorizing the Commission to negotiate an agreement with the EFTA countries concerning the creation of a European economic space (→ point 1.4.6)

Mr Pandolfi was received by the Finnish and Norwegian Ministers responsible for science, trade and industry and by the Swedish Deputy Prime Minister Mr O. Engström. The talks covered the possibility of strengthening scientific and technological cooperation between the Community and these three countries, particularly by extending their participation in specific Community R&TD programmes. Such cooperation could also be most useful in helping to create a European economic space, since the negotiations would include the possible involvement of these countries in the third framework programme for research and technological development.

Environment

1.3.112. Meeting of the European Council held in Dublin on 25 and 26 June.

Conclusions of the Presidency. The Council adopted a declaration on the needs of the environment which sets out guidelines for future action in this field (→ points I.14 and I.36).

I

Urban environment

1.3.113. Communication from the Commission to the Council and Parliament: Green Paper on the Urban Environment.

• **References:**

Resolution of the Council and of the representatives of the Governments of the Member States of 19 October 1987 on the continuation and implementation of a Community policy and action programme on the environment (1987-92): OJ C 289, 29.10.1987; Bull. EC 10-1987, point 2.1.116

Parliament resolution of 16 December 1988 on the environment in urban areas: OJ C 12, 16.1.1989; Bull. EC 12-1988, point 2.1.219

Adopted by the Commission on 6 June. The Green Paper was drawn up as a response to the objectives set out in the fourth environmental action programme on the renewal of the urban environment. Designed as a means of identifying the difficulties confronting Europe's towns and cities and as a vehicle for suggesting appropriate solutions, the Green Paper was drawn up on the basis of a horizontal approach in collaboration with a large number of specialists and professionals concerned with urban issues and with reference to the findings of several international conferences on the specific problems of urban areas.

The Commission's Green Paper begins with a critical appraisal of urban structures, their operation and method of development, intended to go beyond purely sectoral or short-term approaches which, though

necessary, do not address the basic causes of urban deterioration. It goes on to outline the guiding principles of a Community strategy, describes the instruments available to implement such a policy and then suggests lines of action to deal with the problems identified in the following priority areas: urban planning, urban transport, protection and enhancement of the historical heritage and of the natural environment within towns and cities, urban industry, water management, urban energy management and urban waste. The Green Paper is not meant to be implemented as it stands. It will therefore be the subject of consultation, not only at Community level but also with the local authorities of Europe's major cities and professional and voluntary groups. On the basis of the outcome of these consultations specific proposals for future action will be drawn up.

COM(90) 218

Cooperation with Central and Eastern Europe

1.3.114. Conference of the Environment Ministers of the European Community, Central and Eastern Europe and the Commission, held in Dublin.

• References:

Operation Phare: Bull. 7/8-1989, points 1.1.1 to 1.1.6

Council Regulation (EEC) No 1210/90 on the setting up of a European Environment Agency and the Environment Monitoring and Information Network: OJ L 120, 11.5.1990; Bull. EC 5-1990, point 1.2.115

Common conclusions adopted on 16 June. This conference brought together, for the first time, the Environment Ministers of the Community and those of Bulgaria, Czechoslovakia, the German Democratic Republic, Hungary, Poland, the Soviet Union, Yugoslavia and Sweden, the latter as an observer and representative of the EFTA countries. The conclusions adopted at the end of the conference emphasized:

(i) the need for accurate mutual information on the environment in the countries

of the Eastern bloc, possibly by allowing those countries access to the European Environment Agency;

(ii) the need to attach priority to the problems of air and water pollution, the disposal and treatment of waste from chemical or nuclear plants and nature conservation;

(iii) the need for international, national or regional policies based in particular on the 'polluter pays' principle.

Those attending the conference warmly welcomed the environment section of the Phare programme and highlighted the role to be played in this field by the European Bank for Reconstruction and Development.

They also took the view that firms setting up in the countries of Central and Eastern Europe should be required to observe a code of conduct incorporating Community standards on environmental protection or similar standards.

The members of the conference decided to strengthen their cooperation in various areas, including the greenhouse effect, depletion of the ozone layer and trans-boundary pollution. Lastly, they defined a plan of action with the following objectives:

(i) preparation of an environmental audit for all European countries, through the European Environment Agency;

(ii) review by the Environment Ministers of the countries of Central and Eastern Europe of the existing agreements on pollution control, with the help of the European Community;

(iii) priority to nuclear safety and water and air pollution;

(iv) implementation as a matter of urgency in the countries of Central and Eastern Europe of standards and procedures for environmental impact assessment similar to those in force in the Community.

II

European Environment Agency

1.3.115. Parliament resolution on the seat of the European Environment Agency.

- **Reference:** Council Regulation (EEC) No 1210/90 on the establishment of the European Environment Agency and the European Environment Monitoring and Information Network: OJ L 120, 15.5.1990; Bull. EC 5-1990, point 1.2.115

Adopted by the European Parliament on 15 June. Taking the view that the choice of seat must form part of a Community institutional policy while being consistent with the duties to be carried out by the Agency, Parliament called for the decision on the seat to be taken as soon as possible and requested the Commission to submit a proposal to that end.

OJ 175, 16.7.1990

Prevention and reduction of pollution and nuisance

Aquatic environment

Dangerous substances

1.3.116. Proposal for a Directive amending Annex II to Directive 86/280/EEC relating to the limit values and quality objectives in respect of the disposal of certain dangerous substances in List 1 of the Annex to Directive 76/464/EEC.

- **Reference:** Directive 76/464 concerning the pollution caused by certain dangerous substances discharged in the Community's aquatic environment: OJ L 129, 18.5.1976; Bull. EC 5-1976, point 2.2.32
- **Directive to be amended:** Council Directive 86/280/EEC: OJ L 181, 4.7.1986; Bull. EC 6-1986, point 2.1.147
- **Commission proposal:** OJ C 253, 29.9.1988; COM(88) 432; Bull. EC 9-1988, point 2.1.84
- **Economic and Social Committee opinion:** OJ C 23, 30.1.1989; Bull. EC 11-1988, point 2.1.164
- **European Parliament opinion:** OJ C 96, 17.4.1989; Bull. EC 3-1989, point 2.1.105.

Agreement in principle reached by the Council (Environment) on 7 June. Purpose: to include in the list of substances in Annex II to Directive 86/280/EEC dichloroethane, trichloroethylene, perchloroethy-

lene and trichlorobenzene, in order to prevent water pollution by these substances.

Marine pollution

1.3.117. Council resolution on the prevention of accidents causing marine pollution.

- **References:**
European Parliament resolution of 17 March 1989 on the safety of shipping: OJ C 96, 17.4.1989; Bull. EC 3-1989, point 2.1.155
Commission recommendation of 28 July 1989 on improving the effectiveness of vessel inspection by the port authorities in the Community: Bull. EC 7/8-1989, point 2.1.201

Adopted by the Council (Transport) on 19 June. Regretting the damage caused to the Community's marine ecosystem as a result of the accidents involving the oil tankers *Aragon*, *Khark V* and *Seawind DOS*, the Council called on the Member States to ensure strict compliance with the technical rules on safety at sea and the prevention of marine pollution as laid down in the international conventions to which they are parties, to intensify their inspections on foreign ships docking in Community ports and to render mutual assistance in the monitoring and combating of pollution by crude oil and other substances. The Council also requested the Commission to continue as a matter of urgency with its research in the context of the project for the establishment of a system of safety at sea, with the aim of providing proper protection for waters which are essential routes for the Community's maritime traffic.

1.3.118. Proposal for a Council Decision on the negotiating brief for the drawing up of an international convention on preparations and action to combat hydrocarbon pollution.

- **References:**
Council Decision 86/85/EEC establishing a Community information system for the control and reduction of pollution caused by the spillage of hydrocarbons and other harmful substances at sea: OJ L 77, 22.3.1986; Bull. EC 3-1986, point 2.1.103
Final conclusions of the Western Economic Summit held in Paris: Bull. EC 7/8-1989, point 3.2.2

Adopted by the Commission on 29 June. Since the Community system for the provision of information set up pursuant to Decision 86/85/EEC comprises an inventory of the resources for combating pollution of the sea and since a number of training programmes and pilot projects have already been carried out in this area, the Commission considers that the Community should play a full part in the negotiations on the preparation of the international convention which is to be drawn up under the auspices of the International Maritime Organization (IMO).

Chemicals, industrial hazards and biotechnology

Dangerous substances

1.3.119. Proposal for a Directive on batteries and accumulators containing dangerous substances.

- **Commission proposal:** OJ C 6, 7.1.1989; COM(88) 672; Bull. EC 12-1988, point 2.1.221
- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.159
- **Economic and Social Committee opinion:** OJ C 194, 31.7.1989; Bull. EC 5-1989, point 2.1.160
- **Amended Commission proposal:** OJ C 11, 17.1.1990; COM(89) 454; Bull. EC 11-1989, point 2.1.124

Agreement in principle reached by the Council (Environment) on 7 June. This involves a ban, with effect from 1 January 1993, on the marketing of alkaline manganese batteries containing more than 0.025% of mercury, with a derogation for the high-performance batteries used in certain highly specialized applications and for button cells. The proposal also stipulates that, except for certain very specific cases, batteries and accumulators may not be incorporated into appliances unless they can be readily removed, when spent, by the consumer.

Chlorofluorocarbons

1.3.120. Council conclusions on the revision of the Montreal Protocol on substances that deplete the ozone layer.

• **References:**

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

Commission communication on the participation of the developing countries in the Montreal Protocol; Bull. EC 5-1990, point 1.2.118

Adopted by the Council (Environment) on 7 June. Purpose: to give the Commission a more specific negotiating brief for the revision of the Montreal Protocol. The measures advocated by the Council include the total elimination of chlorofluorocarbons by 1997 and by the year 2000 at the latest. The Council also confirmed the need to support the efforts of the developing countries by providing them with additional financial and technical resources under a financial mechanism set up under the auspices of the contracting parties.

1.3.121. London Conference on the revision of the Montreal Protocol.

• **References:**

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

Commission communication on the participation of the developing countries in the Montreal Protocol: Bull. EC 5-1990, point 1.2.118

Council conclusions on the revision of the Montreal Protocol (→ point 1.3.120)

Meeting held in London from 25 to 29 June. At the end of difficult negotiations the Conference reached a compromise solution. Under the terms of the revised Montreal Protocol, chlorofluorocarbons are to be completely eliminated by the year 2000, with two intermediate stages (50% in 1995 and 85% in 1997). A financial mechanism was also set up to enable the developing countries to meet the requirements of the revised Protocol. The multilateral Fund set up is to be supervised by a committee composed of seven representatives of the developed countries and seven representatives of the developing countries. The Protocol also provides for the elimination of halons and carbon tetrachlorides by the year 2000 and of methyl chloroforms by 2005.

1.3.122. Commission Decision 90/349/EEC allocating import quotas in respect

of substances governed by the Montreal Protocol.

- **Reference:** Montreal Protocol on substances that deplete the ozone layer: Bull. EC 9-1987, point 2.1.114
- **Basic regulation:** Council Regulation (EEC) No 3322/88 on certain chlorofluorocarbons and halons which deplete the ozone layer: OJ L 298, 31.10.1988; Bull. EC 10-1988, point 2.1.108

Adopted by the Commission on 26 June.

Purpose: to set import quotas for chlorofluorocarbons for the period from 1 July 1990 to 30 June 1991.

OJ 171, 4.7.1990

1.3.123. Commission recommendations on the reduction of chlorofluorocarbons used in the foam plastics and refrigeration industries in the Community.

- **Reference:** Council Resolution of 14 October 1988 on restricting the use of chlorofluorocarbons and halons: OJ C 285, 9.11.1988; Bull. EC 10-1988, point 2.1.108

Adopted by the Commission on 27 June. Based on very wide-ranging consultations with the professional organizations representing this sector of industry, these recommendations provide for the following reductions on the 1986 consumption figures:

Foam plastics: 35% by 1991; 65% by 1993; 100% by 2000;

Refrigeration: 25% by 1991; 50% by 1993; 100% by 2000.

Waste disposal

Waste management

1.3.124. Proposal for a Directive amending Directive 75/442/EEC on waste.

- **Reference:** Council resolution of 7 May 1990 on a Community strategy on waste: OJ C 122, 18.5.1990; Bull. EC 5-1990, 1.2.119
- **Directive to be amended:** Council Directive 75/442/EEC on waste: OJ L 194, 25.7.1975; Bull. EC 7-1975, point 2232
- **Commission proposal:** OJ C 295, 19.11.1988; COM(88) 391; Bull. EC 7/8-1988, point 2.1.118

- **Economic and Social Committee opinion:** OJ C 56, 6.3.1989; Bull. EC 12-1988, point 2.1.218
- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.153
- **Amended Commission proposal:** OJ C 326, 30.12.1989; COM(89) 560; Bull. EC 11-1989, point 2.1.123

Political agreement reached by the Council (Environment) on 7 June. In addition to the solutions concerning the principles of self-sufficiency in waste disposal and proximity, authorization and registration procedures and the system of exemptions, the Council made an important amendment to the proposal by substituting Article 130s for Article 100a, which the Commission regarded as the only suitable legal basis; this means that the European Parliament will have to be consulted again. Moreover, as now amended, Directive 75/442/EEC will have the form of a framework directive.

Horizontal activities

Information

1.3.125. Council Directive 90/313/EEC on the freedom of access to information on the environment.

- **Commission proposal:** OJ C 335, 30.12.1988; Bull. EC 10-1988, point 2.1.119
- **Economic and Social Committee opinion:** OJ C 139, 5.6.1989; Bull. EC 3-1989, point 2.1.116
- **European Parliament opinion:** OJ C 120, 16.5.1989; Bull. EC 4-1989, point 2.1.115
- **Amended Commission proposal:** COM(90) 91; Bull. EC 3-1990, point 1.1.89
- **Council agreement in principle:** Bull. EC 3-1990, point 1.1.89

Formally adopted by the Council on 7 June. The aims of the directive as adopted are to ensure freedom of access to and the dissemination of information on the environment held by the public authorities and to determine the basic conditions under which this information should be made accessible.

OJ C 158, 23.6.1990

Community action on the environment

1.3.126. Commission communication on the granting of financial aid for demonstration projects in the field of the environment. Invitation to tender for ACE 90.

- **Basic decision:** Regulation on a Community action programme for the environment (ACE): OJ L 207, 29.7.1987; Bull. EC 7/8-1987, point 2.1.64

Published on 1 June. Purpose: an invitation to submit proposals relating to the separation, processing and recycling of plastics from waste (from industry, commerce and agriculture and urban refuse) and to the re-use and recycling of used tyres that cannot be retreaded. The invitation to tender is open until 30 June 1991.

OJ C 134, 1.6.1990

Consumers

I

Package travel

1.3.127. Council 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
- **European Parliament opinion (second reading):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.124
- **Re-examined Commission proposal:** COM(90) 232; Bull. EC 5-1990, point 1.2.124

Formally adopted by the Council (Consumer Affairs) on 13 June. Under the terms of the Directive, which enters into force on 1 January 1993, consumers are to be better informed about the price to be paid and there will be a greater onus on operators and/or retailers to honour their contractual obligations, whether they themselves or third parties are responsible for their performance.

OJ L 158, 23.6.1990

Physical protection and product safety

Information on the use of consumer products

1.3.128. Commission Decision on detailed procedures for the application of the Council decision concerning a Community system for the rapid exchange of information on the dangers arising from the use of consumer products.

- **Basic decision:** Council Decision 89/45/EEC of 21 December 1988; OJ L 17, 21.1.1989; Bull. EC 12-1988, point 2.1.227

Adopted by the Commission on 2 June. Purpose: to establish, in agreement with the Member States, detailed procedures for the transmission of the information referred to in Article 1 of Decsioin 89/45/EEC.

1.3.129. Council Decision 90/352/EEC amending Decision 89/45 concerning a Community system for the rapid exchange of information on the dangers arising from the use of consumer products.

- **Decision to be amended:** Council Decision 89/45; OJ L 17, 21.1.1989; Bull. EC 12-1988, point 2.1.227
- **Commission proposal:** OJ C 135, 2.6.1990; COM(90) 172; Bull. EC 5-1990, point 1.2.126

Endorsed by the Council (Consumer Affairs) on 13 June. Pending the opinions of the European Parliament and the Economic and Social Committee, the Council agreed to extend under the same conditions the system for the rapid exchange of infor-

mation, which expires on 30 June 1990, up to the deadline set for the incorporation in the laws of the Member States of the provisions of the future directive on general product safety (→ point 1.3.130).

Endorsed by the European Parliament on 15 June. No amendments were made to the Commission proposal.

OJ C 175, 16.7.1990

Adopted by the Council on 29 June.

OJ L 173, 6.7.1990

1.3.130. Proposal for a Directive on general product safety.

- **Commission proposal:** OJ C 193, 31.7.1989; COM(89) 162; Bull. EC 4-1989, point 2.1.121
- **Economic and Social Committee opinion:** OJ C 75, 26.3.1990; Bull. EC 1/2-1990, point 1.1.137
- **European Parliament opinion (first reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.94

Amended proposal adopted by the Commission on 11 June. Purpose: to take account of the opinions of the Economic and Social Committee and the European Parliament.

OJ C 156, 27.6.1990; COM(90) 259

Enterprise policy and industrial strategies

I

Direct taxation of European companies

1.3.131. Proposals for Council directives aimed at abolishing certain forms of double taxation and at promoting cooperation between companies in different Member States.

- **References:**

Conclusions of the Council (Economic and Financial Affairs) of 12 March 1987 on the removal of barriers to cooperation between

firms located in different Member States: Bull. EC 3-1987, point 2.1.7

Commission communication on guidelines on company taxation: Bull. EC 4-1990, point 1.1.87

Political agreement reached by the Council (Economic and Financial Affairs) on 11 June. The agreement covers three Commission proposals (→ points 1.3.132 to 1.3.134) which date back to 1969 and 1976 and which are designed primarily to ensure that companies operating in a number of Member States are not penalized with regard to the tax they pay compared with companies operating purely at national level. Once they are formally adopted, the three Directives should enable companies to take full advantage of the dynamic effects of the single market as they help to strengthen their competitiveness on a worldwide scale.

1.3.132. Proposal for a Directive on a common system of taxation applicable to mergers, divisions and contributions of assets involving companies from different Member States.

- **Commission proposal:** OJ C 39, 22.3.1969; COM(69) 5; Bull. EC 3-1969, points 10 and 11
- **Economic and Social Committee opinion:** OJ C 100, 1.8.1969; Bull. EC 8-1969, point 9.
- **European Parliament opinion:** OJ C 51, 29.4.1970; Bull. EC 6-1970, point 8.

Political agreement reached by the Council (Economic and Financial Affairs) on 11 June. This proposal is designed to eliminate the tax cost of such cross-frontier operations as mergers, divisions or contributions of assets. Tax legislation in the Member States treats such operations as a total or partial liquidation of the company which has made the contribution and so subjects it to capital gains tax, although the company's assets remain intact. The proposed solution is to tax the capital gains not when the merger operation, contribution of assets, etc. is carried out but when the gains are actually realized.

1.3.133. Proposal for a Directive on a common system of taxation applicable to parent companies and subsidiaries from different Member States.

- **Commission proposal:** OJ C 39, 22.3.1969; COM(69) 6; Bull. EC 3-1969, points 10 and 12
- **Economic and Social Committee opinion:** OJ C 100, 1.8.1969; Bull. EC 8-1969, point 9
- **European Parliament opinion:** OJ C 51, 29.4.1970; Bull. EC 6-1970, point 8
- **Amended Commission proposal:** COM(85) 360; Bull. EC 7/8-1985, point 2.1.78

Political agreement reached by the Council (Economic and Financial Affairs) on 11 June. This proposal is designed to eliminate double taxation of the profits distributed by a subsidiary established in one Member State to its parent company in another Member State. Such profits are very often subject first to corporation tax and then to a withholding tax (a definitive charge where profits are distributed abroad) and sometimes even to taxation in the country of receipt. The solution proposed is to abolish, in principle, all withholding taxes between Member States. By way of derogation from the general rule, the Federal Republic of Germany would be permitted to impose, as long as it charged corporation tax on distributed profits at a rate at least 11 percentage points lower than the rate applicable to non-distributed profits, but under no circumstances beyond mid-1996, a compensatory withholding tax of 5% on the profits distributed by subsidiary companies established in Germany.

1.3.134. Proposal for a Directive on the elimination of double taxation in connection with the adjustment of profits between associated enterprises (arbitration procedure).

- **Commission proposal:** OJ C 301, 21.12.1976; COM(76) 611; Bull. EC 11-1976, point 2.1.27
- **European Parliament opinion:** OJ C 163, 11.7.1977; Bull. EC 6-1977, point 2.3.10
- **Economic and Social Committee opinion:** OJ C 18, 23.1.1978; Bull. EC 10-1977, point 2.3.74

Political agreement reached by the Council (Economic and Financial Affairs) on 11 June. This Commission proposal is designed to introduce an arbitration procedure to ensure the elimination of double taxation stemming from differing assessments by the tax authorities in different

Member States of the transactions carried out by associated enterprises.

Instead of a Directive, however, the Council is planning a multilateral convention within the meaning of Article 220 of the Treaty, which will not alter the substance of the proposed measure.

Enterprise policy

Legal and tax environment for businesses

Company law

1.3.135. Proposal for a Council Directive amending Directive 78/660/EEC on annual accounts and Directive 83/349/EEC on consolidated accounts as regards the scope of those Directives.

- **Directives to be amended:**
 - Directive 78/660/EEC on annual accounts (Fourth Directive): OJ L 222, 14.8.1978; Bull. EC 6-1978, point 2.1.12
 - Directive 83/349/EEC on consolidated accounts (Seventh Directive): OJ L 193, 18.7.1983; Bull. EC 5-1983, points 2.1.26 and 2.1.30
- **Commission proposal:** OJ C 144, 11.6.1986; COM(86) 238; Bull. EC 5-1986, points 2.1.19 and 2.1.60
- **Economic and Social Committee opinion:** OJ C 328, 22.12.1986; Bull. EC 9-1986, point 2.4.31
- **European Parliament opinion (first reading):** OJ C 125, 11.5.1987; Bull. EC 4-1987, point 2.1.71

Council agreement on the substance on 20 June and common position adopted on 29 June. This proposal for a Directive is designed, once it is definitively adopted, to subject partnerships or limited liability partnerships to the accounting obligations of the fourth and seventh company law Directives to the extent that all of their fully liable members are constituted either as public or as private limited liability companies (companies with share capital). The same concern for protection of partners and especially of third parties arises in the case

of partnerships which are in fact 'disguised' companies with share capital.

Policy for promoting SMEs

1.3.136. Proposal for a Council Directive amending Directive 78/660/EEC on annual accounts and Directive 83/349/EEC on consolidated accounts with respect to the exemptions for small and medium-sized companies and the publication of accounts in ecus.

- **Directives to be amended:**
 - Directive 78/660/EEC on annual accounts (fourth Directive): OJ L 222, 14.8.1978; Bull. EC 6-1978, point 2.1.12
 - Directive 83/349/EEC on consolidated accounts (seventh Directive): OJ L 193, 18.7.1983; Bull. EC 5-1983, points 2.1.26 and 2.1.30
- **Commission proposal:** OJ C 287, 11.11.1988, COM(88) 292; Bull. EC 10-1988, point 21.1.69
- **Economic and Social Committee opinion:** OJ C 139, 5.6.1989; Bull. EC 3-1989, point 2.1.28
- **European Parliament opinion (first reading):** OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.49
- **Amended Commission proposal:** OJ C 318, 20.12.1989; COM(89) 591; Bull. EC 11-1989, point 2.1.32

Council agreement on the substance on 20 June and common position adopted on 29 June. Once it is definitively adopted, this directive will enable Member States to extend further the exemptions already provided for in the fourth and seventh Directives for SMEs in line with the general policy of reducing unnecessary burdens on such firms. The Directive will also make it possible to counterbalance the effects of the other Directive (→ point 1.3.136) in that partnerships falling within the scope of that Directive will be able to benefit from SME treatment if they satisfy the rules which define them.

Industrial strategies

Industries

Steel

1.3.137. Commission forward programme for the third quarter of 1990.

- **Previous forward programme:** Bull. EC 3-1990, point 1.1.97

Approved by the Commission (first reading) on 22 June. Prospects remained favourable, both as regards investment and exports, which were still buoyant, and actual production, which should increase by approximately 3% in 1990 and 1991. In the first quarter of 1990, production totalled 35.33 million tonnes of crude steel. The Commission thought that steel production would probably fall in the third quarter because of the annual holiday closures, estimating output at 32.90 million tonnes. Demand, which was put at 30.20 million tonnes, was also likely to be slightly down on the second quarter owing to normal seasonal factors. This trend was confirmed by the activity indicators, although these were somewhat up on those for the third quarter of 1989.

Opinion of the ECSC Consultative Committee on 29 June. The Committee regretted that the Commission had abandoned the system of forecasting by product, which had proved to be very useful. In order to be able to meet firms' planning needs, the Commission should ensure that there was adequate detail in its forward programmes. The quarterly forecasts for crude steel alone seemed to it to be insufficient in this regard, particularly as the political and economic events in Central and Eastern Europe, China and Latin America would have a major impact on the Community and international steel markets. The Committee therefore called on the Commission to reincorporate forecasts by product into its forward programme for the third quarter of 1990.

Agriculture

I

Use of agricultural products in the non-food sector

1.3.138. Draft Regulation amending Regulation (EEC) No 797/85 on improving the efficiency of agricultural structures.

- **Amended Regulation:** Council Regulation (EEC) No 797/85: OJ L 93, 30.3.1985; Bull. EC 3-1985, point 2.1.11
- **Commission proposal:** OJ C 31, 9.2.1990; COM(89) 597 final; Bull. EC 12-1989, point 2.1.160
- **Economic and Social Committee opinion:** OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.109

European Parliament opinion, 15 March. Favourable, subject to amendments to widen the scope of the proposal, to tighten certain controls and to protect the environment.

OJ C 175, 16.7.1990

Political agreement at the Council meeting of Agricultural Ministers on 25 June. The compromise by the Council includes a number of additions and changes to the Commission proposal. These mainly concern:

(i) *the operation of the scheme:* In the event that a group of farmers arranges to supply a single industrial user, on the basis of a joint contract, and on condition that the proportion of their arable land withdrawn from production is 40%, the requirements on areas may be respected by the group as a whole rather than by the individual farms; an individual farmer, as well as a group of farmers, withdrawing at least 40% of arable land from production for set-aside purposes will benefit from exemption from both co-responsibility levies for the entire volume of cereals supplied to industrial processors; the requirement that applicants not grow the same cereals elsewhere on their farms could be removed on the understanding that either this requirement or another equally effective control requirement will be included in the implementing Regulation;

(ii) *revision and extension of the scheme:* the Commission may make proposals to modify the scheme on the basis of a report drawn up one year after its effective implementation and to extend it to products other than cereals in the light of pilot schemes.

The Council took the opportunity to look at the issues of including new agricultural products, coordinating policies in the non-food sector, and demonstration projects.

Completion of the internal market in the veterinary sector

1.3.139. Council Directive amending Directive 85/511/EEC introducing Community measures for the control of foot-and-mouth disease, Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine and Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries.

- **Amended Directives:**
Council Directive 85/511/EEC: OJ L 315, 26.11.1985; Bull. EC 11-1985, point 2.1.144
Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine: OJ L 121, 29.7.1964
Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat from third countries: OJ L 302, 31.12.1972
- **Commission proposal:** OJ C 327, 30.12.1989; COM(89) 512 final; Bull. EC 10-1989, point 2.1.163
- **Economic and Social Committee opinion:** OJ C 62, 12.3.1990; Bull. EC 12-1989, point 2.1.200
- **European Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.121

Adopted by the Council of Agriculture Ministers on 25 June. With this Directive, the Community is moving from a system based since 1973 on a policy of systematic vaccination to a policy of non-vaccination and slaughter in the event of an outbreak as still practised in the United Kingdom, Denmark, Ireland and Greece. Maintaining both systems could have been a major obstacle for free movement of animals and products in the single market, and so the Council has opted to extend the non-vaccination policy to the whole of the Community while providing maximum guarantees to Member States in which giving up vaccination is a radical departure from their traditional approach. The Directive set out clearly the rules to be introduced in the framework of the new policy, particularly as regards measures to be taken in the case of an outbreak, early warning systems, inspection of vaccine production centres, the re-intro-

duction of vaccination in the case of emergencies and the rules to be applied in future in both intra-Community trade and dealings with non-Community countries. However, the Directive will be supplemented by 30 June 1991 by the introduction of uniform rules for controls in respect of non-Community countries and the setting-up of vaccine stocks for emergencies.

1.3.140. Council Directive concerning veterinary and zootechnical checks in intra-Community trade in certain live animals and products with a view to the completion of the internal market.

- **Reference:** Directive 89/662/EEC on veterinary checks in intra-Community trade: OJ L 395, 30.12.1989; Bull. EC 1989, point 2.1.196
- **Commission proposal:** OJ C 225, 31.8.1988; COM(88) 383; Bull. EC 7/8-1988, point 2.1.185
- **European Parliament opinion:** OJ C 326, 19.12.1988; Bull. EC 1988, point 2.1.220
- **Economic and Social Committee opinion:** OJ C 56, 6.3.1989; Bull. EC 12-1988, point 2.1.290a

Adopted by the Council of Agriculture Ministers on 25 June. This Regulation provides for the abolition of veterinary checks at the internal frontiers of the Community by 31 December 1991 at the latest, with emphasis on the checks to be carried out on departure and at the place of destination. However, given the existence of varying animal health conditions within the Community, the maintenance of an animal health certificate or an identity document is justified. As regards documents related to animal breeding, Member States are to ensure that checking of them is subject to the rules on checks laid down for veterinary documents. As of 1 January 1992, veterinary checks at intra-Community frontiers will be abolished for animals and animal products covered by Community regulations, while animals and products which have not yet been the subject of harmonization will have to comply with the animal health requirements of the destination Member State. However, document checks during transport may be maintained for 12 months after the ending of vaccination against foot-and-mouth disease. To enable the abolition of checks to

take place, the Commission is responsible for setting up a computerized information exchange system between the Member States' veterinary services so that the service issuing the original certificate can advise the service of the destination country of the consignments covered by a certificate. At the place of destination, the service of that country may require prior notification by the recipient of the animals or products in a consignment. Checks may be carried out by sampling at destination to ensure compliance with Community rules or, in the case of non-harmonized products, with the national rules of the Member State of destination.

1.3.141. Council Decision on expenditure in the veterinary field.

- **Commission proposal:** OJ C 84, 2.4.1990; COM(89) 666; Bull. EC 12-1989, point 2.1.197
- **Economic and Social Committee opinion:** OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.131
- **European Parliament opinion:** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.177
- **References:**
 - Council Directive amending Directive 85/511/EEC introducing Community measures for the control of foot-and-mouth disease (→ point 1.3.140)
 - Council Regulation on intensifying controls on the application of the veterinary rules (→ point 1.3.141)

Adopted by the Council of Agriculture Ministers on 25 June. This decision aims to bring together in a single text all the provisions which now exist or are to be implemented regarding the Community's financial contribution towards achieving the conditions for the free movement of animals and animal products by 1993. The measures to be financed include:

(i) specific veterinary measures, at present covered by the existing veterinary fund, to combat diseases for which emergency intervention must be provided for with a 50% financial contribution by the Community and, secondly, foot-and-mouth disease in the framework of the new policy adopted by the Community, involving 70% for the first three years and 60% thereafter (for the

campaign against foot-and-mouth disease, Community funding will be through the Guarantee Section of the EAGGF);

(ii) programmes for the eradication and monitoring of animal diseases, for which a 50% financial contribution by the Community is provided for as compulsory expenditure;

(iii) inspection measures in the veterinary field, for which a financial contribution by the Community is provided for to help the introduction in particular of the new strategy to abolish checks at Community frontiers.

Intra-Community trade in the beef and veal sector

1.3.142. Protection against bovine spongiform encephalopathy (BSE) in the United Kingdom.

Conclusions of the Council of Agriculture Ministers at the special meeting on 6 and 7 June.

The Council notes that the Commission, after consultation with the Standing Veterinary Committee, will identify the epidemiological situations requiring the following special measures:

(i) certification that bone-in beef for export shall derive from bovines which are not from holdings in which BSE has been confirmed in the previous two years;

(ii) in the case of boneless beef there must be certification of compliance with paragraph 2 of the opinion of the Scientific Veterinary Committee of 6 June;

(iii) exports of live cattle are limited to calves certified to be under 6 months of age and not to be the offspring of cows in which BSE is suspected or confirmed; there must be full use of computer records and proper identification (i.e. freeze brand or tattoo) of animals to guarantee compliance with this point.

As confirmed by the Scientific Veterinary Committee on 6 June 1990, the present epidemiological situation is that these measures are required only in respect of the UK.

The Council notes the Commission's intention to further develop all surveillance measures necessary to give effect to the Commission Decision of 6 March 1990 requiring compulsory notification of

BSE. The Council notes the United Kingdom's intention to introduce a surveillance mechanism of herds in which BSE has been detected, including inspection in approved slaughterhouses of cattle and carcasses from these herds. The results will be transmitted to the Commission and Member States for evaluation by the Standing Veterinary Committee.

The Council notes that the Commission is examining the processes used in the Member States for the manufacture of animal protein for feeding to ruminants in order to ensure that they are in conformity with the requirements of effective animal health protection. In the light of the results of that examination, the Commission will take any necessary steps. The Council invites the Commission to implement a Community-wide programme of research on BSE.

The measures referred to above were implemented the same day by the Commission, while the Member States which had taken protective measures — France, Federal Republic of Germany, Italy — announced that those measures would be withdrawn immediately.

1.3.143. Commission Decision 90/261/EEC amending Decision 89/469/EEC concerning certain protection measures relating to bovine spongiform encephalopathy in the United Kingdom and Decision 90/200/EEC concerning additional requirements for some tissues and organs with respect to bovine spongiform encephalopathy.

• Amended Decisions:

Commission Decision 89/469/EEC: OJ L 225, 3.8.1989

Commission Decision 90/200/EEC: OJ L 105, 25.4.1990; Bull. EC 4-1990, point 1.1.119

Adopted by the Commission on 8 June. In order to protect the health of consumers of beef and to lift the bans imposed on exports from the United Kingdom, the measure provides that animals exported live from the UK must be under six months of age, not be born of BSE-infected cows and bear a freeze brand or tattoo. Fresh meat must be de-boned if it comes from animals which have spent time on a farm where BSE has been diagnosed in the previous two years.

OJ L 146, 9.6.1990

1.3.144. European Parliament resolution on bovine spongiform encephalopathy.

Adopted on 14 June. Parliament stressed the need for detailed scientific research into the epidemiology of the disease in the Member States in order to clarify the risks of BSE being transmitted to man or other animal species. It urged the introduction of tighter monitoring in respect of every new case of BSE and the implementation of the measures taken by the Community and the Member States concerned. It hoped to see the establishment of a European agency on the quality of foodstuffs.

OJ L 175, 16.7.1990

Implementation of the reform of the structural Funds

1.3.145. Community support frameworks (CSFs): Objective 5b — Rural development.

- **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 Regulations (EEC) No 4253/88 to No 4256/88 implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Commission communication on 'The future of rural society', COM(88) 501; Bull. EC 7/8-1988, points 1.2.1 to 1.2.6; Supplement 4-1988 Bull. EC

- **Adoption in principle by the Commission:** Bull. EC 5-1990, point 1.2.127

Formally adopted by the Commission on 6 and 27 June. The Commission finally adopted the 44 CSFs for the regions eligible for assistance from the structural Funds under Objective 5b in Belgium, Denmark, the Federal Republic of Germany, Spain, Italy, Luxembourg, the Netherlands and the United Kingdom (6 June) and France (27 June). In drawing up the three priority objectives for the three structural Funds with respect to rural development, the Commission has ensured adherence to the principles underlying the reform of the structural Funds and the report on the future of

rural society. In order to make optimum use of existing resources and so as to have a maximum impact on rural development, the measures envisaged concentrate on specific geographical areas and the five following priorities: developing the primary sector, i.e. agriculture, forestry and fisheries; developing other sectors of the economy, particularly small and medium-sized businesses; tourism and recreation; environmental protection; human resources (training programmes). To strengthen the interactive impact of the three structural Funds on rural society, emphasis has been put on programmes which coordinate the activities of the three Funds and mesh with other aims of the structural Funds' reform. The CSFs were drawn up in close collaboration (partnership) between the Commission and the national, regional and local authorities in order to adapt the Community's rural development policy to the specific needs and potential of each area and to mobilize the support and commitment of the authorities concerned. The variation in development priorities from one area to another demonstrates that the programmes are suited to local conditions.

Establishment of an information network for rural areas

1.3.146. Proposal for a Council Decision on the setting up of a model scheme for information on rural development initiatives and agricultural markets (Miriam).

- **References:**

Commission communication on 'The future of rural society', COM(88) 501; Bull. EC 7/8-1988, points 1.2.1 to 1.2.6; Supplement 4-1988, Bull. EC

Commission communication: 'Guidelines for rural development actions linked to the functioning of agricultural markets': Bull. EC 10-1989, point 2.1.121

Adopted by the Commission on 7 June. In order to enhance the flow of information in the rural parts of the Community, the Commission proposes setting up rural development information and promotion centres within host organizations. These

centres will operate as part of a network of information centres dealing with rural development initiatives and agricultural markets, to be called Miriam. The centres will be set up in rural areas and have the following main objectives: the dissemination of information on Community measures under the common agricultural policy as well as those under other Community policies and aimed at furthering the adaptation of agriculture and rural development; the provision of information of agricultural on agricultural markets and quality standards; the provision of practical advice on the diversification of farmers' incomes and the creation of other forms of enterprise on or off the farm. The Community will participate in the costs of installation and management of the centres by means of a flat-rate contribution of ECU 50 000 in the first year and ECU 20 000 for each of the two subsequent years of functioning of each centre.

OJ C 158, 28.6.1990; COM(90) 230

II

Agricultural structures and rural development

1.3.147. Report on the progress made towards specific objectives and the implementation of structural measures in Portugal.

- **Reference:** action programmes on milk and milk products: OJ C 326, 2.12.1987; beef and veal: OJ C 131, 20.5.1988; fruit and vegetables: OJ C 46, 28.1.1986; pigmeat: OJ C 350, 29.12.1987; eggs and poultrymeat: OJ C 350, 29.12.1987; wine: OJ C 350, 29.12.1987

Adopted by the Commission on 26 June. Purpose: to describe sector by sector (milk and milk products, beef and veal, fruit and vegetables, cereals and rice, pigmeat, eggs and poultrymeat, wine) the progress made in implementing socio-structural measures and each of the specific objectives.

COM(90) 279

Forestry

1.3.148. Commission Decision 90/342/EEC on the selection criteria to be adopted for investments for improving the processing and marketing conditions for agricultural and forestry products.

- **Basic Regulations:** Council Regulation (EEC) No 866/90 and 867/90 on improving the processing and marketing conditions for agricultural and forestry products: OJ L 91, 6.4.1990; Bull. EC 3-1990, point 1.1.108

Adopted by the Commission on 7 June. Purpose: to lay down criteria for selecting investments to receive financial assistance in connection with the approval of operational programmes or with global grants; the criteria set priorities and indicate which investments are to be excluded from Community financing.

OJ L 163, 29.6.1990

EAGGF Guidance Section

1.3.149. Award of financial assistance.

- **Basic Regulation:** Council Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural products are processed and marketed: OJ L 51, 23.2.1977

Commission decision on 29 June. Purpose: global aid of ECU 186.8 million for 513 projects concerned with processing and marketing agricultural products.

Farm prices and related measures

1.3.150. Commission Regulation (EEC) No 1599/90 amending Regulation (EEC) No 3154/85 and (EEC) No 3719/88 with a view to facilitating private humanitarian aid operations for the benefit of people in third countries.

- **Amended Regulations:**
 - Commission Regulation (EEC) No 3154/85 laying down detailed rules for the calculation of monetary compensatory amounts: OJ L 310, 21.11.1985
 - Commission Regulation (EEC) No 3719/88 laying down common detailed rules for the

application of the system of import and export licences and advance fixing certificates for agricultural products: OJ L 331, 2.12.1988

Adopted by the Commission on 14 June.
Purpose: To facilitate private humanitarian aid operations for the benefit of people in third countries by exempting from the application of monetary compensatory amounts and by waiving the requirement for an export licence.

OJ L 151, 15.6.1990

Common organization of markets

Cereals and rice

1.3.151. Commission Regulation (EEC) No 1573/90 fixing for the 1990/91 marketing year the threshold prices for cereals and for certain classes of flour, groats and meal.

Adopted by the Commission on 12 June.

OJ L 149, 13.6.1990

1.3.152. Commission Regulation (EEC) No 1616/90 fixing the accession compensatory amounts applicable to cereals for the 1990/91 marketing year, and the coefficient to be used for calculating the amounts applicable to processed products.

Adopted by the Commission on 15 June.
Purpose: to fix the compensatory amounts for durum wheat and durum wheat meal for the next marketing year.

OJ L 152, 16.6.1990

1.3.153. Commission Regulation (EEC) No 1617/90 fixing the maximum moisture content of cereals offered for intervention in certain Member States during the 1990/91 marketing year.

Adopted by the Commission on 15 June.
Purpose: To grant those Member States applying for it, authorization to accept for intervention cereals with a maximum moisture content of 15%.

OJ L 152, 16.6.1990

1.3.154. Proposal for a Regulation amending Regulation (EEC) No 1581/86 laying down general rules for intervention on the market in cereals, and Regulations (EEC) No 724/67 and No 2754/78 on intervention in the oils and fats sector.

- **Regulations to be amended:**

Council Regulation (EEC) No 724/67 laying down conditions for intervention in respect of oil seeds during the last two months of the marketing year and principles for the disposal of seeds bought by intervention agencies: OJ L 252, 19.10.1967

Council Regulation (EEC) No 2754/78 on intervention in the olive oil sector: OJ L 331, 28.11.1978

Council Regulation (EEC) No 1581/86: OJ L 139, 24.5.1986

Adopted by the Commission on 22 June.
Purpose: To amend the rules on intervention in the cereals and oils and fats sector to enable the Commission to make some intervention stocks available for demonstration projects designed to encourage the non-food use of agricultural products.

COM(90) 286

1.3.155. Commission Regulation (EEC) No 1841/90 amending Regulation (EEC) No 1569/77 fixing the procedure and conditions for the taking over of cereals by intervention agencies.

- **Reference:** Council Regulations (EEC) Nos 1179/90 to 1206/90, 1312/90 to 1332/90 and 1340/90 to 1359/90 fixing the prices of agricultural products and laying down certain related measures (1990-91): OJ L 119, 11.5.1990, OJ L 132, 23.5.1990, OJ L 134, 28.5.1990; Bull. EC 5-1990, point 1.2.142
- **Amended Regulation:** Commission Regulation (EEC) No 1569/77: OJ L 174, 14.7.1977

Adopted by the Commission on 29 June.
Purpose: to shorten the credit period for cereals purchased for intervention, in accordance with the undertakings made for the purpose of fixing agricultural prices.

OJ L 168, 30.6.1990

1.3.156. Proposal for a Regulation amending Regulation (EEC) No 1352/90 fixing rice prices for the 1990/91 marketing year.

- **Regulation to be amended:** Council Regulation (EEC) No 1352/90: OJ L 134, 28.5.1990; Bull. EC 4-1990, point 1.1.92

Adopted by the Commission on 11 June. Purpose: to propose a single intervention price applicable throughout the Community and therefore align the price applicable in Spain on the price applicable in the rest of the Community.

COM(90) 246

Pigmeat

1.3.157. Commission Regulations (EEC) Nos 1511/90, 1626/90 and 1627/90 amending Regulation (EEC) No 906/90 adopting special support measures for the market in pigmeat in Belgium.

- **Amended Regulation:** 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 1 and 15 June. Purpose: in view of the scale and duration of the epidemic, to extend the existing exceptional support measures to 17 June and to introduce a co-financing scheme.

OJ L 141, 2.6.1990 and OJ L 152, 16.6.1990

1.3.158. Commission Regulation (EEC) No 1564/90 establishing the prices and amounts fixed in ecus by the Council in the pigmeat sector and reduced as a result of the monetary realignment of 5 January 1990.

- **Basic regulation:** Commission Regulation (EEC) No 3578/88 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts: OJ L 312, 18.11.1988; Bull. EC 11-1988, point 2.1.186
- **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 June. Purpose: in accordance with Article 5 of Regulation (EEC) No 3578/88 concerning the application of the system for the automatic dismantlement of negative compensa-

tory amounts, to reduce by 3 ecus per tonne the basic price of pig carcasses.

OJ L 148, 12.6.1990

Poultrymeat and eggs

1.3.159. Council Regulation (EEC) No 1906/90 laying down marketing standards for poultry.

- **Commission proposal:** COM(89) 580; Bull. EC 11-1989, point 2.1.144

Adopted by the Council on 26 June. Purpose: to contribute to improving the quality of poultrymeat, to increase and harmonize information given to consumers and to facilitate intra-Community trade.

OJ L 173, 6.7.1990

1.3.160. Council Regulation (EEC) No 1907/90 on certain marketing standards for eggs.

- **Commission proposal:** COM(88) 347
- **Regulation repealed:** Council Regulation (EEC) No 2772/75, OJ L 282, 1.11.1975

Adopted by the Council on 26 June. Purpose: to adapt these standards to take account of changes in commercial practice in this area. In particular, this involves certain definitions and rules relating to the packing and presentation of eggs, the collection and packing of eggs at shorter intervals and the authorization to mark certain information on eggs and to amalgamate the rules on the labelling of small and large packs.

OJ L 173, 6.7.1990

Fruit and vegetables

1.3.161. Commission Regulation (EEC) No 1510/90 derogating for the 1990/91 marketing year from Regulation (EEC) No 3322/89 determining the operative events applicable in the fruit and vegetables sector as regards the basic and buying-in prices for cauliflowers.

- **Regulation to be derogated from:** Commission Regulation (EEC) No 3322/89: OJ L 321, 4.11.1989; Bull. EC 11-1989, point 2.1.146

Adopted by the Commission on 1 June.
Purpose: to permit the new agricultural conversion rates for cauliflowers to be applied to withdrawal operations after 14 May.

OJ L 141, 2.6.1990

1.3.162. Commission Regulation (EEC) No 1523/90 fixing for the 1990/91 marketing year the reference prices for plums.

Adopted by the Commission on 6 June.
Purpose: to maintain reference prices for plums at the same level as for the previous marketing year, with the exception of September, in the case of Group II, for which an increase of 0.6% is proposed.

OJ L 144, 7.6.1990

1.3.163. Commission Regulation (EEC) No 1598/90 exempting certain Member States from the obligation to buy-in certain fruit and vegetables.

Adopted by the Commission on 14 June.
Purpose: to exempt the Member States from having to undertake intervention purchasing of certain fruit and vegetables during specific periods of the 1990/91 marketing year, in the event of a major crises affecting one of the said products.

OJ L 151, 15.6.1990

1.3.164. Commission Regulation (EEC) No 1785/90 laying down certain additional detailed rules for the application of the supplementary trade mechanism to fruit and vegetables as regards tomatoes, lettuce, carrots, table grapes, melons, apricots, peaches and strawberries.

Adopted by the Commission on 28 June.
Purpose: to determine a period I for the fruit and vegetables concerned for July and August, having regard to the outlook for Spanish consignments to the rest of the Community market with the exception of Portugal.

OJ L 163, 29.6.1990

1.3.165. Commission Regulation (EEC) No 1837/90 fixing for the 1990/91 marketing year the reference price for pears.

Adopted by the Commission on 29 June.

OJ L 168, 30.6.1990

1.3.166. Commission Regulation (EEC) No 1840/90 fixing for the 1990/91 marketing year the reference price for apples.

Adopted by the Commission on 29 June.

OJ L 168, 30.6.1990

Wine

1.3.167. Council Regulation (EEC) No 1772/90 amending Regulation (EEC) No 2390/89 laying down general rules for the import of wines, grape juice and grape must.

- **Amended Regulation:** Council Regulation (EEC) No 2390/89; OJ L 232, 9.8.1989; Bull. EC 7/8-1989, point 2.1.150
- **Commission proposal:** COM(90) 42 and Bull. EC 3-1990, point 1.1.124

Adopted by the Council on 26 June. Purpose: to raise certain quantitative thresholds below which the certificate of origin and the analysis report which must normally accompany imports from third countries are not required.

OJ L 163, 29.6.1990

1.3.168. Commission Regulation (EEC) No 1759/90 amending Regulation (EEC) No 3773/89 laying down transitory measures relating to spirituous beverages.

- **Amended Regulation:** Commission Regulation (EEC) No 3773/89; OJ L 365, 15.12.1989

Adopted by the Commission on 27 June. Purpose: to extend to the end of the year the period for the adoption of detailed rules for methods of analysing spirituous beverages and for the monitoring and protection of spirituous beverages imported and identified by a geographical ascription for the purpose of their being marketed for human consumption in the Community.

OJ L 162, 28.6.1990

1.3.169. Commission Regulation (EEC) No 1784/90 amending Regulation (EEC) No 3929/87 on harvest, production and

stock declarations relating to wine sector products.

- **Amended Regulation:** Commission Regulation (EEC) No 3929/87; OJ L 369, 29.12.1987

Adopted by the Commission on 28 June.
Purpose: to amend existing regulations on production and stock declarations relating to wine sector products, in order to prevent such products being entered twice in the year-end accounts.

OJ L 163, 29.6.1990

Milk and milk products

1.3.170. Commission Regulation (EEC) No 1552/90 determining the reduced ecu values of milk sector prices and amounts consequent on 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 8 June.
Purpose: to specify the value of the reduced prices or amounts applicable in the milk sector with effect from 14 May 1990, consequent on the monetary realignment of 5 January 1990.

OJ L 146, 9.6.1990

1.3.171. Commission Regulation (EEC) No 1553/90 amending Regulation (EEC) No 1735/89 on the recovery on export of aids granted in respect of skimmed-milk powder for use as feed and skimmed milk processed into compound feedingstuffs.

- **Reference:** monetary realignment (narrowing of the fluctuation margin for the Italian lira) — Bull. EC 1/2-1990, point 1.1.3
- **Amended Regulation:** Commission Regulation (EEC) No 1735/89; OJ L 171, 20.6.1989

Adopted by the Commission on 8 June.
Purpose: to adjust the amounts of aids to be recovered to reflect the reduction in ecu values of milk sector prices and amounts with effect from 14 May 1990, consequent on the monetary realignment of 5 January 1990.

OJ L 146, 9.6.1990

1.3.172. Commission Regulation (EEC) No 1671/90 laying down definitive measures on the issuing of STM licences for milk and milk products.

Adopted by the Commission on 20 June.
Purpose: to lay down definitive measures for the application of the STM to exports of cheese to Spain.

OJ L 155, 21.6.1990

Beef and veal

1.3.173. Commission Regulation (EEC) No 1618/90 fixing the number of young male bovine animals which may be imported on specific terms in the first, second and third quarters of 1990, amending Regulation (EEC) No 2377/80 and derogating therefrom in respect of those quarters as regards the issue of import licences and their term of validity.

- **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
- **Amended Regulation:** Commission Regulation (EEC) No 2377/80 on specific detailed rules governing the issue of import and export licences in the beef and veal sector: OJ L 241, 13.9.1980
- **References:**
 - 90/243/EEC Council estimate concerning young male bovine animals weighing 300 kg or less and intended for fattening, for the period 1 January to 31 December 1990: OJ L 140, 1.6.1990; Bull. EC 5-1990, point 1.2.162
 - 90/244/EEC Council estimate concerning beef and veal intended for the processing industry for the period 1 January to 31 December 1990: OJ L 140, 1.6.1990; Bull. EC 5-1990, point 1.2.163

Adopted by the Commission on 15 June.
Purpose: to adjust quantities and procedures for the issue of import licences for young male bovine animals for the first three quarters of 1990, having regard to the adoption of supply balance sheets by the Council.

OJ L 152, 16.6.1990

1.3.174. Commission Regulation (EEC) No 1683/90 amending Regulation (EEC) No

610/77 on the determination of prices of adult bovine animals on representative Community markets and the survey of prices of certain other cattle in the Community.

- **Amended Regulation:** Commission Regulation (EEC) No 610/77: OJ L 77, 25.3.1977

Adopted by the Commission on 21 June.

Purpose: to adjust in the light of the results of the December 1989 survey of the cattle population, the weighting coefficients used in calculating the Community average of prices in the beef and veal market.

OJ L 157, 22.6.1990

Sheepmeat and goatmeat

1.3.175. Proposal for a Commission Regulation laying down general rules for the grant of premiums to sheepmeat producers.

- **Reference:** Council Regulation (EEC) No 3013/89 on the common organization of the market in sheepmeat and goatmeat: OJ L 289, 7.10.1989; Bull. EC 9-1989, point 2.1.104
- **Regulation to be repealed:** Council Regulation (EEC) No 872/84 laying down general rules for the grant of premiums to sheepmeat producers and repealing Regulation (EEC) No 2643/80; OJ L 90, 1.4.1984

Adopted by the Commission on 18 June.

Purpose: as a result of the reform of the market organization, to amend the definitions of sheepmeat producers and producer groups, and also that of eligible animals, and to clarify the concept of 'holdings located partly in a less-favoured area'.

COM(90) 269

1.3.176. Commission Regulation (EEC) No 1847/90 determining for the Member States the estimated loss of income and the estimated level of the premium payable per ewe and per female goat and fixing the first advance for the 1990 marketing year.

Adopted by the Commission on 29 June.

OJ L 168, 30.6.1990

1.3.177. Council Regulation (EEC) No 1973/90 seasonally adjusting the basic price and the guide level for the 1991 marketing year in the sheepmeat sector.

- **Commission proposal:** COM(90) 226 and Bull. EC 5-1990, point 1.2.143

Adopted by the Council on 25 June.

OJ L 179, 12.7.1990

Oils and fats

1.3.178. Proposal for a Council Regulation amending Regulation (EEC) No 1569/72 laying down special measures for colza, rapeseed and sunflower seed, and Regulation (EEC) No 2036/82 adopting general rules concerning special measures for peas, field beans and sweet lupins.

- **Regulations to be amended:**
Council Regulation (EEC) No 1569/72: OJ L 167, 25.7.1972
Council Regulation (EEC) No 2036/82: OJ L 219, 28.7.1982

Adopted by the Commission on 22 June.

Purpose: to adapt the methods for calculating the market rates used for the monetary differential amounts.

COM(90) 267

1.3.179. Proposal for a Regulation amending Regulation (EEC) No 1581/86 laying down general rules for intervention on the market in cereals and Regulations (EEC) No 724/67 and (EEC) No 2754/78 on intervention on the market in oils and fats (→ point 1.3.156).

1.3.180. Commission Regulation (EEC) No 1684/90 amending Regulation 282/67/EEC on detailed rules for intervention for oilseeds.

- **Amended Regulation:** Commission Regulation 282/67/EEC, OJ L 151, 13.7.1967

Adopted by the Commission on 21 June.

Purpose: to implement the Commission's intention to extend for one year the maximum authorized glucosinolate content

of '00' rapeseed and the use of 'national' methods of analysis with a view to broadening experience.

OJ L 157, 22.6.1990

1.3.181. Commission Regulation (EEC) No 1756/90 establishing the target and intervention prices for colza, rape and sunflower seed, fixed in ecus by the Council 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 27 June.

OJ L 162, 28.6.1990

1.3.182. Commission Regulation (EEC) No 1864/90 amending Regulation (EEC) No 1470/68 on the drawing and reduction of samples and on methods of analysis in respect of oilseeds

- **Amended Regulation:** Commission Regulation (EEC) No 1470/68 on the drawing and reduction of samples and the determination of the oil content, impurities and moisture in oil seeds: OJ L 239, 28.9.1968

Adopted by the Commission on 29 June. Purpose: to introduce a more efficient method of analysis for determining the glucosinolate content of rapeseed.

OJ L 170, 3.7.1990

Sugar

1.3.183. Council Regulation (EEC) No 1771/90 amending Regulation (EEC) No 1010/86 laying down general rules for the production refund on certain sugar products used in the chemical industry

- **Amended Regulation:** Council Regulation (EEC) No 1010/86, OJ L 94, 9.4.1986

Adopted by the Council on 26 June. Purpose: by extending the arrangements for the production refund, after a trial period of four marketing years, to make this industry more competitive with that of third

countries obtaining supplies of sugar on the world market, and accordingly to sever all connection with the comparable arrangements for 'starch' as from the 1990/91 marketing year.

OJ L 163, 29.6.1990

1.3.184. Commission Regulation (EEC) No 1725/90 fixing for the 1990/91 marketing year the amount of the levy in connection with the offsetting of storage costs for sugar.

Adopted by the Commission on 25 June. Purpose: to reduce the amount of this levy by ECU 0.50 in respect of that applicable for the previous marketing year.

OJ L 160, 26.6.1990

1.3.185. Commission Regulation (EEC) No 1738/90 determining the prices and amounts in ecus applicable in the sugar sector for the 1990/91 marketing year, which are 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 26 June.

OJ L 161, 27.6.1990

1.3.186. Commission Regulation (EEC) No 1739/90 fixing, for the 1990/91 marketing year, the flat-rate amount provided for under the system of minimum stocks in the sugar sector.

Adopted by the Commission on 26 June. Purpose: to fix at ECU 0.162/100 kg the flat-rate amount provided for under the system of minimum stocks in the sugar sector.

OJ L 161, 27.6.1990

Processed fruit and vegetables

1.3.187. Commission Regulation (EEC) No 1707/90 laying down detailed rules for the application of Regulation (EEC) No

1796/81 on imports of preserved cultivated mushrooms from third countries.

- **Basic Regulation:** Council Regulation (EEC) No 1796/81: OJ L 183, 4.7.1981

Adopted by the Commission on 22 June.
Purpose: to replace the arrangement of allocations by Member State with measures for a Community-level management of an annual quantity of 34 750 tonnes, to be exempted from the levying of an amount in addition to customs duty.

OJ L 158, 23.6.1990

Tobacco

1.3.188. Commission Regulation (EEC) No 1665/90 establishing the prices and amounts fixed in ecus by the Council in the raw tobacco 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 1.1.2
- **Basic Regulation:** Council Regulation (EEC) No 1331/90 fixing, for the 1990 harvest, the norm and intervention prices and the premiums granted to purchasers of leaf tobacco, the derived intervention prices for baled tobacco, the reference qualities, the production areas and the guaranteed maximum quantities for the 1991 harvest and amending Regulation (EEC) No 1252/89: OJ L 132, 23.5.1990

Adopted by the Commission on 20 June.
Purpose: to reduce the prices and amounts fixed in ecus for the 1990 harvest and previous harvests, in the raw tobacco sector, as a result of the automatic dismantlement of negative monetary gaps.

OJ L 155, 21.6.1990

Hops

1.3.189. Proposal for a Council Regulation (EEC) laying down, in respect of hops, the amount of aid to producers for the 1989 harvest.

- **Commission proposal:** OJ C 127, 23.5.1990; COM(90) 140 and Bull. EC 4-1990, point 1.1.113

European Parliament opinion of 15 June.
Favourable.

OJ C 175, 16.7.1990

Seeds

1.3.190. Proposal for a Decision amending the seventh Decision 85/355/EEC on the equivalence of field inspections carried out in third countries on seed producing crops and the seventh Decision 85/356/EEC on the equivalence of seed produced in third countries.

- **Decisions to be amended:**
Council Decision 85/355/EEC: OJ L 195, 26.7.1985
Council Decision 85/356/EEC: OJ L 195, 26.7.1985

Adopted by the Commission on 22 June.
Purpose: to extend for five years the existing rules on the importation of plant seeds produced in certain third countries with two exceptions (Austria and, for lucerne and sunflower only, Australia) where further information is required.

COM(90) 266

1.3.191. Proposal for a Decision amending Decision 81/956/EEC on the equivalence of seed potatoes produced in third countries.

- **Decision to be amended:** Council Decision 81/956/EEC: OJ L 351, 7.12.1981

Adopted by the Commission on 22 June.
Purpose: to extend for five years the existing rules on the importation of seed potatoes from Austria and Switzerland.

COM(90) 266

1.3.192. Commission Regulation (EEC) No 1849/90 fixing the reference prices for hybrid maize and hybrid sorghum for sowing for the 1990/91 marketing year.

Adopted by the Commission on 29 June.
OJ L 168, 30.6.1990

Dried fodder

1.3.193. Commission Regulation (EEC) No 1755/90 establishing the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins fixed in ecus by the Council and reduced as a result of the monetary realignment of 5 January 1990.

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

Adopted by the Commission on 27 June.
OJ L 162, 28.6.1990

1.3.194. Commission Regulation (EEC) No 1758/90 establishing the guide price fixed in ecus by the Council in the dried fodder sector and reduced as a result of the monetary realignment of 5 January 1990.

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

Adopted by the Commission on 27 June.
OJ L 162, 28.6.1990

Agricultural legislation

Animal health and animal husbandry

1.3.195. Council Directive laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of animals of the porcine species.

- **Commission proposal:** OJ C 267, 6.10.1983; COM(83) 512; Bull. EC 9-1983, point 2.1.103
- **European Parliament opinion:** OJ C 342, 19.12.1983
- **Economic and Social Committee opinion:** OJ C 140, 28.5.1984; Bull. EC 3-1984, point 2.1.135

- **Amended Commission proposal:** OJ C 2, 6.1.1987; COM(86) 657
- **Reference:** Council Directive 88/407/EEC laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species: OJ L 194, 22.7.1988; Bull. EC 6-1988, point 2.1.223 (for bovine animals)

Adopted by the Council of Agriculture Ministers on 26 June. Principally, to introduce harmonized health rules for intra-Community trade in and importations of pig semen into the Community.

1.3.196. Council Directive amending Directive 64/432/EEC on enzootic bovine leucosis.

- **Directive amended:** Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine
- **Commission proposal:** OJ C 17, 24.1.1990; COM(89) 652; Bull. EC 12-1989, point 2.1.198
- **European Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.128
- **Economic and Social Committee opinion:** OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.153

Adopted by the Council of Agriculture Ministers on 25 June. Purpose: to introduce rules to determine which herds, regions and Member States are leucosis-free. The amendment defers by 12 months the requirement initially set for 1 July 1990 to trade only in animals from leucosis-free herds, in order to permit Member States to grade their livestock in accordance with the new rules.

1.3.197. Council Regulation on animal health conditions governing intra-Community trade in and imports from non-member countries of live 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:** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 2.1.178

Adopted by the Council on 26 June. Purpose: to harmonize animal health rules

between the Member States in the event of outbreaks of certain diseases, particularly African horse fever, and to control all movements of such equidae at both national and Community level by means of an accompanying document.

1.3.198. Council 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:** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.179

Adopted by the Council of Agriculture Ministers on 26 June. With a view to the completion of the internal market, to abolish remaining obstacles to participation in certain horse competitions or contests within the Community and to regulate the conditions of organization of such competitions or contests and the rules relating to gains and profits attached to those competitions.

1.3.199. Council Regulation on the zootechnical and genealogical conditions governing intra-Community trade in 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:** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.180

Adopted by the Council on 26 June. To remove zootechnical or genealogical obstacles to intra-Community trade in equidae, their sperm, ova and embryos so making a significant contribution to the completion of the internal market.

1.3.200. Proposal for a Regulation concerning minimum standards for the protection of calves kept in intensive farming conditions.

- **Commission proposal:** OJ C 214, 21.8.1989; COM(89) 114; Bull. EC 6-1989, point 2.1.160
- **Economic and Social Committee opinion:** OJ C 62, 12.3.1990; Bull. EC 12-1989, point 2.1.199
- **European Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.124

Amended proposal adopted by the Commission on 5 June. Purpose: to improve certain technical provisions and strengthen requirements as regards inspections and checks.

OJ C 154, 23.6.1990; COM(90) 237

1.3.201. Proposal for a Council Regulation on the protection of animals during transport.

- **Commission proposal:** OJ C 214, 21.8.1989; COM(89) 322; Bull. EC 6-1989, point 2.1.161
- **Economic and Social Committee opinion:** OJ C 53, 5.3.1990; Bull. EC 11-1989, point 2.1.159
- **European Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.126

Amended proposal adopted by the Commission on 5 June. Purpose: to clarify the rules relating to unaccompanied animals, inspections and checks and to require the transporter to observe certain conditions concerning the transport of animals (space, ventilation, safety, supply of food and air within the vehicle, restriction of length of journey).

OJ C 154, 23.6.1990; COM(90) 238

1.3.202. Proposal for a Regulation concerning minimum standards for the protection of pigs kept in intensive farming systems.

- **Commission proposal:** OJ C 214, 21.8.1989; COM(89) 115; Bull. EC 6-1989, point 2.1.160
- **Economic and Social Committee opinion:** OJ C 62, 12.3.1990; Bull. EC 12-1989, point 2.1.199
- **European Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.123

Amended proposal adopted by the Commission on 5 June. Purpose: to improve certain technical provisions and strengthen

requirements concerning inspections and checks.

OJ C 153, 22.6.1990; COM(90) 239

1.3.203. Proposal for a Decision introducing a Community financial measure for the eradication of infectious haemopoietic necrosis of salmonids in the Community.

- **Commission proposal:** OJ C 327, 30.12.1989; COM(89) 502; Bull. EC 10-1989, point 2.1.156
- **Economic and Social Committee opinion:** OJ C 124, 21.5.1990; Bull. EC 3-1989, point 2.1.154
- **European Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.125

Amended proposal adopted by the Commission on 15 June. Purpose: to determine the level of infection in the Community through plans submitted by the Member States following an epidemiological survey in their territory and monitoring implementation of those plans.

OJ C 165, 6.7.1990; COM(90) 222

1.3.204. Commission Decision 90/345/EEC amending the reinforced plan for the elimination of African swine fever presented by Portugal.

- **Basic Decision:** Commission Decision 87/526/EEC: OJ L 306, 28.10.1987

Adopted by the Commission on 22 June.

OJ L 170, 3.7.1990

1.3.205. Commission Decision 90/327/EEC amending, for the second time, Decision 90/161/EEC concerning certain protection measures relating to classical swine fever in Belgium.

- **Decision amended:** Commission Decision 90/161/EEC: OJ L 90, 5.4.1990; Bull. EC 3-1990, point 1.1.150
- **Previous amendment:** Commission Decision 90/187/EEC: OJ L 101, 21.4.1990; Bull. EC 4-1990, point 1.1.118

Adopted by the Commission on 22 June.

OJ L 160, 26.6.1990

Plant health legislation

1.3.206. Proposal for a Council Directive amending the Annex to Directive 79/117/EEC prohibiting the placing on the market and use of plant protection products containing certain active substances.

- **Basic Directive:** Council Directive 79/117/EEC: OJ L 33, 8.2.1979

Adopted by the Commission on 22 June. Purpose: to ban the use of certain substances dangerous to human health or the environment.

COM(90) 273

1.3.207. Proposal for a Directive amending Directive 66/403/EEC on the marketing of seed potatoes.

- **Commission proposal:** OJ C 120, 16.5.1990; COM(90) 134; Bull. EC 4-1990, point 1.1.132

European Parliament opinion, 15 June. Favourable.

OJ C 175, 16.7.1990

EAGGF Guarantee Section

1.3.208. Commission Regulation (EEC) No 1863/90 laying down detailed rules for the application of Council Regulation (EEC) No 4045/89 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and repealing Directive 77/435/EEC (→ point 1.6.11).

State aids

Decisions to raise no objection

Germany

1.3.209. Adoption by the Commission. Content of the programmes:

- (i) *Saarland*: Assistance for the marketing of agricultural products and foodstuffs (aid for fairs, exhibitions, market studies, etc.);
- (ii) *Schleswig-Holstein*: Assistance for the improvement of vocational courses for farmers;
- (iii) *Rhineland-Palatinate*: Assistance for the establishment of young farmers;
- (iv) *Baden-Württemberg*: Grants towards premiums to cover the costs of maintaining the 'Altwürttemberger' breed of horses;
- (v) *Bavaria*: Accommodation for farmers and investment aid for construction and the purchase of materials;
- (vi) *Lower Saxony*: Measures for the construction of cheese-making plant and aid to firms for the production of cider (plant and fittings).

Belgium

1.3.210. Adoption by the Commission. Content of the programmes:

- (i) measures to combat swine fever through financial assistance to farmers whose pigs have been affected;
- (ii) assistance to a firm in the foodstuffs industry for the industrial processing of potatoes into frozen products.

Denmark

1.3.211. Adoption by the Commission. Content of the programmes:

- (i) aid for reforestation with hardwood trees or conifers and aid for the creation of boundary strips in classified and private forests;
- (ii) amendment to existing aid for organic products.

Spain

1.3.212. Adoption by the Commission. Content of the programme: agricultural reform in Andalusia and Extremadura. The

large amount of legislation involved includes a broad range of aid measures for infrastructures, the improvement of holdings, consolidation, processing and marketing and the concentration of supply (the aid in question was granted in contravention of Article 93(3) of the EEC Treaty).

France

1.3.213. Adoption by the Commission. Content of the programmes:

- (i) single payment to growers of beet for alcohol and producers of alcohol who undertake to deliver no further alcohol to the State;
- (ii) aid for the disposal of alcohol derived from wine resulting from non-compulsory distillation.

Italy

1.3.214. Adoption by the Commission. Content of the programmes: proposed campaign to promote Montasio, Gorgonzola, Taleggio and Pecorino Romano cheeses, San Danieli, Parma and Veneto hams, olive oil and wine. Aid is intended to cover participation in fairs, demonstrations at markets, surveys, public relations and seminars intended to guide consumer choice.

- (i) *Lazio*: Aid to a body concerned with programming and regional development, principally for the preparation of programmes to exploit the region's estates, the purchase of land for ownership by the region and regional programming;
- (ii) *Sicily*: Bill providing assistance for infrastructure work to preserve the soil and clear land to protect against certain fire-sensitive areas, defined by Decree No 26/1989 and planted with almonds, hazel nuts, pistachios and carobs. The region will pay 60% of the costs incurred.

Netherlands

1.3.215. Adoption by the Commission. Content of the programmes: aid for the

improvement of structures in the pigmeat sector with particular regard to:

- (i) design and construction of a place for the resting, feeding and watering of pigs exported live, as required by Community legislation;
- (ii) development and implementation of a semi-automatic system for recovering the meat adhering to the pigs' heads so as to make better use of it;
- (iii) development and introduction of a new logistical system for the delivery of fresh meat to the trade;
- (iv) health improvements through the demolition of certain slaughterhouses;
- (v) aid for structural improvements by giving greater importance to pigmeat products.

United Kingdom

1.3.216. Adoption by the Commission. Content of the programmes:

- (i) measures to protect the environment (filtration of nitrates);
- (ii) gypsum grant scheme — measures to assist agricultural holdings affected by floods;
- (iii) aid for advertising and promotion of the marketing of salmonella-free eggs (boxes of inspected eggs stamped with a lion). The scheme is financed by voluntary contributions from those taking part;
- (iv) specific case of investment aid for processing in the poultry sector.

Decisions to initiate proceedings

Belgium

1.3.217. Adoption by the Commission. Content of the programme: compulsory levy to promote pigmeat products. The levy, collected on slaughter, also applies to prod-

ucts imported from the other Member States.

France

1.3.218. Adoption by the Commission. Content of the programme: parafiscal charges to support the national joint trade committee for floral and ornamental horticulture and nurseries. The charges are also levied on products from the other Member States.

Italy

1.3.219. Adoption by the Commission. Content of the programmes:

- (i) measures granted by the AIMA in 1986 and 1987;
- (ii) aid for the purchase and storage of various products. Since these are operating aid, they must not have a lasting effect on the structural development of the sectors concerned and their effects must cease at the same time as the measures themselves.

Decisions to terminate proceedings

Spain

1.3.220. Adoption by the Commission. Content of the programme: improving the efficiency of agricultural structures in Navarre, chiefly through aid for investments in irrigation. On the basis of information supplied by the Spanish authorities during the proceedings, the Commission considered that the measures in question concerned only infrastructure works carried out by or under the supervision of public bodies and benefiting large areas. Since this was a primary irrigation network lying outside farms, the Commission terminated the proceedings.

Italy

1.3.221. Adoption by the Commission. Content of the programme: assistance for the marketing of agricultural products and improvements in agricultural cooperation in Sicily. On 6 March, the regional government decided to withdraw the law.

Luxembourg

1.3.222. Adoption by the Commission. Content of the programme: aid to the solidarity fund for the wine-growing industry financed by compulsory levies. The aid in question had either never been granted or granted only in accordance with the guidelines laid down by the Commission (advertising).

Fisheries**Resources***Internal aspects***TACs and quotas**

1.3.223. Council Regulation (EEC) No 1874/90 amending for the second time Regulation (EEC) No 4047/89 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished.

- **Regulation amended:** Council Regulation (EEC) No 4047/89: OL J 389, 30.12.1989; Bull. EC 12-1989, point 2.1.210
- **Reference:** Council Regulation (EEC) No 738/90 amending for the first time Regulation (EEC) No 4047/89: OJ L 82, 29.3.1990; Bull. EC 3-1990, point 1.1.164

Proposal adopted by the Commission on 19 June.

COM(90) 277

Adopted by the Council (Fisheries) on 27 June. Aim: to increase the total allowable catches (TACs) for stocks of sole in zones III a, b, c and d and VII a, as defined by the ICES (International Council for Exploration of the Sea).

OJ L 171, 4.7.1990

1.3.224. Council Regulation (EEC) No 1887/90 amending for the third time Regulation (EEC) No 4047/89 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished.

- **Regulation amended:** Council Regulation (EEC) No 4047/89: OJ L 389, 30.12.1989; Bull. EC 12-1989, point 2.1.210
- **References:**
 - Council Regulation (EEC) No 738/90 amending for the first time Regulation (EEC) No 4047/89: OJ L 82, 29.3.1990; Bull. EC 3-1990, point 1.1.164
 - Council Regulation (EEC) No 1874/90 amending for the second time Regulation (EEC) No 4047/89 (→ point 1.3.223)

Adopted by the Council on 29 June. Aim: with a view to alleviating the problems of Irish fishermen, to raise, from 50% to 65%, the maximum amount of the Community share of horse mackerel which may be fished before 1 September.

OJ L 172, 5.7.1990

Technical measures

1.3.225. Council Regulation (EEC) No 1589/90 amending Regulation (EEC) No 2245/85 laying down certain technical measures for the conservation of fish stocks in the Antarctic.

- **Reference:** Eighth meeting of the Commission for the Conservation of Antarctic Marine Living resources (CCAMLR): Bull. EC 11-1989, point 2.1.174
- **Regulation amended:** Council Regulation (EEC) No 2245/88: OJ L 210, 7.8.1985; Bull. EC 7/8-1985, point 2.1.176
- **Commission proposal:** COM(90) 173; Bull. EC 5-1990, point 1.2.207

Adopted by the Council on 11 June.
OJ L 151, 15.6.1990

External aspects

Senegal

1.3.226. Council Decision 90/263/EEC on the conclusion of an Agreement in the form of an exchange of letters concerning the temporary extension from 1 to 31 March 1990 of the Protocol to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal.

- **Basic agreement:** OJ L 226, 29.8.1980
- **Commission proposal:** COM(90) 137

Adopted by the Council on 7 June. Aim: pending the outcome of the negotiations for the conclusion of a new Protocol and in order to avoid an interruption of fishing activities by Community vessels, to extend until 31 March 1990 the Protocol currently in force.

OJ L 150, 14.6.1990

1.3.227. Proposal for a Decision on the conclusion of an Agreement in the form of an exchange of letters concerning the temporary extension from 1 to 30 April 1990 of the Protocol to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal.

- **Basic agreement:** OJ L 226, 29.8.1980
- **Reference:** preceding temporary extension (→ point 1.3.226)

Adopted by the Commission on 6 June.
OJ C 159, 29.6.1990; COM(90) 235

Tanzania

1.3.228. Proposal for a Regulation on the conclusion of the Agreement between the European Economic Community and the United Republic of Tanzania on fishing off Tanzania.

- **Initialling of the Agreement:** Bull. EC 3-1990, point 1.1.167

Adopted by the Commission on 11 June.
COM(90) 244

Sweden

1.3.229. Council Regulation (EEC) No 1655/90 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 in Swedish waters: OJ L 389, 30.12.1989; Bull. EC 12-1989, point 2.1.221
- **Commission proposal:** COM(90) 224; Bull. EC 5-1990, point 1.2.206

Adopted by the Commission on 18 June. Aim: to allocate, whilst respecting the balance of the previous years between the Member States concerned, two additional quotas of 2 500 tonnes of cod and 1 500 tonnes of herring among Member States for vessels fishing in Swedish waters.

OJ L 155, 21.6.1990

Greenland

1.3.230. Council Regulation (EEC) No 1875/90 amending Regulation (EEC) No 4054/89 allocating, for 1990, Community catch quotas in Greenland waters.

- **Regulation amended:** Council Regulation (EEC) No 4054/89: OJ L 389, 30.12.1989; Bull. EC 12-1989, point 2.1.223
- **Reference:** Council Decision on the acceptance by the Community of an additional catch quota offered by Greenland: Bull. EC 5-1990, point 1.2.204

Proposal adopted by the Commission on 15 June.

COM(90) 262

Adopted by the Council (Fisheries) on 27 June. Aim: to allocate between the Member States concerned (Federal Republic of Germany and United Kingdom) the additional

quota of 7 000 tonnes of cod from the western stock offered by Greenland and accepted by the Council on 7 May.

OJ L 171, 4.7.1990

Structural measures and intervention

1.3.231. Commission Decisions 90/336/EEC and 90/337/EEC on the adoption of specific measures granting financial assistance towards the provision of data-processing facilities for establishing a register of fishing vessels in Greece and Ireland.

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

Adopted by the Commission on 13 June. Aim: granting of financial assistance to Greece and Ireland for the purchase of data-processing hardware or for undertaking specific measures for the establishment of a fishing fleet register, the assistance granted totalling ECU 0.615 million for Greece and ECU 0.124 million for Ireland.

OJ L 162, 28.6.1990

1.3.232. Decisions 90/368/EEC to 90/372/EEC concerning the specific programme on the provision of facilities for fishing ports pursuant to Council Regulation (EEC) No 4028/86

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

Commission Decision, 29 June. Aim: programmes in Greece, Ireland, Portugal (Azores and Madeira) and the United Kingdom. The forecast investment covered by these programmes totals ECU 99.15 million.

OJ L 180, 13.7.1990

1.3.233. Granting of financial assistance for the provision of facilities for fishing ports.

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

Commission Decision, 29 June. Aim: granting of Community assistance of ECU 2.49 million for 16 projects involving the provision of facilities for fishing ports in Spain (ECU 1.89 million), Ireland (ECU 0.642 million), Portugal (ECU 0.257 million) and the United Kingdom (ECU 0.401 million).

1.3.234. Provision of financial assistance for the fisheries sector.

- **Basic regulation:** Council Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural products are processed and marketed: OJ L 51, 23.2.1977

Commission Decision, 29 June. Aim: provision of Community assistance totalling ECU 21.955 million for 76 projects in the fisheries sector, allocated as shown in Table 1.

Table 1 — Allocation of assistance under Regulation (EEC) No 355/77 per Member State

Member State	Number of projects	Amount of assistance (million ECU)
Belgium	—	—
Denmark	10	0.967
Federal Republic of Germany	11	1.109
Greece	1	0.863
Spain	21	5.146
France	12	1.765
Ireland	2	1.728
Italy	1	4.887
Netherlands	4	0.302
Portugal	7	3.448
United Kingdom	7	1.737
Total	76	21.955

State aid

Decisions to raise no objection

Spain

1.3.235. Adopted by the Commission. The draft decree by the Ministry of Agriculture, Fisheries and Aquaculture extends to 1990 the priority activities (preparation and marketing of aquaculture and fish-farming products) specified in Royal Decree No 1462/86 of 13 June 1986 which seeks to bring about an improvement in the conditions under which agricultural and fishery products are processed and marketed.

1.3.236. Adopted by the Commission on 20 June. The notified draft decree amends the Decree of 22 November 1988 which lays down procedures for the implementation of Articles 37 to 40 of Royal Decree No 219/87. The notified draft decree seeks to broaden the scope of assistance for the Spanish fishing fleet operating in the North-West Atlantic.

1.3.237. Adopted by the Commission on 20 June. The regional decree lays down the terms governing the provision of assistance to mariculture enterprises established in the Principality of Asturias. The draft aid programme aims to develop aquaculture in order to counteract the shortage of certain species, mobilize unutilized resources and absorb the labour force surplus.

Decision to terminate the procedure

Spain

1.3.238. Adopted by the Commission on 6 June. The notified draft decree provides for three aid measures for renovation of the Basque fishing fleet, the conversion and modernization of fishing vessels and the purchase of fishing vessels by crew members. In addition, the decision also covers

the national decree of 8 May 1989 concerning increased aid to assist young fishermen to purchase new vessels and for the modernization and conversion of the fishing fleet.

Transport

I

Second stage in the liberalization of air transport

1.3.239. Proposals for Regulations on:

- (i) fares for scheduled air services;
- (ii) access for air carriers to scheduled intra-Community air service routes and on the sharing of passenger capacity between air carriers on scheduled air services between Member States;
- (iii) the application of Article 85(3) of the EEC Treaty to certain categories of agreements and concerted practices in the air transport sector.

- **Commission proposals:** OJ C 258, 11.10.1989; COM(89) 373; Bull. EC 7/8-1989, point 2.1.202; Bull. EC 9-1989, point 2.1.130
- **Council conclusions:** Bull. EC 12-1989, point 2.1.250
- **Opinion of the Economic and Social Committee:** OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.175
- **Opinion of Parliament:** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.175

Amended proposals adopted by the Commission on 15 June. Agreement reached by the Council on 18 June. The three Regulations on which the Council (→ points 1.3.240 to 1.3.242) reached agreement, following amendments by the Commission to its initial proposals, form the second stage of the Community policy to liberalize air transport, and follow the guidelines set by the Council last December. This 'second package' contains a number of innovations which will substantially transform the organization of air transport in Europe.

1.3.240. Proposal for a Council Regulation on fares for scheduled air services.

Amended proposal adopted by the Commission on 5 June. Purpose: to take into account certain amendments proposed by Parliament.

OJ C 164, 5.7.1990; COM(90) 234

Agreement reached by the Council on 18 June. The Regulation is aimed at making the system of fares on intra-Community routes more flexible and introduces three 'zones' of flexibility: a normal fare zone (95 to 105% of the reference fare), a discount zone (94% to 80% of the reference fare) and a deep-discount zone (79% to 30% of the reference fare). For certain cases, the Regulation introduces immediately the system of double disapproval of fares, which is to be fully introduced by 1 January 1993. Lastly, the Regulation establishes criteria for the evaluation of proposed air fares by the Member States and a consultation procedure on proposed fares' compliance with these criteria, gives the Commission power to suspend application of fares which are too high or too low, and introduces the possibility of aligning fares for scheduled services on the prices of non-scheduled services, subject to equivalent conditions.

1.3.241. Proposal for a Council Regulation on access for air carriers to scheduled intra-Community air service routes and on the sharing of passenger capacity between air carriers on scheduled air services between Member States.

Amended proposal adopted by the Commission on 5 June. Purpose: to take into account a number of amendments proposed by Parliament.

OJ C 164, 5.7.1990; COM(90) 234

Agreement reached by the Council on 18 June. The Regulation introduces greater flexibility concerning multiple designation and third, fourth and fifth freedom traffic rights. It is designed to abolish gradually all bilateral restrictions on passenger capacity by the time the internal air transport market

has been completed. There are special capacity provisions for markets which are dominated by non-scheduled services. Furthermore, rules on capacity sharing will be relaxed to promote the expansion of inter-regional air services. However, the exercise of traffic rights will be subject to certain restrictions for reasons connected with airport infrastructure, navigational aids and the shortage of time slots.

1.3.242. Proposal for a Regulation amending Council 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 1.3.33).

Transfer of ships between Member States

1.3.243. Proposal for a Council Regulation on the transfer of ships from one register to another within the Community.

• References:

Commission communication of 28 July 1989: 'A future for the Community shipping industry: measures to improve the operating conditions of Community shipping': OJ C 263, 16.9.1989; COM(89) 266; Bull. EC 11-1989, point 2.1.201

Opinion of the Economic and Social Committee: OJ C 56, 7.3.1990; Bull. EC 11-1989, point 2.1.188

Council conclusions: Bull. EC 12-1989, point 2.1.149

Adopted by the Commission on 1 June. Purpose: in the run-up to the single market, to facilitate the transfer of ships within the Community, release shipowners from the costs and red tape involved in transferring ships from one register to another within the Community, and improve the competitiveness of the Community fleet and operating conditions for shipping. The Commission found disparities in the use that Member States which had signed international conventions establishing standards for safety and pollution prevention at sea were making of the room that these conventions left for interpretation or the exercise of

discretion and/or had laid down additional rules establishing standards other than those set by International Maritime Organization (IMO) conventions. National governments rarely recognize certificates issued by another country, thus obliging shipowners to submit ships they buy for inspection and to undertake a partial conversion or refit to ensure that they comply with safety rules in their new country of registration. The additional costs arising from this constitute a barrier to trade in ships since they are reflected in operating costs. Consequently, pending harmonization of ships' technical equipment and certification, the proposal for a Regulation presented to the Council is based on the principle of mutual recognition, pitched at the level set by international certificates when a ship's registration is transferred from one Member State to another.

OJ C 153, 22.6.1990; COM(90) 219

II

Infrastructure

1.3.244. Proposal for a Council Regulation for an action programme in the field of transport infrastructure to pave the way for the fully integrated transport market in 1992.

- **Commission proposal:** OJ C 270, 19.10.1988; COM(88) 340; Bull. EC 6-1988, point 2.1.254
- **Opinion of Parliament:** OJ C 326, 19.12.1988; Bull. EC 11-1988, point 2.1.251
- **Opinion of the Economic and Social Committee:** OJ C 23, 30.1.1989, Bull. EC 11-1988, point 2.1.252
- **Amended Commission proposal:** OJ C 170, 5.7.1989; COM(89) 238; Bull. EC 6-1989, point 2.1.182

Opinion of Parliament (second reading), 15 June. Favourable, subject to certain amendments.

OJ C 175, 16.7.1990

Agreement in principle reached by the Council on 18 June. This agreement con-

cerns granting financial support to infrastructure projects falling within the three-year action programme (1990-92).

Air transport

1.3.245. Council Decision concerning the opening of negotiations between the European Economic Community and EFTA countries on scheduled air passenger services.

- **Recommendation for a Decision:** COM(90) 18; Bull. EC 1/2-1990, point 1.2.257

Resolution adopted by Parliament on 12 June. Parliament considered the choice of Article 113 as a legal basis for the Commission's recommendation for a Decision inappropriate. It also called on the Council to seek broad-based, reciprocal opening-up of the air transport market.

OJ C 175, 16.7.1990

Adopted by the Council meeting of 18 and 19 June. The Commission was authorized to open negotiations with Norway and Sweden. The negotiations will focus on traffic rights, fares and capacity sharing.

Inland transport

Road transport

1.3.246. Proposal for a Council Directive amending 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 2.1.179
- **Opinion of the Economic and Social Committee:** OJ C 124, 21.5.1990; Bull. EC 3-1990, point 1.1.179
- **Amended Commission proposal:** OJ C 150, 19.6.1990; COM(90) 208; Bull. EC 5-1990, point 1.2.218

Agreement reached by the Council on 18 June. The new Directive will abolish the derogation provided for in Article 4(2) of Directive 84/647/EEC, together with that under Article 3(2) in the case of vehicles with a fully laden weight of not more than 6 tonnes, thereby helping to develop vehicle hire in the Community.

1.3.247. Proposal for a Directive on the European driving licence (→ point 1.3.267).

Sea transport

1.3.248. Proposal for a Council Directive concerning minimum requirements for vessels entering or leaving Community ports carrying packages of dangerous or polluting goods.

- **Commission proposal:** OJ C 147, 14.6.1989; COM(90) 7; Bull. EC 5-1989, point 2.1.217
- **Opinion of the Economic and Social Committee:** OJ C 329, 30.12.1989; Bull. EC 10-1989, point 2.1.189

Opinion of Parliament on 12 June. Favourable, subject to certain amendments concerning the extension of the proposed Directive's scope to include the Community's exclusive economic zone, and the application of the rules to warships or other vessels used for non-commercial purposes and to weaponry destined for use on board these vessels.

OJ C 175, 16.7.1990

1.3.249. Resolution of the Council and the Representatives of the Member States' Governments meeting within the Council on improving passenger ferry safety.

Adopted by the Council on 19 June. Believing that any improvement in passenger ferry safety has to take place in a broad international context, the Council called upon the Member States and the Commission, in their capacity as members or observers of the International Maritime Organization of the United Nations or signatories to the Memorandum of Port State Control, to press in those forums for the urgent prep-

aration and adoption of measures to improve safety.

1.3.250. Council Resolution on the prevention of accidents causing marine pollution (→ point 1.3.117).

International cooperation

German Democratic Republic

1.3.251. Visit by Mr Van Miert to East Berlin on 26 June.

Mr Van Miert had a meeting with Mr Giltner, East Germany's Transport Minister. Discussions focused mainly on the derogations or transitional periods needed by the German Democratic Republic when implementing Community law. Both sides spoke of the infrastructure projects which needed to be co-financed through Operation Phare.

Finland

1.3.252. Visit to the Commission by Mr Vistbacka, Finland's Transport Minister, on 25 June.

Mr Vistbacka met Mr Van Miert, with whom he discussed developments in the common transport policy and Finnish policy respectively. Mr Vistbacka stressed that his Government's decisions were bringing Finnish legislation closer into line with Community law. Both sides took stock of progress in the negotiations with the EFTA countries and the issue of road tax in Europe as a whole.

Energy

Internal energy market

Transparency of energy prices to the consumer

1.3.253. Directive concerning a Community procedure on the transparency of

gas and electricity prices charged to the industrial end-user.

- **Commission proposal to be amended:** 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
- **European Parliament opinion:** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.227
- **Council political agreement:** Bull. EC 5-1990, point 1.2.227

Amended proposal adopted by the Commission on 7 June. Purpose: to incorporate in the proposal some of the amendments put forward by the European Parliament.

OJ C 164, 5.7.1990; COM(90) 231

Formally adopted by the Council on 29 June.

Energy projects of Community interest

1.3.254. Proposal for a Regulation amending Council 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 to be amended:** 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
- **Economic and Social Committee opinion:** OJ C 75, 26.3.1990; Bull. EC 1/2-1990, point 1.1.260
- **European Parliament opinion:** OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.154
- **Conclusions adopted by the Council:** Bull. EC 5-1990, point 1.2.225

Amended proposal adopted by the Commission on 12 June. Purpose: to include in the proposal some of the amendments put forward by the European Parliament.

COM(90) 220

Energy and environment

1.3.255. Commission communication on energy and the environment.

- **References:**
 Commission communication: COM(89) 369; Bull. EC 11-1989, point 2.1.189
 Council conclusions: Bull. EC 5-1990, point 1.2.226

Examined by the ECSC Consultative Committee on 29 June. The Committee deplored the fact that, in the absence of hard scientific evidence, the communication links gas emissions from the combustion of coal too systematically to the greenhouse effect and that the nuclear option is favourably viewed in terms of the environment, whereas it does not deal adequately with the problems of pollution resulting from the disposal of radioactive waste and the decommissioning of disused power stations. The Committee took the view that the conclusions on alternative sources of energy lacked realism. It hoped that some Eastern bloc countries which were heavy polluters would be able to gear themselves towards the use of natural gas, which they possessed in abundance, and that the Community would develop new coal combustion techniques.

Specific aspects

Promotion of energy technology

1.3.256. Regulation concerning 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 7/8-1989, 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
- **Council agreement in principle:** Bull. EC 5-1990, point 1.2.223

Formally adopted by the Council on 29 June.

Electricity

1.3.257. Proposal 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
- **First examination by the Council:** 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 Commission proposal:** OJ C 144, 14.6.1990; COM(90) 207; Bull. EC 5-1990, point 1.2.229
- **Political agreement on a common position:** Bull. EC 5-1990, point 1.2.229

Common position formally adopted by the Council on 29 June

International dimension

1.3.258. Seminar on the integration of energy markets in the Arab world and in the Community.

Held in Fez (Morocco) from 4 to 6 June. Purpose: the discussions, which brought together representatives of the Member States and the Organization of Arab Petroleum Exporting Countries (OAPEC), focused on recent developments in Euro-Arab relations and the prospects of closer integration in Europe and in the Arab world and on the renewed interest in a Euro-Arab dialogue. The outlook for trade in oil and gas and their derivatives was examined in the light of the anticipated growth in oil and gas consumption, which would increase the demands on the Arab countries. The participants drew attention to the completion of an integrated internal energy market in Europe by the end of 1992 and the consolidation of regional groupings in the Arab countries. The financial and technical aspects of developing energy infrastructures

in Arab and European countries were also discussed.

Information, communication and culture

Public awareness

1.3.259. Forum for rural promotion and information at University College Galway.

• **References:**

Commission communication of 29 July 1988 on the future of rural society: COM(88) 501; Bull. EC 7/8-1988, point 1.2.1 *et seq.*; Supplement 4/88 — Bull. EC

Previous European forums: Bull. EC 6-1989, point 2.1.111

Opened on 9 June. This completes the first network of European forums for rural promotion and information, which includes the ones set up in France (Poitou-Charentes), the Federal Republic of Germany (Nordhessen), Spain (Rioja), Italy (Emilia-Romagna), Denmark (Jelling), Belgium (Wallonia) and the United Kingdom (Scotland) as part of the information and awareness activities provided for in the Commission communication on the future of rural society (→ point 1.3.146).

A people's Europe

1.3.260. Meeting of the European Council in Dublin, 25 and 26 June.

Conclusions of the Presidency. The European Council agreed on the need for a coherent and effective policy at European level to combat drugs and organized crime (→ point I.37).

I

Community right of residence

1.3.261. Council Directives concerning the right of residence for students, employees

and self-employed persons who have ceased their occupational activity and other Community citizens not yet covered by a Community right of residence.

- **Commission proposal:** OJ C 191, 28.7.1989; COM(89) 275; Bull. EC 6-1989, point 2.1.10
- **Economic and Social Committee opinion:** OJ C 329, 30.12.1989; Bull. EC 10-1989, point 2.1.9
- **Parliament opinion (first reading):** OJ C 15, 22.1.1990; Bull. EC 12-1989, point 2.1.10
- **Amended Commission proposal:** OJ C 26, 3.2.1990; COM(89) 675; Bull. EC 12-1989, point 2.1.10
- **Council policy agreement:** Bull. EC 12-1989, point 2.1.11

Second opinion delivered by Parliament (first reading) on 13 June. Parliament's opinion relates both to the proposals concerning the right of residence for students and pensioners and, following the policy agreement reached by the Council, to the proposal concerning the right of residence in general, on which, although it is not subject to the cooperation procedure, the Council none the less wished to consult Parliament a second time. Parliament contests the legal basis chosen by the Council. As regards the substance, the proposed amendments, which are similar for all three proposals, relate to the extension of the definition of 'family' to include partners enjoying administrative recognition in the Member States.

OJ C 175, 16.7.1990

Council policy agreement reached on 20 June and Directives adopted on 28 June. The three Directives, which, despite the disagreement of Parliament and the Commission, were adopted by the Council on the basis of Article 235 of the Treaty, are an important step towards the free movement of Community citizens. They are to enter into force before 30 June 1992 (→ point 1.3.262 to 1.3.264).

1.3.262. Council Directive 90/366/EEC on the right of residence for students.

Council policy agreement reached on 20 June and Directive adopted on 28 June.

The Directive requires the Member States to recognize the right of residence of any student who is a national of a Member State and who does not enjoy this right under other provisions of Community law, and of the student's spouse and dependent children, where the student vouches to the relevant national authority, by means of a declaration or by such alternative means as the student may choose that are at least equivalent, that he has sufficient resources to avoid their becoming a burden on the social security system of the host Member State during their period of residence, provided that the student is enrolled in a recognized educational establishment for the principal purpose of following vocational or professional training courses there and that they are covered by sickness insurance in respect of all risks in the host Member State. The right of residence is restricted to the duration of the course of studies in question. The Directive does not establish any entitlement to the payment of maintenance grants by the host Member State on the part of students enjoying the right of residence.

OJ L 180, 13.7.1990

1.3.263. Council Directive 90/365/EEC concerning the right of residence for employees and self-employed persons who have ceased their occupational activity.

Council policy agreement reached on 20 June and Directive adopted on 28 June. The Directive requires Member States to grant the right of residence to nationals of Member States who have pursued in the Community an activity as an employee or self-employed persons and to members of their families provided that they are recipients of an invalidity or early retirement pension, or old age benefits, or of a pension in respect of an industrial accident or disease of an amount sufficient to avoid becoming a burden on the social security system of the host Member State during their period of residence and are covered by sickness insurance in respect of all risks in the host Member State. The right of residence remains for as long as those enjoying that

right fulfil the conditions laid down in the Directive.

OJ L 180, 13.7.1990

1.3.264. Council Directive 90/364/EEC concerning the right of residence.

Council policy agreement reached on 20 June and Directive adopted on 28 June. The Directive requires Member States to grant the right of residence to nationals of Member States who do not enjoy this right under other provisions of Community law and to members of their families provided that they themselves and the members of their families are covered by sickness insurance in respect of all risks in the host Member State and have sufficient resources to avoid becoming a burden on the social security system of the host Member State during their period of residence. The right of residence remains for as long as those enjoying that right fulfil the conditions laid down in the Directive.

OJ L 180, 13.7.1990

Education and youth

Erasmus

1.3.265. Commission communication to the Council concerning negotiating directives for the extension of the Erasmus scheme to the EFTA countries.

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

Adopted by the Commission on 11 June. Purpose: to submit a proposal to the Council for negotiating directives for the conclusion of bilateral agreements with the EFTA countries. The purpose of such agreements will be to establish inter-university cooperation in the field of vocational training and student mobility. It is the Commission's intention to conduct these nego-

tiations in consultation with the Member States.

Racism and xenophobia

1.3.266. Parliament resolution on racism and xenophobia.

- **Reference:** Resolution of the Council and the representatives of the Governments of the Member States meeting within the Council on the fight against racism and xenophobia: OJ C 157, 27.6.1990; Bull. EC 5-1990, point 1.2.247

Adopted by Parliament on 14 June. Outraged at the fact that the Council excludes immigrants from non-member countries from its resolution and thereby discriminates against more than eight million people in the Community, Parliament condemns all acts of racism, xenophobia and discrimination based on nationality, race or religion.

OJ C 175, 16.7.1990

Citizens' rights

Free movement of citizens

1.3.267. Proposal for a Directive on the European driving licence.

- **Commission proposal:** OJ C 48, 27.2.1989; COM(88) 705; Bull. EC 11-1988, point 2.1.7
- **Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. EC 4-1969, point 2.1.9

Opinion delivered by Parliament on 12 June. Favourable subject to a number of amendments relating in particular to the inclusion of motorcycles with a cubic capacity not exceeding 50 cm³ among the vehicles for which the issuing of a driving licence is authorized and greater flexibility in the rules governing minibuses driven by volunteer workers for social purposes.

OJ C 175, 16.7.1990

Special rights

Right of asylum

1.3.268. Parliament resolution on the Schengen Agreement, the Convention on

the right of asylum and the status of refugees as defined by the *ad hoc* Group on Immigration.

• **References:**

Parliament resolution of 12 March 1987 on the right of asylum: OJ C 99, 13.4.1987; Bull. EC 3-1987, point 2.4.10

Parliament resolution of 23 November 1989 on the signing of the Supplementary Schengen Agreement: OJ C 323, 27.12.1989; Bull. EC 11-1989, point 2.4.3

Parliament resolution of 15 March 1990 on the free movement of persons in the internal market: OJ C 96, 17.4.1990; Bull. EC 3-1990; point 1.1.98

Adopted by Parliament on 14 June. Referring to the lack of transparency in the negotiations on the Agreement to give effect to the Schengen Agreement (→ point 1.5.9) which, it claims, were conducted without parliamentary scrutiny and, more generally, in the activities engaged in by various bodies on the right of asylum and migration policy without any control, Parliament calls on the Member States concerned not to sign the Agreement, which, in its view, contains a number of threats to individual freedoms, without first consulting it and the national parliaments. It also calls on the future Inter-governmental Conference to bring within

the exclusive competence of the Community matters of entry, movement and residence of nationals of third countries as well as of terrorism, crime and traffic in drugs and illicit trading in works of art and antiques.

OJ C 175, 16.7.1990

Right of petition

1.3.269. Parliament resolution on the deliberations of the Committee on Petitions during the parliamentary year 1989-90, with indications as regards future procedure for handling petitions.

- **Reference:** Interinstitutional declaration on petitioning the European Parliament signed by Parliament, the Council and the Commission on 12 April 1989: Bull. EC 4-1989, point 2.1.7

Adopted by Parliament on 15 June. Acknowledging with satisfaction the Commission's cooperation in the handling of petitions, Parliament calls for this cooperation to be stepped up, particularly with a view to reducing the time taken to reply, and expresses its intention of ensuring that the public is as fully informed as possible of its right to petition.

OJ C 175, 16.7.1990

4. Role of the Community in the world

Relations with Central and Eastern European countries

Bilateral relations

Hungary

1.4.1. Mr Jeszenszky, Foreign Minister, visited the Commission on 8 June.

Mr Jeszenszky discussed the current situation in Hungary with Mr Andriessen. He described the economic reforms under way and the political situation following the recent elections, which resulted in the forming of a new government. He went on to express his country's wish to establish closer relations with the Community by concluding an association agreement. Mr Andriessen outlined the Community's conception of this type of agreement; he explained that preparatory work had started, but that more time was needed before negotiations could open.

1.4.2. Mr Christophersen visited Budapest on 29 June.

Mr Christophersen had talks with Mr F. Rabar, Finance Minister, and other government representatives. He was impressed by the progress that had been achieved, particularly in reorientating Hungary's foreign trade towards the hard-currency area, improving the convertible current account and introducing structural reforms, including privatization. However, Mr Rabar agreed with him that many problems remained to be tackled. Mr Christophersen encouraged the newly elected government to persevere with a comprehensive economic programme to complete the reform process that had been initiated.

Poland

1.4.3. Mr Makarczyk, Secretary of State for Foreign Affairs, visited the Commission on 22 June.

In talks with Mr Andriessen, Mr Makarczyk raised the prospect of an association between Poland and the Community. He handed over a memorandum outlining a draft agreement covering the progressive achievement of a customs union, to be followed within 10 years by accession, on which Poland would like to start negotiations very soon. Mr Andriessen stressed the need for detailed examination of the draft and for the negotiations to be very well prepared. He said that the Council would soon be examining an overall approach to association agreements with the countries of Central and Eastern Europe and that exploratory talks with Poland could start thereafter.

1.4.4. Mr Millan visited Poland on 29 June.

Mr Millan had talks with various government ministers. He stressed the decisive importance of structural aspects in the conception of Operation Phare (aid for economic restructuring in Poland and Hungary) and the need to give priority to creating industrial zones with adequate transport and communications infrastructure. With this in view, discussions covered land use planning issues and ways of exploiting the economic potential of the various regions and highlighted the leading role of local officials.

Romania

1.4.5. Agreement between the European Economic Community and the European Atomic Energy Community, of the one part, and Romania, of the other part, on trade and commercial and economic cooperation.

- Commission recommendation: Bull. EC 5-1990, point 1.2.11
- Council Decision on the negotiating mandate: Bull. EC 5-1990, point 1.3.12

Agreement initialled on 8 June.

Conclusions of the Council (General Affairs) meeting on 18 and 19 June. In view

of recent events, the Council did not consider that it was in a position to set a date for the signing of the Agreement.

Relations with European Free Trade Association countries

European Free Trade Association

1.4.6. Council Decision concerning the negotiating directives for an agreement with the EFTA countries on the establishment of a European economic area.

• **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 3-1939, 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

- **Recommendation for a Decision:** Bull. EC 5-1990, point 1.3.17

Adopted by the Council (General Affairs) on 18 June. The adoption of the negotiating directives will mean that negotiations can be opened immediately, in accordance with the commitment given at the EC-EFTA ministerial meeting in December 1989 to commence them before the end of the first half of 1990.

1.4.7. Mr Delors and Mr Andriessen took part in the 30th anniversary celebrations of EFTA in Göteborg on 14 June.

Mr Delors and Mr Andriessen attended the official ceremony which took place during the summit of Heads of State or Government of the EFTA countries. Mr Delors had been invited to speak at the ceremony and also had talks with the participants; Mr Andriessen took part in the annual ministerial meeting (→ point 1.4.8) and the Economic and Social Committee held its

20th joint meeting with the EFTA Consultative Committee.

1.4.8. Annual ministerial meeting.

- **Previous meeting:** Bull. EC 12-1989, point 2.2.20

Meeting in Göteborg on 14 June. Mr Andriessen and the Ministers of the EFTA countries expressed their satisfaction at the rapid development of economic and trade cooperation between the Community and EFTA and stressed the need to strengthen existing relations even more, with a view to creating a strong and homogeneous European economic area. While stressing that their joint aim was to seek a closer, more structured partnership with appropriate procedures for managing and developing the economic area, they reaffirmed their willingness to conclude negotiations promptly so that it could be established on 1 January 1993. They also discussed recent events in Central and Eastern Europe, reiterated their support for the reforms under way and expressed their conviction that the Community and the EFTA countries would be in a better position to help in this process, if they acted as partners within the European economic area. The Ministers and Mr Andriessen were also of the opinion that the proposed economic area would be a major factor in world trade and once again stressed the importance of a satisfactory conclusion to the last phase of the Uruguay Round.

1.4.9. Parliament resolutions on economic and trade relations between the Community and the EFTA countries and on the Community's future political relations with these countries.

• **References:**

Parliament resolution of 14 December 1989 on relations between the Community and EFTA: OJ C 15, 22.1.1990; Bull. EC 12-1989, point 2.2.21

EC-EFTA ministerial meeting: Bull. EC 12-1989, point 2.2.20

Conclusions of the special meeting of the European Council in Dublin: Bull. EC 4-1990, point 1.2

Parliament resolution of 5 April on EC-EFTA relations: OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.2.15

Commission communication and recommendation for a Council decision authorizing the Commission to negotiate an agreement with the EFTA countries setting up a European economic area: Bull. EC 5-1990, point 1.3.17

Adopted by Parliament on 12 June. In the first resolution Parliament confirmed its interest in the establishment of the European economic area but considered that it should not slow down the Community's plans for economic and political integration nor prejudice the institutional powers set out in the Single Act or any strengthening of these powers in the context of a reform of the Treaties as a result of future inter-governmental conferences. It advocated the setting-up of a representative assembly designed to step up the dialogue between Parliament and the EFTA countries' parliaments and called for respect for its own prerogatives and powers, including in the context of a possible European political union. In general it considered that very broad cooperation should be established, going beyond the framework of the free movement of persons, goods, services and capital but without, however, jeopardizing existing Community rules and practices. It suggested that monitoring instruments should be created to ensure compliance with the rules in force in the European economic area. In the second resolution, while reaffirming its support for EFTA's participation in the integration process under way in the Community and considering the future individual accession of the EFTA countries desirable and possible, Parliament asked for its own powers and prerogatives to be strengthened in the context of the negotiations. It also stressed the need for EFTA to speak with a single voice during negotiations.

OJ C 175, 16.7.1990

Bilateral relations

Norway

1.4.10. Mr Skauge, Minister for Finance, visited the Commission on 26 June.

Mr Skauge met Mr Christophersen and Sir Leon Brittan, with whom he discussed operational aspects of the European Monetary System, relations with Parliament and the prospect of German unification.

1.4.11. High-level consultations.

- Reference: previous meeting: Bull. EC 6-1989, point 2.2.15

Annual meeting, Brussels, 28 June. The Norwegian delegation was led by Mr Bondevik, Minister for Foreign Affairs, and Mrs Five, Minister for Trade and Shipping, and the Commission was represented by Mr Andriessen. The main topics discussed were relations between the Community and EFTA, developments in Central and Eastern Europe and the negotiations with a view to establishing a European economic area. On the latter issue, the Norwegian ministers expressed the hope that these negotiations would not take precedence over bilateral relations.

Relations with other industrialized countries

I

1.4.12. EC-Australia ministerial consultations.

- References:
 - Previous meeting: Bull. EC 5-1988, point 2.2.18
 - Recommendation for a Decision authorizing the Commission to negotiate a framework agreement for scientific and technical cooperation with Australia: Bull. EC 5-1989, point 2.2.14

Eighth round of consultations, Brussels, 5 June. The Australian delegation was led by Senator Evans, Minister for Foreign Affairs, and Mr Kerin, Minister for Primary Industries and Energy, while the Commission was represented by Mr Andriessen, Mr Pandolfi and Mr Mac Sharry. The meetings gave new momentum to political relations between

Australia and the Community and provided an opportunity for an in-depth discussion of a wide range of topics. The Ministers and the Members of the Commission noted that the progress made towards completion of the single market should stimulate trade between the Community and Australia through the increase in outlets. They also reviewed developments in the Asia-Pacific region and reiterated the importance of developing bilateral trade and investment flows between Europe, Australia and the Asia-Pacific region. The two sides confirmed that they would continue to adhere fully to the principles of the GATT, as the basis for their trade relations, despite diverging views on some multilateral and bilateral trade issues, and indicated that they intended to work together to seek appropriate solutions, particularly with regard to agricultural policy. Energy-related issues were also discussed, as were specific matters relating to bilateral trade and competition on other markets. Both parties noted the potential for growth in trade and investment between Australia and the Community and the Australian delegation outlined the measures taken to strengthen and restructure the national economy and to increase its competitiveness. The two sides once more reaffirmed their interest in stepping up scientific and technological cooperation and in concluding a framework agreement in this field. They also discussed their cooperation on environmental issues, particularly in the light of the environmental problems of Central and Eastern Europe.

II

United States of America

1.4.13. Visit by Mr Christophersen from 14 to 18 June.

Mr Christophersen had talks with Mr Dellala, Assistant Secretary of State, and Mr Greenspan, Chairman of the Federal Reserve. He described the special role that the Community must play in the process

of change in the countries of Central and Eastern Europe and outlined the prospects for economic and monetary union, his American hosts showing particular interest in the future external dimension of EMU. During his visit Mr Christophersen also met Mr Camdessus, Managing Director of the IMF, with whom he discussed arrangements for cooperation between the IMF and the Community with a view to assisting the countries of Central and Eastern Europe, and also the external aspects of economic and monetary union.

Japan

1.4.14. Standards and certification.

- Reference: 29th high-level EC-Japan consultations: Bull. EC 11-1989, point 2.2.10

Experts' meeting in Brussels on 22 June. As agreed at the November 1989 high-level consultations, this bilateral meeting was devoted to an exchange of information about the two sides' standards and certification systems. It was agreed to continue these contacts, with the help of experts from the various sectors concerned.

Mediterranean, Gulf and Arabian peninsula countries

I

Relations with Turkey

1.4.15. Commission communication on relations with Turkey — proposal for a Decision on the conclusion of the fourth Financial Protocol.

- References:
 - Agreement establishing an association between the European Economic Community and Turkey: OJ L 217, 29.12.1964
 - Initialling of the fourth Financial Protocol: Bull. EC 6-1981, point 2.2.49

- Application for accession: Bull. EC 4-1987, points 1.3.1, 1.3.2 and 2.2.20
 Commission opinion: Bull. EC 12-1989, point 2.2.37
 Council conclusions: Bull. EC 1/2-1990, point 1.2.32

Adopted by the Commission on 6 June. This communication follows up the Commission opinion on Turkey's application for accession of 19 December 1989. In order to strengthen EEC-Turkey relations, the Commission proposes establishing a customs union for industrial products by 1995. In parallel the Community would restore freedom of movement of textiles in line with the position it has adopted *vis-à-vis* all its trading partners during the Uruguay Round. The return to the Association Agreement arrangements will also involve greater liberalization of trade in agricultural products. The document also includes an important section on cooperation between Turkey and the Community in various sectors including industry, agriculture, financial services, transport, energy, the environment, science and technology, etc. The Commission further advocates the promotion of political cooperation and the resumption of financial cooperation with Turkey, and proposes that the Council conclude the fourth Financial Protocol, which was initialled in 1981 (ECU 600 million over five years).

Euro-Arab Dialogue

1.4.16. General Committee.

- **Previous meeting:** Bull. EC 12-1983, point 2.2.42
- **Reference:** Ministerial Conference of 22 December 1989 in Paris: Bull. EC 12-1989, point 2.2.45

Sixth meeting, held in Dublin on 7 and 8 June. The General Committee succeeded in relaunching the Euro-Arab Dialogue by separating the political and economic aspects as agreed by the Ministerial Conference held in Paris in December 1989, the conclusions of which were translated into operational terms. A new organizational

and procedural code was adopted and the chairmen, vice-chairmen and rapporteurs of three special committees appointed. Six projects were approved by the General Committee: seminars on petrochemicals and refining, publication of commentaries on the general conditions for contracts, two-stage seminar (Paris and Casablanca) on urban growth and development, symposium in Amman on relations between the European and Arab civilizations, catalogue of cultural and scientific institutions and seminar on youth and sport at Olympia.

II

Mediterranean countries

Andorra

1.4.17. Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra.

- **References:**
 Negotiating directives: Bull. EC 3-1989, point 2.2.11
 Initialling of Agreement: Bull. EC 12-1989, point 2.2.38
- **Proposal for a Decision:** Bull. EC 4-1990, point 1.2.22

On 18 June the Council adopted a Decision on the conclusion of the Agreement.

Agreement signed in Brussels on 28 June. The Agreement provides for the establishment of a customs union for industrial products and for the duty-free importation into the Community of agricultural products originating in Andorra. There are also specific provisions concerning duty-free allowances for travellers.

Countries of the Gulf and the Arabian peninsula

1.4.18. Commission Decision on the conclusion of an Agreement in the form of an

exchange of letters on the standstill declaration between the EEC and the member countries of the Charter of the Cooperation Council for the Arab States of the Gulf.

- **References:**

Cooperation Agreement of 15 June 1988 between the Community and its Member States of the one part and the Gulf Cooperation Council and its Member States of the other part: Bull. EC 6-1988, point 2.2.39

Negotiating directives for the conclusion of a trade agreement: Bull. EC 12-1989, point 2.2.46

Adopted by the Commission on 21 June.

In accordance with the provisions of the Cooperation Agreement with the Gulf Cooperation Council (GCC) of 15 June 1988, this Decision concludes a joint standstill declaration, considered to be an essential step before negotiations on a trade agreement can open. The Community and the Member States of the GCC undertake not to step up existing trade barriers between the two sides and not to create any new ones after the opening of negotiations.

Asia

Cooperation with the countries of Asia and Latin America

1.4.19. Commission communication on guidelines for cooperation with the developing 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

Approval by the Commission: Bull. EC 5-1990, point 1.3.28

Adopted by the Commission on 12 June.

COM(90) 176

1.4.20. Council Decision setting out general guidelines for 1990 for financial and

technical assistance to Latin American and Asian developing countries.

- **Basic Regulation:** Regulation (EEC) No 442/81 on financial and technical aid to non-associated developing countries: OJ L 48, 21.2.1981; Bull. EC 2-1981, point 2.2.16

- **Commission proposal:** Bull. EC 9-1989, point 2.2.26

Opinion given by Parliament on 14 June.

Favourable, subject to one amendment putting these guidelines on a multiannual basis. Parliament would like to be consulted as soon as possible on these guidelines.

OJ C 175, 16.7.1990

Adopted by the Council on 29 June.

1.4.21. Thirteenth Commission report on the use of financial and technical aid to Latin American and Asian developing countries as at 31 December 1989.

- **Basic Regulation:** Council Regulation (EEC) No 442/81 on financial and technical aid to non-associated developing countries: OJ L 48, 21.2.1981; Bull. EC 2-1981, point 2.2.16

- **References:**

Council Decision setting out the general guidelines for 1989 for cooperation with Latin American and Asian developing countries: Bull. EC 12-1988, point 2.2.63

Twelfth report: Bull. EC 5-1989, point 2.2.51

Adopted by the Commission on 22 June.

The report consists of two parts, one dealing with operations in 1989 and the other with all cooperation activities from 1976 to 1989. Total commitments in 1989 (ECU 283 million) accounted for 100% of budgetary appropriations for that year. Some 24 projects were approved, with 65% of available appropriations going to projects in Asia and 35% to projects in Latin America. If disaster relief and supplementary operations are excluded, the average Community contribution per project rose by 29%. It should be noted that 15 projects were completed in 1989. Community commitments from 1976 to 1989 were ECU 2 418 million, equivalent to virtually the full amount of appropriations. These funds were allocated to 19 Asian countries, 19 Latin American countries, three African and three other

countries. Over the period as a whole Asia accounted for 69% of commitments and Latin America for 28%, with the remaining 3% being spread among other countries. The main beneficiary countries in Asia were Bangladesh, India, Pakistan and Thailand. In Latin America the beneficiary countries are those involved in some form of regional integration owing to the special value the Community places on such a policy.

COM(90) 204

Association of South-East Asian Nations

Thailand

1.4.22. Proposal for a Decision on the conclusion of a Protocol renewing the Cooperation Agreement between the European Economic Community and Thailand on manioc production, marketing and trade.

- Reference: Cooperation Agreement: OJ L 219, 28.7.1982; Bull. EC 7/8-1982, point 2.1.91

Adopted by the Commission on 20 June.
Subject: approval of a Protocol renewing the Agreement subject to a number of amendments.

OJ C 170, 12.7.1990; COM(90) 271

Latin America

I

Community response to the special cooperation plan presented by Colombia

1.4.23. Commission communication concerning the Community response to Colombia's special cooperation plan, containing a proposal for a Council Regulation, a draft Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community meet-

ing within the Council and a proposal for a Council resolution.

- References:

Conclusions of the Strasbourg European Council: Bull. EC 12-1989, point 1.1.16

Special cooperation programme: Bull. EC 1/2-1990, point 1.2.48

Visit to the Commission by Mr Barco, President of Colombia, on 6 April: Bull. EC 4-1990, point 1.2.27

Adopted by the Commission on 13 June.
The Commission stressed the need for exceptional Community action aimed at the Andean countries affected by the drugs problem, and in particular Colombia, and proposed practical measures to support efforts in this direction, at both national and international level. These measures (→ points 1.4.24 to 1.4.26) represent a temporary intensification of Community cooperation activities in response to Colombia's request for international aid and do not prejudice longer-term action. In its communication the Commission also informed the Council of the resources that it had decided to allocate to Colombia (→ point 1.4.27).

COM(90) 254

1.4.24. Proposal for a Regulation extending to Bolivia, Colombia and Peru the generalized tariff preferences applied to certain products originating in the least developed countries and amending Regulations (EEC) Nos 3896/89, 3897/89 and 3898/89 of 18 December 1989.

- Regulations to be amended: Council Regulations (EEC) Nos 3896/89, 3897/89 and 3898/89 applying generalized tariff preferences for 1990 in respect of certain industrial, textile and agricultural products originating in the developing countries: OJ L 383, 30.12.1989, Bull. EC 12-1989, point 2.2.61

Adopted by the Commission on 13 June.
Because cocaine production is being developed in Bolivia, Colombia and Peru to the detriment of lawful agricultural production and this situation is causing a substantial decline in those countries' export resources, the proposal for a Regulation provides for an exceptional, temporary extension (i.e. for the four-year period of

the special programme) of the generalized tariff preferences accorded to the least developed countries, without prejudice to the annual nature of the Community's GSP scheme.

COM(90) 254

1.4.25. Draft Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, extending to Bolivia, Colombia and Peru the generalized tariff preferences applied to certain products originating in the least developed countries and amending Decision 89/645/ECSC of 18 December 1989.

- **Decision to be amended:** Decision 89/645/ECSC of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, applying generalized tariff preferences in respect of certain steel products: OJ L 383, 30.12.1989; Bull. EC 12-1989, point 2.2.61

Adopted by the Commission on 13 June. Like the proposal for a Regulation (→ point 1.4.24), the aim of this draft Decision is to extend to Bolivia, Colombia and Peru the generalized tariff preferences accorded by the Community to the least-developed countries in order to help transfer production initiatives from illegal to legal activities, the product of which will enter the normal economic channels.

COM(90) 254

1.4.26. Draft resolution concerning the coordination of bilateral aid from the Member States and from the Community under Colombia's special cooperation plan.

Adopted by the Commission on 13 June. The draft text to be presented to the Council stresses the need for coordination within the Council of Community aid and bilateral aid from the Member States with a view to joint presentation. It also provides for the Commission to inform the Council of the results obtained.

1.4.27. Commission Decision to grant financial support to Colombia.

- **References:**
Conclusions of the Strasbourg European Council: Bull. EC 12-1989, point 1.1.16

Special cooperation programme: Bull. EC 1/2-1990, point 1.2.48

Adopted by the Commission on 13 June. The decision grants increased financial support to Colombia within the framework of the special cooperation plan presented by the Colombian authorities. In this context the Commission will allocate ECU 60 million between 1990 and 1993 for the implementation of operations to assist Colombia. The resources will be used mainly for the following purposes: strengthening the economy, agricultural diversification and specific drug abuse control agreements (above all crop replacement).

COM(90) 254

II

Cooperation with the countries of Latin America and Asia

1.4.28. Commission communication on guidelines for cooperation with the developing countries of Latin America and Asia (→ point 1.4.19).

1.4.29. Council Decision setting out general guidelines for 1990 for financial and technical assistance to Latin American and Asian developing countries (→ point 1.4.20).

1.4.30. Thirteenth Commission report to the Council and Parliament on the use of financial and technical aid to Latin American and Asian developing countries as at 31 December (→ point 1.4.21).

Multilateral relations

Latin American Economic System

1.4.31. Commission Decision concerning an exchange of letters between the Community and the Latin American Economic System (SELA).

Adopted by the Commission on 11 June. At the request of SELA, a cooperation organ-

ization embracing 26 Latin American and Caribbean countries, the Commission has decided to carry out an exchange of letters whereby the two institutions agree, for example, that:

- (i) the Community and SELA will hold consultations and keep one another informed of work and programmes connected with cooperation;
- (ii) they will combine efforts in order to make the best possible use of the general and statistical information at their disposal;
- (iii) they will provide each other with technical assistance on matters which fall within their respective spheres of competence as regards planned or approved development operations.

ACP countries and OCTs

Implementation of the ACP-EEC Convention

1.4.32. Agreement on the financing and administration of Community aid under the fourth ACP-EEC Convention.

- **References:**

Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Assent of Parliament to the conclusion of a fourth ACP-EEC Convention: OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.3.37

Agreement by the Council (General Affairs) on 18 and 19 June. The Council approved the content of the new Internal Agreement proposed by the Commission on 28 February, which sets up the seventh European Development Fund and lays down the rules for the Fund's financing and operation. Once the Agreement has been signed the Member States' internal procedures can be set in motion to ratify the new Convention, which is scheduled to enter into force in the spring of 1991.

1.4.33. Draft Financial Regulation applicable to development financing cooperation under the fourth Lomé Convention.

- **References:**

Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989; Bull. EC 12-1989, points 1.2.1 to 1.2.3

Assent of Parliament to the conclusion of a fourth ACP-EEC Convention: OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.3.37

Internal Agreement on the financing and administration of Community aid under the fourth ACP-EEC Convention (→ point 1.4.32)

Adopted by the Commission on 15 June. It lays down the rules governing operations under the seventh European Development Fund in accordance with the Internal Agreement on the financing and administration of Community aid..

OJ C 165, 6.7.1990; COM(90) 243

1.4.34. Proposal for a Decision establishing the procedure for derogating from the rules of origin laid down in Protocol 1 to the ACP-EEC Convention (→ point 1.3.12).

Protocols

Sugar

1.4.35. Council Decision on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the ACP States which are parties to the ACP Sugar Protocol to the third ACP-EEC Convention on the guaranteed prices applicable for the 1988-89 delivery period to cane sugar.

- **Reference:** third ACP-EEC Convention, signed in Lomé on 8 December 1986: OJ L 86, 31.3.1986

- **Commission proposal:** COM(90) 304; Bull. EC 10-1988, point 2.2.63

- **Negotiating directives:** Bull. EC 11-1988, point 2.2.52

Adopted by the Council on 18 June.

Financial and technical cooperation

1.4.36. Financing of projects, programmes and emergency aid operations.

Commission Decision granting a total of ECU 58.467 million from sixth EDF resources (see Table 2).

Table 2 — *Financing of operations under the sixth EDF*

(million ECU)

Country	Project/programme	Amount	
		Grants	Special loans
<i>Industrialization</i>			
Western Samoa	Energy project	8.189	
<i>Trade promotion</i>			
ACP States	Assistance to ACP/EEC professional organizations whose aim is to improve the production and marketing of produce on overseas markets	4.628	
<i>Other</i>			
Côte d'Ivoire	Sectoral import programme	41.000	
<i>Emergency aid</i>			
Sudan	Aid to the victims of the fighting in southern Sudan	3.000	
Liberia	Aid to the victims of renewed fighting (through Médecins sans Frontières — Belgium)	0.650	
Guinea	Aid to Liberian refugees in Guinea (through the League of Red Cross Societies, Médecins sans Frontières — Belgium and the Office of the United Nations High Commissioner for Refugees)	0.600	
Sierra Leone	Aid to Liberian refugees in Sierra Leone (through the Office of the United Nations High Commissioner for Refugees and Médecins sans Frontières — Belgium)	0.400	
	Total	58.467	

Visits

1.4.37. Mr Marín visited Tanzania on 5 June.

- **Reference:** fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Mr Marín was welcomed by Mr Ali Hassan Mwinyi, President of Tanzania, and discussed cooperation between the Community and Tanzania and the possibilities opened up by the new Lomé Convention. Mr Marín was favourably impressed by the economic recovery efforts but stressed the

need for further measures to ensure maximum benefit was drawn from Community aid, particularly for investment and private initiatives. He praised the work of the Tanzanian authorities in this area but also underlined the importance of cooperation between ACP States in the region, for which special aid was allocated by the Lomé Convention.

1.4.38. Mr Marín visited Kenya from 5 to 7 June.

- **Reference:** fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Mr Marín held talks with the President, Mr Arap Moi, and several members of the government on the Community aid for structural adjustment by the Kenyan authorities, the implementation of the new Lomé Convention and the outlook for regional cooperation in the Preferential Trade Area which is currently chaired by Kenya. He took pains to reassure Mr Moi and his ministers about the effects of the completion of the internal market and the changes in Central and Eastern Europe on cooperation between the Community and its ACP partners, as he did on his visits to Tanzania and Uganda.

1.4.39. Mr Marín visited Uganda from 7 to 9 June.

- Reference: fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

In the course of his talks with Mr Museveni, President of Uganda, and several members of the government, Mr Marín touched on the prospects opened up by the new Lomé Convention, under which Uganda will continue to be one of the main recipients of Community aid, regional cooperation, the situation in southern Africa, the efforts made by the Ugandan authorities to improve the economic situation and Community support for structural adjustment and environmental protection measures.

1.4.40. Mr Oye Mba, Prime Minister of Gabon, visited the Commission on 11 June.

Mr Oye Mba, who was accompanied by six members of the government, discussed Gabon's current political and institutional changes and economic and financial problems with Mr Marín. Mr Marín voiced the Commission's concern about recent events and underlined the importance attached by the Community to human rights, stating that the Commission wished for clarification and expected economic recovery measures to be taken. It was pointed out that Community aid could be provided only within a system of economic democracy so that the whole of the population of Gabon would benefit.

1.4.41. Mr Buyoya, President of Burundi, visited the Commission on 22 June.

- Reference: fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Major Buyoya, accompanied by several members of the government, had talks with Mr Marín in which he outlined Burundi's policy of national unity and development with particular emphasis on decentralization and public involvement and information. Mr Marín reaffirmed the Community's support for the efforts of the Burundian authorities to promote development and peace and noted that the new Lomé Convention would provide assistance in this area. Talks also touched on the main instruments of cooperation, namely Stabex and aid for structural adjustment.

General development cooperation

Commodities and world agreements

Nickel

1.4.42. International study group.

Inaugural meeting in The Hague from 25 to 28 June. Twelve States, including the Federal Republic of Germany, France, Greece and the Netherlands, had informed the United Nations Secretary-General of their acceptance of the group's terms of reference, negotiated in 1986, and the group's first meeting was held in The Hague, which was confirmed as the future site of the secretariat. Since the terms of reference have been amended to open up membership to any intergovernmental organization empowered to conclude international agreements, in particular commodity agreements, the Commission intends to initiate an internal procedure to take advantage of this.

Food aid

Food aid management

1.4.43. Council Regulation (EEC) No 1930/90 amending Regulation (EEC) No 3972/86 on food aid policy and food aid management, Regulation (EEC) No 2507/88 on the implementation of storage programmes and early warning systems and Regulation (EEC) 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.

- **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 2.2.67
 - Council Regulation (EEC) No 2508/88: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, point 2.2.67
- **Commission proposal:** OJ C 134, 1.6.1990; COM(90) 193; Bull. EC 5-1990, point 1.3.47
- **Reference:** Council Decision 87/373/EEC laying down the procedures 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

Opinion of Parliament, 15 June. Favourable.

OJ C 175, 16.7.1990

Adopted by the Council on 29 June. The Council, having adopted a procedure II (b) (within the meaning of Decision 87/373/EEC, with a time-limit reduced to two months) for the Committee provided for in the framework regulation on food aid policy and management, definitively adopted the Regulation extending the latter along with two allied Regulations which were also valid only until 30 June.

OJ L 174, 7.7.1990

Emergency aid

1.4.44. Commission Decision granting aid to the following:

victims of the earthquake in north-east Peru on 29 May: ECU 120 000 for financing essential supplies; aid implemented by the League of Red Cross Societies;

disaster victims in the wake of the earthquake in Iran on the night of 20 June: ECU 2 million (two consecutive Decisions each granting ECU 1 million) for the sending of medicines, tents, blankets, other emergency supplies, and aid teams, etc.; aid implemented by Médecins du Monde, Secours populaire français, the Belgian, Dutch, French, Spanish and Swiss sections of Médecins sans Frontières, and the Danish, Dutch, Irish and Italian Red Cross and the League of Red Cross Societies.

Cooperation via non-governmental organizations

1.4.45. Projects in developing countries.

Co-financing by the Commission: commitment of ECU 2.5 million for 10 operations presented by 10 NGOs.

1.4.46. Campaigns to raise European public awareness.

Commission contribution: ECU 1 839 170 for 18 operations.

Aid to promote self-sufficiency of refugee groups

1.4.47. Commission Decisions granting aid.

(i) *Djibouti:* ECU 200 000 for the supply of medicines and medical equipment;

(ii) *Malawi:* ECU 8 000 for a technical study;

(iii) *Guinea:* ECU 420 000 for the supply of foodstuffs and drinking water for Liberian refugees;

(iv) *Angola:* ECU 745 000 for an agricultural rehabilitation programme in Quiengo in the province of Huila;

(v) *Belize:* ECU 530 000 for the second phase of the Valley of Peace project.

Positive measures for victims of apartheid

1.4.48. Reorientation of the special Community programme of positive measures to assist the victims of apartheid in South Africa.

- **References:**

Ministerial political cooperation meeting in Luxembourg, 10 September 1985: Bull. EC 9-1985, point 2.5.1

Declaration on South Africa adopted by the European Council at The Hague, 26 and 27 June 1986: Bull. EC 6-1986, point 1.1.18

Adoption of a communication by the Commission on 13 June. In the light of recent events in South Africa, the Commission drew up a number of proposals on the direction of the programme which was worked out in 1985 in the political cooperation context and strengthened in 1986 and under which 329 projects representing a total of ECU 97.2 million were financed between 1986 and 1990. The Commission suggested in particular that the political dimension of the programme should be maintained until it was proved that the situation had irreversibly improved, and that the relations established with South Africa should be kept on the same footing, but with sufficient flexibility for adapting rapidly to the changes likely to occur. The Commission also recommended that special consideration should be given to the response to be made to the requirements arising from the return of the exiles and the essential increase in on-the-spot coordination. It felt that it should encourage the progressive development of the special programme in the direction mainly of support for education, health and rural development.

European Council conclusions (→ point I.38).

Cooperation in international forums

United Nations

1.4.49. Communication concerning the second United Nations Conference on the

Least-Developed Countries (September 1990): definition of the Community's position and objectives.

- **Reference:** first United Nations Conference on the Least-Developed Countries: Bull. EC 9-1981, point 2.2.10

Adopted by the Commission on 29 June. The communication examines various issues linked with the formulation at the Conference scheduled for September of a new action programme for the 1990s, relating in particular to debt relief, external trade, the generalized preferences system, commodities, observance of human rights and the review of the criteria for classifying countries in the least-developed category.

United Nations Food and Agriculture Organization

1.4.50. Communication to the Council on the outcome of the exploratory talks with the FAO Secretariat and negotiating directives aimed at enabling the Community to become a member of the FAO.

- **Reference:** draft amendment to the FAO constitution sent by the Commission to the Council to enable the Community to become a member of the FAO: Bull. EC 2-1987, point 2.2.39

Adopted by the Commission on 5 June. In view of the outcome of the exploratory talks held with the FAO Secretariat, from which it emerged that the FAO's constitution could be amended to enable the Community to enjoy membership status in line with its spheres of competence, the aim of the communication was to recommend that the Council request the FAO to give the Community membership status and authorize the Commission to negotiate the conditions for membership.

Organization for Economic Cooperation and Development

1.4.51. Development Assistance Committee.

- **Reference:** Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Meeting on population issues in Paris, 20 and 21 June. The conclusions which emerged from this meeting revealed the worrying nature of the population growth in certain regions, the small amount of funds allocated by donors to halting this phenomenon and the difficulties encountered in implementing specific projects. The Commission stressed the Community's willingness to undertake operations concerned with population issues as part of its development aid policy, as provided for under the new Lomé Convention.

Commercial policy

General matters

Commercial policy instruments

Trade protection

1.4.52. Seventh annual report on the Community's anti-dumping and anti-subsidy activities.

- **References:**

Parliament resolution of 16 December 1981 on the Community's anti-dumping activities: OJ C 11, 18.1.1982; Bull. EC 12-1981, point 2.3.11

Sixth report: COM(89) 106; Bull. EC 3-1989, point 2.2.2

Adopted by the Commission on 13 June. Aim: detailed review for 1988 of proceedings initiated and investigations concluded or in progress and the provisional duties imposed. The report also contains comparisons with the periods 1984-88 or, for certain data, 1980-88. It shows that less than 1% of all imports to the Community are subject to anti-dumping duties. It also indicates clearly that anti-dumping measures are not concentrated on imports from a particular country or geographical area and that more investigations initiated concern European rather than American or Asian countries. Anti-dumping activities have not increased in number over these last few years and, far

from having had a dampening effect on trade, they have not stopped the countries whose products have been subjected to the greatest number of investigations from recording the highest relative increase, by value, in their exports to the Community. It should also be stressed that the Commission applies the principle according to which an investigation is initiated only after an apparently well-founded complaint is lodged by a Community industry, and never on the Commission's own initiative.

COM(90) 229

Anti-dumping measures adopted by the Council

1.4.53. Regulation (EEC) No 1798/90 imposing a definitive anti-dumping duty on imports of monosodium glutamate originating in Indonesia, the Republic of Korea, Taiwan or Thailand and definitively collecting the provisional anti-dumping duty imposed on such imports.

- **Reference:** provisional duty: Bull. EC 3-1990, point 1.2.68; OJ C 56, 3.3.1990

Proposal adopted by the Commission on 11 June.

COM(90) 252

Adopted by the Council on 27 June.

OJ L 167, 30.6.1990

1.4.54. Proposal for a Council Regulation imposing a definitive anti-dumping duty on imports of certain types of electronic microcircuits known as DRAMs (dynamic random access memories) originating in Japan and definitively collecting the provisional duty.

- **Reference:** provisional duty: Bull. EC 1/2-1990, point 1.2.84; OJ L 20, 25.1.1990; Bull. EC 5-1990, point 1.3.59; OJ L 131, 23.5.1990

Adopted by the Commission on 28 June.

Anti-dumping measures adopted by the Commission

1.4.55. Proceeding concerning imports of certain merchant bars and rods of alloy steel, originating in Turkey.

Notice of initiation: 14 June.

OJ C 144, 14.6.1990

1.4.56. Proceeding concerning imports of certain semi-finished products of alloy steel, originating in Turkey or Brazil.

Notice of initiation: 14 June.

OJ C 144, 14.6.1990

1.4.57. Proceeding concerning imports of artificial corundum originating in Brazil or Yugoslavia.

Notice of initiation: 29 June.

OJ C 159, 29.6.1990

1.4.58. Regulation (EEC) No 1613/90 imposing a provisional anti-dumping duty on imports of ball bearings with a greatest external diameter not exceeding 30mm originating in Thailand.

- Reference: notice of initiation: OJ C 147, 4.6.1988

Adopted by the Commission on 13 June.

OJ L 152, 16.6.1990

1.4.59. Expiry of an anti-dumping measure concerning certain glass mirrors originating in South Africa.

- Reference: initial duty: OJ L 148, 7.6.1985

Notice of expiry: 9 June.

OJ L 141, 9.6.1990

Anti-subsidy measures adopted by the Commission

1.4.60. Decision accepting undertakings given by the Thai Government in connection with the anti-subsidy proceeding concerning imports of ball bearing with a greatest external diameter not exceeding 30mm originating in Thailand.

- Reference: notice of initiation: OJ C 147, 4.6.1988

Adopted by the Commission on 13 June.

OJ L 152, 16.6.1990

Safeguard measures

1.4.61. Commission Regulation (EEC) No 1735/90 introducing prior Community

surveillance of imports of certain types of footwear originating in South Korea or Taiwan.

• **References:**

Initiation: OJ C 215, 17.8.1988

Initial Regulations: OJ L 35, 9.2.1982;

OJ L 325, 10.11.1989; OJ L 54, 1.3.1988;

OJ L 166, 1.7.1988

Adopted by the Commission on 21 June.

OJ L 161, 27.6.1990

Individual sectors*Iron and steel products***Agreements and arrangements with non-Community countries**

1.4.62. Decision of the representatives of the governments of the Member States, meeting within the Council, on certain measures applicable in respect of State-trading countries with regard to trade in iron and steel products covered by the ECSC Treaty.

• **References:**

Decision on measures to be applied in 1989: Bull. EC 6-1989, point 2.2.5

Directives adopted by the Council concerning the negotiation by the Commission of arrangements for imports of steel originating in a number of non-Community countries in 1990: Bull. EC 3-1990, point 1.2.82

Adopted by the representatives of the governments of the Member States, meeting within the Council, on 29 June. Purpose: to set definitively for 1990 the autonomous quotas for imports of ECSC steel originating from State-trading countries. Compared with the 1989 Decision the range of products subjected to quantitative restrictions was slightly narrowed to take into account the recent liberalization of semi-manufactures/semi-finished products and certain types of cast iron, while the quantities set for the remaining products were increased by 15% — the same percentage applied in the 1990 steel arrangements.

Textiles

Agreements and arrangements with non-Community countries

1.4.63. Recommendation for a Decision concerning the provisional application of an agreed minute amending the agreement between the European Economic Community and Hungary on trade in textile products.

• **References:**

Agreement between the European Economic Community and the Hungarian People's Republic on trade in textile products: OJ L 331, 21.11.1987

Council Decision authorizing the Commission to negotiate an amendment to the textile agreements with Poland and Hungary: Bull. EC 3-1990, point 1.2.4

Adopted by the Commission on 22 June. Purpose: in accordance with the negotiating directives adopted on 12 March, to adjust the restrictions as necessary following Hungary's requests for improved access to the Community market for its textile products as part of Operation Phare (Aid for economic restructuring in Poland and Hungary).

1.4.64. Council Regulation (EEC) No 1925/90 concerning the common rules applicable to imports of certain textile products originating in the Union of Soviet Socialist Republics.

• **Reference:** Council Decision 89/674/EEC concerning the provisional application of the Agreement between the EEC and the Union of Soviet Socialist Republics on trade in textile products: OJ L 397, 30.12.1989; Bull. EC 12-1989, point 2.2.14

• **Commission proposal:** Bull. EC 4-1990, point 1.2.58

Adopted by the Council on 18 June.

OJ L 177, 10.7.1990

International organizations and conferences

I

Conference on Security and Cooperation in Europe

1.4.65. European Council meeting in Dublin on 25 and 26 June.

Conclusions of the Presidency. Reaffirming the important role played by the CSCE in the process of change in Europe, the European Council welcomed the decision taken by the Member States of the CSCE to convene a summit meeting of Heads of State or Government. The European Council saw the summit as an opportunity to define the crucial role which the CSCE will play in the future architecture of Europe and in establishing a new set of relations between participating States, based on the principles of the Helsinki Final Act (→ point I.27).

1.4.66. Conference on the Human Dimension.

• **References:**

Conclusion of the third CSCE follow-up meeting: Bull. EC 1-1989, point 2.2.33

First meeting of the Conference on the Human Dimension: Bull. EC 6-1989, point 2.2.56

Conclusions of the special meeting of the European Council in Dublin: Bull. EC 4-1990, point I.15

Second meeting, Copenhagen, 5 to 29 June.

This was the second meeting of the Conference on the Human Dimension of the CSCE provided for at the conclusion of the third CSCE follow-up meeting in Vienna in January 1989. Like the first, it provided an opportunity for an exchange of views on the situation in the participating States with regard to respect for all human rights and fundamental freedoms, human contacts and other related humanitarian issues, including the implementation of relevant CSCE commitments. A delegation from Albania attended as observer. At the close of the meeting a document concerning the following themes was adopted:

(i) the foundations of the rule of law;

(ii) the principle of the rights of the individual, and the commitment of the participating States to provide effective remedies and to accept the presence of observers sent by participating States and representatives of non-governmental organizations at proceedings before courts;

(iii) the importance of democratic institutions;

- (iv) respect for the rights of persons belonging to national minorities, considered to be an essential factor for peace, justice, stability and democracy; the participating States undertook to ensure for persons belonging to minorities full equality with other citizens, and to ensure that they can freely preserve and develop their ethnic, cultural, linguistic or religious identity;
- (v) improving the functioning of the human dimension mechanism.

II

General Agreement on Tariffs and Trade

Uruguay Round

General situation

1.4.67. Conclusions on the Uruguay Round.

- **References:**

Punta del Este Conference: Bull. EC 9-1986, points 1.4.1 to 1.4.4

Mid-term review: Bull. EC 12-1988, points 2.2.2 to 2.2.4; Bull. EC 4-1989, points 1.3.1 to 1.3.9

Conclusions of the Council of 18 and 19 December 1989: Bull. EC 12-1989, point 2.2.78

Conclusions of the Council of 5 March: Bull. EC 3-1990, point 1.2.86

Conclusions of the Council of 25 to 27 April: Bull. EC 4-1990, point 1.2.66

Adopted by the Council (General Affairs) at its meeting on 18 and 19 June.

'The Council held an in-depth discussion on the Uruguay Round; all Ministers agreed that the successful conclusion of the Round by December 1990 was a major priority for the Community. An efficient and effective multilateral trading system, with clear and understandable rules as an outcome of negotiations, would be of benefit to all trading nations, irrespective of their level of economic development. The Council reaffirmed the great importance of the meeting on 23 July of the Trade Negotiations Committee for agreement on the broad outlines of the final conclusions in each area, thus ensuring that the negotiations in the

period from July to December 1990 could resolve the fundamental outstanding issues.

The Council expressed satisfaction at the constructive action and contributions of the Community's negotiators to the progress of the negotiating process, but felt that a great deal of work was still needed in certain areas, and that efforts should be intensified in order to ensure overall progress in all areas. In this context, the Council reaffirmed its determination to take the necessary political decisions and considered that it was now time for all participants to move from the statement of well-known positions to begin defining the concrete components of possible solutions, taking account of the global nature of the negotiations.

On agriculture, the Community had committed itself to negotiate a substantial progressive reduction of support and protection. The Council reaffirmed its support for the Community's global approach as agreed at its December 1989 meeting and endorsed by Agriculture Ministers in April 1990. The recent elaboration of the Community proposal illustrated its firm commitment to the negotiating process and constituted a solid basis for further negotiations (the Community had submitted detailed written presentations elaborating its position on 'Tariffication and rebalancing' and 'Aggregate measures of support' to the Agriculture Negotiating Group in Geneva).

The Council underlined the progress made in the negotiations on services, in particular in the draft framework agreement on trade in services which the Community had circulated in Geneva, and confirmed its view on the framework agreement's universal application to all sectors. It reiterated its wish for a wide adherence to this agreement. The Council took note of the Commission's proposal for specific sectoral negotiating objectives to be negotiated as part of the overall services agreement. The Council invited the Commission to proceed urgently with the elaboration of detailed proposals concerning individual sectors.

On textiles, the Council welcomed the recent elaboration of the Community's approach in Geneva, and reaffirmed its commitment to progressive integration of this sector into the GATT on the basis of strengthened rules and disciplines. All countries should contribute to this process. The Council rejected any approach involving the imposition of new forms of protection.

On intellectual property, the Council welcomed the favourable reactions in Geneva towards the draft agreement presented by the Community last April. But important divergences remained in this field. Every opportunity should be taken to convince all countries to participate actively in these negotiations and to narrow down divergences with

our main partners on issues such as geographical indications and copyright. Also, on trade-related investment measures renewed efforts were necessary to move the negotiations forward.

On subsidies, the Council acknowledged the efforts being made to develop clearer and more precise rules. It reaffirmed the Community's commitment to active participation in this work, in elaborating a realistic definition of subsidies which significantly distort trade.

The Council reaffirmed the importance of reaching substantial results in the market access groups, i.e. tariffs, non-tariff measures and tropical products. It called on other participants in the Uruguay Round to match the Community proposals in order to substantially improve guaranteed access to all markets.

An efficient and credible dispute settlement procedure was the corner-stone of the reinforcement of the multilateral trading system. The Community should participate fully in this area and make every effort to achieve a successful outcome to this negotiation. This must be linked to a clear commitment to eliminate the recourse to unilateral measures which was threatening the very foundations of the multilateral trading system. The Council invited the Commission to further elaborate the Community's position in this area as soon as possible.

The Council was convinced that it was essential to create the conditions which would facilitate the participation of the developing countries in the Uruguay Round commitments. This would encompass adequate improvement of market access to industrialized countries, but also — beyond the frame of the Round proper — recognition, in an appropriate way, of the constraints and particular economic conditions with which those countries were faced. The success of the negotiations, and accordingly the future of the multilateral trading system, was of major importance to the development of developing countries and remained contingent upon their readiness to implement the consequences of their economic achievements. This also meant that developing countries have a responsibility to contribute substantially to the negotiations on market access, including textiles, to engage fully in negotiations on balance of payments disciplines and to recognize that enforceable multilateral rules on intellectual property and on services benefit all participants.

Lastly, the Council welcomed the emerging consensus in favour of the creation of a Multilateral Trade Organization. This should provide the basis for a decision to be taken by GATT Ministers in December in the light of the successful outcome of

the Uruguay Round leading to rapid preparatory work thereafter.'

Specific progress

1.4.68. Tariffs — non-tariff measures.

Opening of the final stage of the negotiations, from 5 to 15 June.

1.4.69. Textiles and clothing — agriculture — services.

The Community presented proposals concerning textiles (a system for the integration of textiles into the GATT) and agriculture (tariffication and rebalancing, and aggregate measures of support) and a draft general agreement on trade in services.

Management of the Agreement

1.4.70. Proposal for a Decision concerning the conclusion of the Protocol for the accession of Tunisia to the GATT.

Adopted by the Commission on 8 June. GATT has initiated the procedure for the accession of Tunisia: this proposal concerns the conclusion by the Community of the corresponding Protocol.

COM(90) 242

1.4.71. Recommendation for a Decision authorizing the Commission to open tariff negotiations under Article XXVIII of the GATT.

Adopted by the Commission on 20 June. This Decision would authorize the Commission to open negotiations with the GATT contracting parties concerned with a view to suspending the concessions granted for processed sisal products.

Human rights in the world

South Africa

1.4.72. Parliament resolution on South Africa.

Adopted on 14 June. Parliament supported the appeal made by Nelson Mandela on 16 May 1990 to all governments not to take any premature steps towards lifting, even partially, sanctions against the South African Government, and considered that it would be extremely undesirable for the Community to abandon its anti-apartheid sanctions policy prior to the conclusion of an agreement on the establishment of a new constitutional order in South Africa under which all citizens were treated as equals in a non-racial, democratic society. It called on the Member States currently proposing the partial or phased relaxation of sanctions to reconsider their positions in the light of the enormity of the human rights violations perpetrated under the apartheid system and called on the Heads of State or Government meeting in Dublin on 25 and 26 June to renew their full commitment to fight apartheid.

OJ C 175, 16.7.1990

Sudan

1.4.73. Parliament resolution on the consequences of the grave violation of human rights in Sudan.

Adopted on 14 June. Parliament urged the Commission to suspend forthwith all programmable aid to Sudan and to freeze scheduled discussions between the Community and the Government of Sudan concerning the draft indicative programme under the fourth Lomé Convention. It also urged the Commission to suspend consideration and implementation of all projects agreed under Lomé II or Lomé III which had not yet been started and to maintain and enhance, where possible, direct humanitarian aid to the Sudanese people. Finally, it called on the Foreign Ministers meeting in the European political cooperation context, to increase diplomatic pressure on the Sudanese authorities to call a halt to executions, release all political prisoners and reintroduce normal democratic provisions of government.

OJ C 175, 16.7.1990

Central Africa

1.4.74. Parliament resolution on the bloody conflicts in various countries in Central Africa.

Adopted on 14 June. Recalling the recent mass demonstrations, particularly in Côte d'Ivoire, Cameroon, Zaire, Gabon and Liberia, expressing a desire for democracy, justice, dignity and the democratic sharing of responsibilities by the people, Parliament pledged the Community and the Member States to offering all possible political and economic assistance to the people concerned and ceasing any military cooperation. It called on the Commission to take account of the observance of human rights in the implementation of Lomé IV, by considering, for example, withdrawing the exclusive management of aid linked to Lomé IV from the States concerned and increasing cooperation with local communities, local associations and NGOs in support of their own development projects.

OJ C 175, 16.7.1990

Occupied Territories

1.4.75. Parliament resolution on Israel and the situation in the Occupied Territories.

Parliament called on the Commission to supply immediate medical and humanitarian aid to the victims. It called on the Foreign Ministers meeting in the European political cooperation context to consider, in cooperation with the United Nations, the possibility of appointing observers to draw up a report on the need to send UN peace-keeping forces into the region and on human rights violations. It called on the Commission, the Council and the Foreign Ministers meeting in the European political cooperation context to consider and implement any measures capable of bringing international pressure to bear on the Government of the State of Israel until such time as the rights of the Palestinian people were fully respected. Finally, it called on the Commission to send a permanent representative to East Jerusalem to assess the needs

of the Palestinian people and to coordinate and monitor the use of aid granted by the Community.

OJ C175, 16.7.1990

Israel

1.4.76. Parliament resolution on the kidnapping and imprisonment of Mr Mordechai Vanunu.

Adopted on 14 June. Parliament called on the President of Israel to exercise his right to pardon or, at the very least, commute the sentence passed on Mordechai Vanunu, sentenced to 18 years in prison for his decision to reveal, through the *Sunday Times* newspaper in London, the extent of Israel's stock of atomic weapons.

OJ C 175, 16.7.1990

India and Pakistan

1.4.77. Parliament resolution on the disturbances in Kashmir and Pakistan.

Adopted on 14 June. Parliament called on the Governments of both India and Pakistan to open a dialogue in order to find a peaceful resolution of the Kashmir dispute and called on the Commission to send help to mitigate, as far as possible, the effects of this wave of violence.

OJ C 175, 16.7.1990

Haiti

1.4.78. Parliament resolution on human rights and support for democracy in Haiti.

Adopted on 14 June. Parliament requested the Community to pay special attention and provide special assistance to Haiti because of the very difficult situation for the people of that country and stated its belief that the Community, and in particular Parliament, must follow the example of the UN and send a delegation to Haiti to monitor the forthcoming elections.

OJ C 175, 16.7.1990

El Salvador

1.4.79. Parliament resolution on the assassination of Ignacio Ellacuria and five other Jesuits in El Salvador and the assassination of Hector Oqueli and Gilda Flores.

- **Reference:** Parliament resolution: OJ C 68, 19.3.1990; Bull. EC 1/2-1990, point 1.2.122

Adopted on 14 June. Parliament called on the Government of El Salvador to throw light upon the assassination of Ignacio Ellacuria, Vice-Chancellor of the University of Central America, and five other Jesuits, and to ensure that the perpetrators and instigators of these crimes were brought to justice. It also called for publication of the report sent by the President of Guatemala, Mr Vinicio Cerezo, on the outcome of the investigation into the assassination of Hector Oqueli, Secretary of the Socialist International for Latin America, and the Guatemalan citizen Gilda Flores, and demanded that those responsible, if they were Salvadorean nationals, be brought to justice. Finally, it called on the Foreign Ministers meeting in the European political cooperation context to give their express support to the negotiations aimed at bringing peace to El Salvador.

OJ C 175, 16.7.1990

China

1.4.80. Parliament resolution on relations between the EC and China.

- **References:**
 - Declaration by the Madrid European Council: Bull. EC 6-1989, point 1.1.24
 - Declaration by the Paris Western Economic Summit: Bull. EC 7/8-1989, point 3.2.4
 - Parliament resolution: OJ C 256, 9.10.1989; Bull. EC 9-1989, point 2.4.3

Adopted on 15 June. Parliament condemned once again the violation of human rights in the People's Republic of China and called for the guidelines set by the European Council in its Madrid Declaration to be maintained until such time as there had been a substantial improvement in respect for human rights. It called on the Western

Economic Summit to reiterate at its meeting on 9 and 10 July the appeal made at the Paris Summit in July 1989.

OJ C 175, 16.7.1990

Diplomatic relations

1.4.81. The following ambassadors, whose appointments took effect on the dates shown, presented their letters of credence to the President of the Council and the President of the Commission:

1 June:

HE Mrs Ana Cristina Sol, Head of Mission of the Republic of El Salvador to the EEC;

HE Mr Constantin Parvutoiu, Head of Mission of Romania to the European Communities;

HE Mr François Ngarukiyintwali, Representative and Head of Mission of the Rwandese Republic to the European Communities;

18 June:

HE Mr Saeed Saad Mahgoub Saad, Head of Mission of the Republic of Sudan to the European Communities;

21 June:

HE Mr Luvsandorjiin Mundagbaatar, Head of Mission of the Mongolian People's Republic to the European Communities.

The unification on 22 May of the Yemen Arab Republic and the People's Democratic Republic of Yemen reduced the number of missions accredited to the European Communities to 141.

The Heads of Mission of Romania and the Mongolian People's Republic are the first ambassadors from these countries to be accredited to the European Communities. This brings the number of diplomatic missions to 143.

5. Intergovernmental cooperation

European political cooperation

Israel and the Occupied Territories

1.5.1. The following joint statement on the situation in Israel and the Occupied Territories was adopted and published on 2 June in Dublin and Brussels:

'The Community and its Member States continue to follow closely the tense situation in Israel and the Occupied Territories in the wake of the events of 20 May and their aftermath. The Twelve recall their statement of 22 May on these developments. They note the alarming build-up of actions and reactions since these tragic events, as illustrated by the attacks in Amman and Jerusalem and, most recently, by the attempted terrorist attack on the Israeli coast. The Twelve condemn without reservation all such acts. They repeat their appeal for calm and restraint. It is only through negotiation that the cause of peace in this troubled region can be advanced.'

These events underline once again that the status quo in the Occupied Territories is not sustainable. The Twelve reiterate the need for early progress in the direction of a peace settlement and their determination to encourage all efforts to promote a dialogue leading to a comprehensive settlement in the framework of an international conference under the auspices of the United Nations with the participation of the PLO.

The UN can and should play a useful role in the present situation and particularly in relation to the protection of the population. The Twelve support such a role. The Community and its Member States are resolved to step up their support for the observance of the human rights of the population of the Occupied Territories and have already commenced initiatives in this respect.

The Community and its Member States will also continue to contribute to the economic and social development of the population of the Occupied Territories. In this connection, they recall both the commitment made in December 1989 by the European Council to double the Community's direct aid to the Occupied Territories by 1992 and the further grant on 23 May of ECU 500 000 in humanitarian aid to assist the victims of the recent disturbances.'

Burma

1.5.2. The following joint statement on Burma was adopted and published on 6 June in Dublin and Brussels:

'The European Community and its Member States welcome the manner in which the people of Burma exercised their democratic right to vote in the recent election. The results of the vote indicate a clear desire on the part of the people for a democratic, multi-party system of government. They call on the present rulers of Burma to respect the results of the elections by handing over power without delay to a government chosen by the newly elected parliament and to release immediately political leaders in detention. The European Community and its Member States look forward to cooperating with such a government in the major task of economic reconstruction and development that lies ahead.'

South Africa

1.5.3. The following joint statement on South Africa was adopted and published on 9 June in Dublin and Brussels:

'The Community and its Member States greatly welcome the announcement by South African President de Klerk on 7 June of the lifting with effect from midnight on 8 June 1990 of the four-year state of emergency in most parts of the country. The lifting of the state of emergency has been a demand consistently made by the Community and its Member States and its substantial removal should contribute towards the creation of a climate conducive to the holding of substantive negotiations on the future of a truly democratic South Africa. The Twelve hope that all parties will now proceed without delay to remove the remaining obstacles to such negotiations.'

Romania

1.5.4. At the 18th ministerial European political cooperation meeting held in Luxembourg on 18 June the following joint statement on Romania was adopted and published the same day in Dublin and Brussels:

'The Twelve express their serious concern at recent outbreaks of violence in Bucharest. They deplore in particular the indiscriminate use of force by the Romanian Government and its supporters in putting down demonstrations.'

The Community and its Member States recall their willingness to support countries committed to pluralist democracy based on the rule of law and respect for human rights. They consider that the rights of peaceful demonstrations and peaceful political activity are at the foundation of a democratic system.

The Twelve believe that acts of violence, by whomsoever they are committed, constitute a major obstacle on the road to democratic change.

Taking note of the statement of the Romanian Government on 16 June, they urge it to commit itself to peaceful dialogue with political opponents.'

Ethiopia

1.5.5. At the 18th ministerial European political cooperation meeting held in Luxembourg on 18 June the following joint statement on Ethiopia was adopted and published the same day in Dublin and Brussels:

'The Community and its Member States welcome the recent announcement by the Ethiopian Government that it is prepared to accept in principle the use of the port of Massawa for the delivery of relief supplies. They regard this as an important step in facilitating the international relief effort aimed at averting famine in northern Ethiopia. They appeal most strongly to all parties to cooperate actively in bringing about the early reopening of the port and to facilitate the delivery and distribution of humanitarian relief through all available channels.

Recalling their conviction that only a peaceful negotiated settlement can provide a just and lasting solution to the conflict in Ethiopia, the Community and its Member States express their satisfaction at the position recently taken by the Ethiopian Government, including its readiness to accept the participation of the UN as an observer, which should permit the reactivation of peace talks in relation to Eritrea. They reiterate their call for a cessation of hostilities and for all parties to resume their efforts for peace and reconciliation. They believe that any solution needs to take into account the distinct identity and aspirations of Eritrea as well as respecting the territorial integrity of Ethiopia.'

Haiti

1.5.6. The following joint statement on Haiti was adopted and published on 29 June in Brussels and Dublin:

'The Twelve unreservedly condemn the attempted assassination of members of the Conseil d'Etat on

21 June 1990 as a criminal act and an attack against the democratic process.

The Twelve call on all the parties in Haiti to refrain from all actions which would disrupt the progress towards democracy. The Twelve also call for the holding of free, fair and democratic elections in Haiti.'

Other intergovernmental cooperation

1.5.7. Six-monthly meeting of ministers with responsibility for immigration.

- **References:**

Previous meeting: Bull. EC 12-1989, point 2.3.7

Conclusions of the European Council meeting held in Strasbourg: Bull. EC 12-1989, point 1.1.9

Eighth meeting, Dublin, 15 June. This meeting, where Mr M. Bangemann was representing the Commission, afforded 11 of the Member States the opportunity to sign a Convention for determining the Member States responsible for examining an application for asylum (→ points 2.2.1 and 2.2.2). Denmark, which abstained at this stage, stated that it would do its utmost to sign the Convention by the end of the year so as to respect the deadline set by the Strasbourg European Council. The Convention is a significant step in the completion of the legislative programme for the abolition of identity checks at internal border crossings. The objective of the Convention, for the drafting of which the Office of the United Nations High Commissioner for Refugees was frequently consulted, is to ensure the right of every asylum seeker to have his or her application examined by a Member State, thus ending the sad phenomenon of the 'refugees in orbit' which, already a not uncommon occurrence when border controls are still in existence, would have been made considerably worse by their abolition. The Convention, which is a significant contribution to international humanitarian law since the Geneva Convention, does not cover this issue, will enter

into force after being ratified by the national parliaments of all the Member States, which will thus ensure democratic control.

1.5.8. Trevi Group.

- Reference: previous meeting: Bull. EC 5-1989, point 2.3.7

Meeting in Dublin, 14 and 15 June. The Ministers of the Interior and the Ministers of Justice met within the Trevi Group of ministers with responsibility for internal security questions. The Commission was again not represented at the meeting. The press release issued after the meeting listed the main topics discussed. These included preparations for the completion of the internal market in 1992 (approval of a plan of action to achieve greater coordination of police activities to combat terrorism and other forms of organized crime), the fight against drug trafficking and other security issues.

1.5.9. Agreement giving effect to the Schengen Agreement.

Signed in Schengen (Luxembourg) on 19 June. In the presence of Mr J. Dondelinger, the five Member States signatory to the

Agreement of 14 June 1985 (Belgium, Federal Republic of Germany, France, Luxembourg and the Netherlands) signed an Agreement covering all measures needed to arrive at the total abolition of identity checks at common land borders. The Agreement is a major step forward in the creation at Community level of an area without internal borders as envisaged in Article 8a of the Treaty. It will serve as a reference in proving that, given the political will, freedom of movement can become reality and technical measures can be found to avoid the abolition of controls at internal borders resulting in diminished security. The Agreement will enter into force after its ratification by the national parliaments, which will thus be called upon to ensure democratic control of its contents. The two key principles in forming the Agreement, which is applicable to all individuals crossing a border, are the shifting of all border controls to the external borders of the Schengen area and the strengthening of cooperation between the control authorities, including the introduction of an information system (SIS — Schengen Information System) coupled with guarantees concerning protection of personal data.

6. Financing Community activities

Budgets

I

Start of the budgetary procedure for 1991

1.6.1. Preliminary draft budget for 1991.

- **References:**

General budget of the European Communities for the financial year 1990: OJ L 24, 29.1.1990; Bull. EC 12-1989, point 2.5.1

Council Regulations (EEC) No 1179/90 to No 1206/90, No 1312/90 to No 1332/90 and No 1340/90 to No 1359/90 on the fixing of agricultural prices and related measures (1990-91): OJ L 119, 11.5.1990; OJ L 132, 23.5.1990; OJ L 134, 28.5.1990; Bull. EC 5-1990, point 1.2.142

Adopted by the Commission on 13 June. The total volume of appropriations requested in the statement of estimates amounts to ECU 55 472 million in commitment appropriations and ECU 52 969 in payment appropriations. This represents an increase of about 13% over the 1990 budget in both cases.

The funds for structural policy operations are set to rise by 20.5% compared with 1990, taking the figure above 25% of the total budget for the first time, to ECU 13 900 million. Of this figure, ECU 13 461 million is earmarked for the structural Funds (EAGGF Guidance Section: ECU 2 424 million; Social Fund: ECU 4 312 million; Regional Fund: ECU 6 735 million). The breakdown by objectives is as follows: support for backward regions: ECU 8 587 million; conversion in industrial regions: ECU 1 639 million; combating long-term unemployment and integration of young people into working life: ECU 1 556 million; adjustment of farm structures: ECU 792 million; development of rural areas: ECU 644 million; other measures: ECU 243 million.

Agriculture's share of the budget will remain stable at 54.7%. EAGGF Guarantee Section expenditure will increase to ECU 30 356 million, some ECU 2 100 million below the ceiling set by the agricultural guideline. The ECU 3.8 billion increase over 1990 is mainly due to three factors: one-off supplementary expenditure amounting to ECU 920 million, due, for instance, to changes in the cereals co-responsibility levy and in the payment terms for aid to olive oil production; this effect will not recur in the following years. Under the 1990/91 farm price package expenditure will rise by ECU 1 100 million; the rate of the dollar against the ecu is expected to be lower in 1991 than in 1990 (ECU 0.83/dollar as compared with 0.89); this leads to additional spending amounting to ECU 700 million. The increase in guarantee expenditure does not imply a turning point in the restrictive policy applied in this area.

The high increase in expenditure on research (17.2%) reflects the importance of research for the Community's further development. Total resources in this field will amount to ECU 2 024 million.

Appropriations for the integrated Mediterranean programmes amount to ECU 330 million. This leaves ECU 350 million to be allocated in 1992 in order to reach the planned figure of ECU 1 600 million for the period from 1985 to 1992.

The total for other policies increases by 28.2% from ECU 3 205 million to ECU 4 110 million. Cooperation with Central and Eastern Europe has been allocated ECU 838 million including an ECU 18 million contribution to the European Bank for Reconstruction and Development.

Appropriations to promote economic development in Asian and Latin American countries and to strengthen cooperation with Mediterranean countries have been set at ECU 777 million — 17.7% more than in the 1990 budget.

Table 3 — 1991 budgetary procedure — Figures relating to the financial perspective —
Commitment appropriations

		(million ECU)				
		1990 budget	1991 financial perspective	Preliminary draft 1991 budget	% change PDB 1991/1990 budget	Change PDB 1991/1991 financial perspective
1.	EAGGF Guarantee (Subsection B 1) CE	26 522.000	33 000.0 ¹	30 356.000	14.5	- 2 644.0
	Total heading 1	26 522.000	33 000.0	30 356.000	14.5	- 2 644.0
2.	Structural operations					
	EAGGF Guidance (Title B 2-1) CE	251.000		87.000	- 65.3	
	NCE	1 449.000		2 337.000	61.3	
	Regional Fund (Title B 2-2) NCE	5 408.000		6 725.000	24.4	
	Social Fund (Title B 2-3) NCE	4 075.000		4 312.000	5.8	
	Pedip (Chapter B 2-40) NCE	108.800		119.800	10.1	
	Support programme (Chapter B 2-41) NCE	15.700		16.800	7.0	
	Set-aside and income aid (Chapter B 2-50) CE	225.000		300.000	33.3	
	Total CE	476.000		387.000	- 18.7	
	Total NCE	11 056.500		13 510.600	22.2	
	Total heading 2 CE + NCE	11 532.500	14 054.0	13 897.600	20.5	- 156.4
3.	Policies with multiannual allocations (IMPs, research)					
	IMPs (Title B 2-8) NCE	344.000		334.000	- 2.9	
	Research (Subsection B 6) CE	0.183		0.200	9.3	
	NCE	1 727.000		2 024.300	17.2	
	Total CE	0.183		0.200	9.3	
	Total NCE	2 071.000		2 358.300	13.9	
	Total heading 3 CE + NCE	2 071.183	2 516.0	2 358.500	13.9	- 157.5

4. Other policies				
Expenditure in the agricultural sector (Chapter B 2-51)	CE	79.375	109.000	37.3
	NCE	54.500	55.900	2.6
Other regional policy operations (Title B 2-6)	NCE	30.500	30.500	0.0
Transport policy (Chapter B 2-70)	NCE	67.000	127.000	89.6
Tourism (Chapter B 2-71)	NCE	4.000	5.100	27.5
Fisheries (Title B 2-9)	CE	238.900	302.600	27.5
	NCE	181.700	194.700	7.2
Education, vocational training and youth policy (Title B 3-1)	NCE	150.100	199.200	32.7
Culture (Title B 3-2)	NCE	8.800	9.000	2.3
Information (Title B 3-3)	NCE	36.380	59.180	62.7
Other social measures (Title B 3-4)	NCE	84.355	86.242	2.2
Energy policy (Title B 4-1)	NCE	58.550	145.000	147.7
Nuclear safeguards (Title B 4-2)	NCE	4.670	7.355	57.5
Protection of the environment (Title B 4-3)	NCE	52.160	73.600	41.1
Consumer protection (Title B 5-1)	NCE	8.600	8.800	2.3
Aid for reconstruction (Title B 5-2)	NCE	27.300	22.400	- 17.9
Internal market (Title B 5-3)	NCE	118.500	150.080	26.6
Industry (Title B 5-4)	NCE	52.500	64.000	21.9
Information market and innovation (Title B 5-5)	NCE	47.500	41.500	- 12.6
Statistical information (Title B 5-6)	NCE	36.000	42.400	17.8
Food aid (Title B 7-2)	CE	120.600	116.900	- 3.1
	NCE	385.780	400.000	3.7

		1990 budget	1991 financial perspective	Preliminary draft 1991 budget	% change PDB 1991/1990 budget	Change PDB 1991/1991 financial perspective
Asia and Latin America (Title B 7-3)	NCE	402.900		447.500	11.1	
Mediterranean countries (Title B 7-4)	CE	243.400		306.700	26.0	
	NCE	13.800		22.500	63.0	
Other activities of cooperation (Title B 7-5)	CE	0.000		1.830		
	NCE	235.790		242.650	2.9	
Central and Eastern Europe (Title B 7-6)	CE			18.000		
	NCE	500.000 ²	(820.0)	820.000	64.0	
Negative reserve (Chapter B 0-43)	NCE	- 38.400			- 100.0	
	Total CE	682.275	900.0	855.030	25.3	- 45.0
	Total NCE	2 522.985	3 355.0	3 254.607	29.0	- 100.4
Total heading 4	CE + NCE	3 205.260	4 255.0	4 109.637	28.2	- 145.4
5. Repayment and administration						
Stock disposal (Chapter B 0-10)	CE	1 470.000	(1 598)	810.000	- 44.9	(- 788)
Repayments and financial compensation (Chapter B 0-11)	CE	883.503 ³		337.438	- 61.8	
Commission (Part A)	CE	213.849		239.409	12.0	
	NCE	1 300.917		1 431.494	10.0	
Parliament	NCE	448.451				
Council	NCE	277.977		932.000		
Court of Justice	NCE	66.621				
Court of Auditors	NCE	54.273				
	Total CE	2 567.352		1 386.847	- 46.0	
	Total NCE	2 148.238		2 363.494	10.0	
Total heading 5	CE + NCE	4 715.591	4 559.0	3 750.341	- 20.5	- 808.7

6. Monetary reserve (Title B 1-5)	CE	1 000.000	1 000.000	1 000.000	0.0	
	Total CE	1 000.000	1 000.000	1 000.000	0.0	
	Total NCE					
Total heading 6	CE + NCE	1 000.000	1 000.000	1 000.000	0.0	
	Total CE	31 247.810	37 609.0	33 985.077	8.8	- 3 623.9
	Total NCE	17 798.723	21 775.0	21 487.001	20.7	- 288.0
Total appropriations for commitment	CE + NCE	49 046.534	59 384.0	55 472.078	13.1	- 3 911.9
Total appropriations for payment	CE	31 222.000	37 536.0	33 950.577	8.7	- 3 585.4
	NCE	15 545.000	19 414.0	19 019.338	22.4	- 394.7
	CE + NCE	46 767.000	56 950.0	52 969.915	13.3	- 3 980.1

¹ The updated agriculture guideline for 1991 amounts to ECU 32 511 million.

² Including ECU 200 million proposed in letter of amendment No 2 to preliminary draft supplementary and amending budget No 2-1990.

³ To be corrected when supplementary and amending budget No 2-1990 is adopted.

There have been marked funding increases for five priority areas in connection with implementation of the Single Act. The areas in question are the environment (up 41.1% to ECU 73.6 million), audiovisual policy (Media programme) (up 183.3% to ECU 34 million), transport (up 89.6% to ECU 127 million), energy (up 147% to ECU 145 million) and vocational training (up 163.5% to ECU 38.6 million).

The substantial increase in Community funds for environmental protection and culture is only half the story; other appropriations have been allocated to these sectors under different expenditure headings.

On the revenue side, the estimates of own resources available during 1991 amount to ECU 52 970 million as against ECU 46 767 million in 1990. Member States' aggregate GNP at market prices, which is used as a basis for determining the additional resource, is estimated at ECU 5 008 960 million. The estimated rate to be applied to this total to obtain the amount to be paid to finance in full the portion of the budget not covered by other resources comes to 0.1574%.

General budget

Financial perspective

1.6.2. Decision to adjust the financial perspective attached to the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure.

- **Commission proposal:** Bull. EC 5-1990, point 1.5.1
- **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 the revision and for the adjustment, in line with the conditions of implementation, of the financial perspective: 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

Signed by the President of Parliament on 7 June. This closes the procedure for the adjustment of the financial perspective by the two arms of the budgetary authority.

1.6.3. Decision to revise the financial perspective attached to the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure.

- **Commission proposal:** Bull. EC 1/2-1990, point 1.4.1
- **References:**
 - Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure (point 12) and the attached financial perspective: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.8
 - Previous adjustment: Bull. EC 12-1989, point 2.5.1
 - Parliament resolution on the proposals for the revision and for the adjustment, in line with the conditions of implementation, of the financial perspective: OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.4.1
 - Council decision: Bull. EC 5-1990, point 1.5.2

Signed by the President of Parliament on 7 June. This closes the procedure for the revision of the financial perspective by the two arms of the budgetary authority.

Budgetary procedure

Draft supplementary and amending budget No 2 for 1990

1.6.4. Resolution on draft supplementary and amending budget No 2 for the 1990 financial year.

- **References:**
 - Decision 70/243/EEC on the replacement of financial contributions from Member States by the Communities' own resources: OJ L 94, 28.4.1970
 - General budget of the European Communities for the financial year 1990: OJ L 24, 29.1.1990; Bull. EC 12-1989, points 2.5.1
 - Supplementary and amending budget No 1 for the 1990 financial year: OJ L 62, 12.3.1990; Bull. EC 1/2-1990, point 1.4.2

Council decision on the revision of the financial perspective: Bull. EC 5-1990, point 1.5.2

Draft supplementary and amending budget adopted by the Council: Bull. EC 5-1990, point 1.5.3

Adopted by Parliament on 13 June. Parliament considered that the draft supplementary and amending budget should reflect the decision on own resources and in particular Article 2(4) concerning the application of a uniform rate of VAT. It took the view that the draft budget should take account of the newly agreed revision of the financial perspective and its provision for additional resources for the countries of Central and Eastern Europe.

OJ C 175, 16.7.1990

1.6.5. Letter of amendment No 1 to draft supplementary and amending budget No 2 for 1990.

• **References:**

Draft supplementary and amending budget No 2 (→ point 1.6.4)

Letter of amendment adopted by Commission: Bull. EC 5-1990, point 1.5.4

Adopted by the Council on 11 June. Purpose: to increase the Commission's administrative appropriations by ECU 15 million and the appropriations for the Court of Auditors by ECU 340 800 and adjust the final balance for 1989 to ECU 5 080 million.

1.6.6. Letter of amendment No 2 to preliminary draft supplementary and amending budget No 2 for 1990.

- **Reference:** Draft supplementary and amending budget No 2 (→ point 1.6.4)

Adopted by the Commission on 4 June.

Adopted by the Council on 11 June. Purpose: to increase the amount of aid for the economic restructuring of the countries of Central and Eastern Europe by ECU 200 million in commitment appropriations and ECU 50 million in payment appropriations.

ECSC operating budget

1.6.7. Commission communication on the financial statements of the European Coal and Steel Community for 1989.

• **References:**

ECSC operating budget for the financial year 1989 attached to Commission Decision No 4031/88/EEC fixing the rate of the levies for the 1989 financial year and amending Decision No 3-52 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty: OJ L 355, 23.12.1988; Bull. EC 12-1988, point 2.3.10

Amending operating budget for 1989: OJ C 154, 22.6.1989, Bull. EC 6-1989, point 2.5.2

Adopted by the Commission on 22 June. Purpose: to approve the ECSC financial statements for 1989 and the corresponding explanatory notes and to approve implementation of the ECSC operating budget for 1989.

Financial operations

1.6.8. Special report No 3/90 on ECSC, Euratom and NCI loans and borrowings of the Communities together with the Commission's replies (→ point 1.8.27).

ECSC

Loans raised

1.6.9. In June, acting for the ECSC, the Commission made a number of private placings in French francs for the equivalent of ECU 14 million.

Loans paid out

1.6.10. The Commission did not pay out any loans under Articles 54 and 56 of the ECSC Treaty in June.

Measures to combat fraud

Results

1.6.11. Commission Regulation (EEC) No 1863/90 laying down detailed rules for the application of Council Regulation

(EEC) No 4045/89 on scrutiny by Member States of transactions forming part of the system of financing by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund and repealing Directive 77/435/EEC.

- **Basic Regulation:** Council Regulation (EEC) No 4045/89: OJ L 388, 30.12.1989; Bull. EC 12-1989, point 2.1.109

Adopted by the Commission on 29 June.
Purpose: to lay down detailed rules for applying the basic Regulation as regards the Community contribution towards the expenditure incurred by Member States in engaging extra staff, the cost of training staff and the cost of office equipment.

OJ L 175, 3.7.1990

European Investment Bank

1.6.12. The task of the European Investment Bank is to contribute to the balanced development of the Community along the lines laid down in Article 130 of the EEC Treaty and confirmed by the Single European Act. The investments financed by the EIB should help to attain one or more of the following objectives: the economic development of disadvantaged regions, the improvement of transport and telecommunications infrastructures that will benefit the Community, the protection of the environment and the quality of life, urban development, the implementation of Community energy policy, enhancement of the international competitiveness of industry and the integration of industry within Europe, and support for small businesses.

Outside the Community the EIB operates under the Community's cooperation and development policy in 12 Mediterranean countries and in 66 African, Caribbean and Pacific countries, signatories of the third Lomé Convention.

Operations in June

1.6.13. In June the Bank lent ECU 1 278 million, of which ECU 1 235.7 million went

to projects in the Community. In Denmark ECU 12.8 million was provided, in France 109.1 million, in Greece 22.8 million, in Italy 618.3 million, in Portugal 179.2 million and in the United Kingdom 210.6 million. ECU 82.9 million was lent for a project of Community interest which, though not on the territory of a Member State, was treated as an operation inside the Community. Outside the Community the EIB lent ECU 42.6 million.

Community

Denmark

1.6.14. The DKR 100 million lent in Denmark went to the modernization of a waste incineration factory south of Copenhagen and its transformation into a combined heating and electric power plant.

Greece

1.6.15. The DR 4.5 billion lent in Greece went to finance the construction of a water supply network, disposal of waste water and sewage treatment plants in several towns. These investments should help to reduce pollution in the Mediterranean Sea.

France

1.6.16. In France the EIB provided global loans totalling FF 750 million to finance small and medium-scale investments by small firms in industry, tourism and related services. This includes FF 50 million for the overseas department of Réunion.

Italy

1.6.17. In Italy LIT 401.4 billion was provided for global loans to finance small and medium-scale investments in industry and to promote advanced technology, protection of the environment and energy savings.

LIT 210 billion was to develop a natural gas distribution network in the Lazio, Marche,

Tuscany and Umbria regions and to enlarge a power station in Sardinia.

LIT 200 billion was for the extension of a paper mill in Friuli-Venezia Giulia, the application of advanced technologies in two motor vehicle tyre factories near Milan and Turin, and plants for the manufacture of hydraulic presses for thermoplastic products in Turin province.

In the field of environmental protection, the EIB lent LIT 51 billion for the collection and processing of waste water in Venezia and in Basilicata, for combating erosion, also in Basilicata, and for protection against landslides and floods in the Misa valley in the Marche region.

LIT 68 billion was lent for transport projects: motorway improvements between Rome and Naples, the construction of a container terminal at La Spezia, and the modernization of an airport near Bologna.

Portugal

1.6.18. The EIB provided ESC 10 billion towards the expansion and modernization of the Lisbon and Oporto telecommunications system with the installation of digital telephone lines, ESC 17.5 billion for electric power lines and ESC 4.9 billion for setting up and operating a paper mill in the centre of the country.

United Kingdom

1.6.19. UKL 70 million was lent in the United Kingdom to upgrade the quality of water supplies in the north-east and east of

England. A global loan of UKL 75 million was made to finance small businesses, and UKL 9.7 million was to assist the construction of plants for the production of special plastic packaging for the food industry and the manufacture of steel wire in Wales.

An ECU 82.9 million loan was made for the supply and installation of an optical-fibre telecommunications cable linking the Community via the United Kingdom and Ireland with the United States and the Caribbean, a project extending beyond Community territory but treated as an operation inside the Community because of the benefit that will accrue from it.

Outside the Community

Mediterranean

1.6.20. Under the third EEC-Algeria Financial Protocol (1988-91), ECU 40 million was lent to Algeria for the construction of a section of the new east-west motorway in the north of the country.

ACP countries

1.6.21. ECU 2 million was lent for the modernization of a textile mill in Madagascar, and ECU 600 000 for the construction of an oil mill and a soap works in Guinea. These two loans were made from risk capital resources under the Third Lomé Convention managed by the EIB.

7. Statistics

Guidelines

Law on statistical matters

1.7.1. Council Regulation (Euratom, EEC) No 1588/90 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities

- **Commission proposal:** OJ C 86, 7.4.1989; COM(89) 3; Bull. EC 3-1989, point 2.6.1
- **Opinion of the European Parliament:** O C 291, 20.11.1989; Bull. EC 10-1989, point 2.6.1

Adopted by the Council on 11 June.

OJ L 151, 15.6.1990

1.7.2. 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; Bull. EC 1/2-1990, point 1.5.1
- **Opinion of the Economic and Social Committee:** Bull. EC 5-1990, point 1.6.1

Opinion of the European Parliament after first reading on 13 June. Favourable.

OJ C 175, 16.7.1990

Adoption of a joint position by the Council on 20 June.

1.7.3. 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
- **Commission proposal:** OJ C 135, 2.6.1990; COM(90) 192; Bull. EC 5-1990, point 1.6.2

Opinion of the European Parliament on 15 June. Favourable.

OJ C 175, 16.7.1990

Data

1.7.4. The Community population in 1989: immigration substantially exceeds emigration.

In 1989, the population of the Community went up by 1.8 million, with a net migratory inflow accounting for 1.2 million of this increase. Accordingly, Eurostat estimates the Community population at 327 million as at 1 January 1990. However, the national trends show considerable differences among the 12 Member States, particularly as regards population movement. Net migration, (immigrants minus emigrants) differed widely from one Member State to another in 1989. The recent upheavals in Eastern Europe resulted in an estimated net inflow of about one million people into the Federal Republic of Germany. This is Germany's highest net migration since the creation of the European Community.

Luxembourg too has a high rate of immigration as a result of its attractive labour market. In Ireland, on the other hand, the flow of emigration continues, resulting in a population loss of 22 000 in 1989. Like net migration, the rates of natural increase (births minus deaths) show substantial differences between Community countries, due to the combined effects of widely differing fertility rates and age structures.

Because of a population structure which is still young and a fertility rate close to the level of generation replacement, Ireland still has the highest rate of natural growth of all Community countries. The other Member States, which already have a low to very low fertility rate and an ageing population structure, have lower rates of natural increase.

Immigration accounted for a much greater part of the substantial population increase in the Federal Republic of Germany and Luxembourg than did natural increase. In the Netherlands and France, on the other hand, the predominant factor in population growth is natural increase.

As a result of all these differences in the various countries, the total population of the Community went up by 1.758 million, of which two-thirds was accounted for by migration. This exceptional situation is largely attributable to the Federal Republic of

Table 4 — *Movement of population change — EUR 12*¹

Country	Population ² 1.1.1990 (1 000)	Births (1 000)	Deaths (1 000)	Natural increase (1 000)	Net migration (1 000)	Total increase (1 000)	Rates (per 1 000 population)				
							Birth	Mortality	Natural increase	Net migration	Total increase
B	9 947.8	121.1	107.6	13.5	7.0	20.5	12.2	10.8	1.4	0.7	2.1
DK	5 135.4	61.5	59.4	2.0	3.4	5.5	12.0	11.6	0.4	0.7	1.1
D	62 700.0	677.0	693.0	-16.0	1 000.0	984.0	10.9	11.2	-0.3	16.1	15.8
GR	10 046.0	101.0	92.0	9.0	17.0	26.0	10.1	9.2	0.9	1.7	2.6
E	38 924.5	410.1	323.9	86.1	-13.6 ³	72.5	10.5	8.3	2.2	-0.3 ³	1.9
F	56 304.0	764.4	527.4	237.0	50.0	287.0	13.6	9.4	4.2	0.9	5.1
IRL	3 498.8	51.4	31.1	20.4	-42.5	-22.1	14.6	8.8	5.8	-12.1	-6.3
I	57 576.4	555.7	526.0	29.7	36.0	65.8	9.7	9.1	0.5	0.6	1.1
L	378.4	4.7	4.0	0.7	2.8	3.5	12.4	10.6	1.8	7.4	9.2
NL	14 891.9	189.0	128.9	60.1	38.9	99.0	12.7	8.7	4.0	2.6	6.7
P	10 335.2	118.6	96.2	22.3	10.0	32.3	11.5	9.3	2.2	1.0	9.1
UK	57 326.6	777.3	657.7	119.5	64.0	183.5	13.6	11.5	2.1	1.1	3.2
EUR 12 ³	327 065.0	3 831.7	3 247.2	584.4	1 173.0	1 757.5	11.8	10.0	1.8	3.6	5.4

¹ Provisional.² Resident population for Italy; including administrative provisions for the Netherlands (-12.4% for 1989).³ Eurostat estimate.

Germany, which alone absorbed 85% of net migration in the Community.

Information

Publications

1.7.5. Raw materials — EC balance sheets 1983-86.

Document published in June. Available from the sales offices for publications of the European Communities.

1.7.6. Formation and distribution of productivity gains in the European agricultural sector between 1967 and 1987.

Document published in June. Available from the sales offices for publications of the European Communities.

8. Community institutions

Parliament

Strasbourg: 11 to 15 June

Highlights

1.8.1. There was again a very heavy legislative agenda at this part-session (7 and 3 opinions respectively at first and second reading under the cooperation procedure and 15 opinions by way of consultation), mainly in connection with the common agricultural policy, transport and regional policy. The part-session was also distinguished by the visit of Mr Nelson Mandela, Deputy President of the African National Congress and winner in 1988 of the Sakharov Prize for freedom of thought, who addressed the House at a formal sitting. Underlining the efforts that the ANC and the South African authorities, especially President de Klerk, were making in order to achieve a peaceful solution to the country's problems, Mr Mandela thanked the Community for its support, hoped that it would continue and particularly asked for sanctions to be maintained, which, he said, had proved effective. This was endorsed by Parliament in a resolution which appealed to the Euro-

pean Council, when it met in Dublin, not to relax the measures currently being applied (→ point 1.4.72).

In his statement on Ireland's term as Council President, Mr Gerard Collins, the Irish Foreign Minister, called to mind three major elements in the advance of Community integration since January, namely the demonstration by the Community of its capacity to respond constructively to external developments of the most profound importance, the preparation of a significant new phase representing a qualitative leap forward in European integration and continued progress in giving effect to the Single European Act. The debate which followed saw many speakers express Parliament's institutional concerns and led to the adoption of a resolution setting out institutional guidelines for the next meeting of the European Council (→ point 1.1.3).

The external relations debate focused on the Community's links with the countries of the European Free Trade Association: three resolutions were adopted, one of which specifically concerned negotiations on air transport (→ points 1.3.245 and 1.4.9). Speaking for the Commission during the debate, in which the various political groups voiced their differences and reser-

vations, Mr Andriessen defended the view that the negotiations for the creation of a European economic space could go hand in hand with the strengthening of the Community's cohesion. He also confirmed that the Commission was firmly resolved to respect all of Parliament's prerogatives in the course of this process, and to see that the House was kept regularly informed during the negotiations.

Parliament took a hard look at the human rights situation in China (→ point 1.4.80), in the territories occupied by Israel (→ point 1.4.75) and in various African ACP countries (→ points 1.4.73 and 1.4.74), while recent developments in Romania were the subject of a brief debate. Respect for human rights was also mentioned when the House adopted resolutions on racism and xenophobia (→ point 1.3.266) and on the signing of the agreement to give effect to the Schengen Agreement (→ point 1.3.268).

Finally, Mr Schmidhuber presented the Commission's preliminary draft budget for 1991 and the House gave a first reading to supplementary and amending budget No 2 for 1990 (→ point 1.6.4).

Report of proceedings: OJ Annex No 391

Opinions, decisions and resolutions

1.8.2. Parliament adopted opinions (first reading) on Commission proposals concerning:

an amendment to Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery (→ point 1.3.21);

a second Directive on the coordination of laws, regulations and administrative provisions relating to direct life assurance, laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 79/267/EEC (→ point 1.3.29);

a decision adopting a specific programme concerning the preparation of the develop-

ment of an operational Eurotra system (→ point 1.3.98);

a decision adopting a specific research and technological development programme in the field of transport (Euret) 1990-93 (→ point 1.3.99);

a Directive on the right of residence for students (→ point 1.3.261);

a Directive on the right of residence for employees and self-employed persons who have ceased their occupational activity (→ point 1.3.261);

a Regulation on the statistical classification of economic activities in the Communities (→ point 1.7.2).

1.8.3. Parliament adopted decisions (second reading) on the Council's common position on proposals concerning:

a Directive concerning the approximation of the laws of the Member States relating to appliances burning gaseous fuels (→ point 1.3.22);

a Directive on nutrition labelling for food-stuffs (→ point 1.3.23);

a Directive on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (→ point 1.3.28).

1.8.4. Parliament adopted opinions on Commission proposals concerning:

an amendment to Directive 69/335/EEC concerning indirect taxes on the raising of capital (→ point 1.3.31);

an amendment to 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 1.3.35);

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 1.3.35);

an amendment to Decision 89/45/EEC on a Community system for the rapid exchange of information on dangers arising from the

use of consumer products (→ point 1.3.129);

an amendment to Regulation (EEC) No 797/85 on improving the efficiency of agricultural structures (→ point 1.3.138);

a Regulation laying down, in respect of hops, the amount of aid to producers for the 1989 harvest (→ point 1.3.189);

an amendment to Directive 66/403/EEC on the marketing of seed potatoes (→ point 1.3.207);

a Regulation for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market in 1992 (→ point 1.3.244);

a Directive on the minimum requirements for vessels entering or leaving Community ports carrying packages of dangerous or polluting goods (→ point 1.3.248);

a Directive on the right of residence (→ point 1.3.261);

a Directive on the driving licence (→ point 1.3.267);

a Decision setting general guidelines for 1990 for financial and technical assistance to Latin American and Asian developing countries (→ point 1.4.20);

amendments to 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 1.4.43);

an amendment to Decision 85/360/EEC on the restructuring of the system of agricultural surveys in Greece.

1.8.5. Parliament adopted resolutions on: the institutional guidelines for the second Dublin Summit (→ point 1.1.3);

the role of European political cooperation in security policy and security policy cooperation in Europe (→ point 1.1.4);

migrant workers from third countries (→ point 1.3.76);

a Community initiative in favour of border areas (Interreg programme) (→ point 1.3.85);

a Community initiative to assist the more remote regions of the Community (Regis) (→ point 1.3.86);

a Community initiative concerning regional capacities for research, technology and innovation (Stride) (→ point 1.3.88);

the seat of the European Environment Agency (→ point 1.3.115);

Bovine spongiform encephalopathy (BSE) (→ point 1.3.144);

the opening of negotiations between the EEC and the EFTA countries concerning scheduled air passenger services (→ point 1.3.245);

racism and xenophobia (→ point 1.3.266);

the Schengen Agreement, the Convention on the right of asylum and the status of refugees as defined by the *ad hoc* Group on Immigration (→ point 1.3.268);

the deliberations of the Committee on Petitions during the 1989-90 parliamentary year, with indications as regards future procedure for handling petitions (→ point 1.3.269);

economic and trade relations between the Community and the EFTA countries (→ point 1.4.9);

the Community's future political relations with the EFTA countries (→ point 1.4.9);

South Africa (→ point 1.4.72);

the consequences of the grave violation of human rights in Sudan (→ point 1.4.73);

the bloody conflicts in various countries in central Africa (→ point 1.4.74);

Israel and the situation in the Occupied Territories (→ point 1.4.75);

the kidnapping and imprisonment of Mr Mordechai Vanunu (→ point 1.4.76);

the disturbances in Kashmir and Pakistan (→ point 1.4.77);

human rights and support for democracy in Haiti (→ point 1.4.78);

the assassination of Ignacio Ellacuria and five other Jesuits in El Salvador and the assassination of Hector Oqueli and Gilda Flores (→ point 1.4.79);

relations between the Community and China (→ point 1.4.80).

1.8.6. Acting under its powers on budgetary matters, Parliament adopted a resolution on the draft supplementary and amending budget No 2 for the 1990 financial year (→ point 1.6.4).

Texts of opinions and resolutions:
OJ C 175, 16.7.1990

Council

Special Council meeting

1.8.7. Agriculture (Brussels, 6 and 7 June).

President: Mr O'Kennedy, Irish Minister for Agriculture and Food.

Commission: Mr Mac Sharry.

Intra-Community trade in beef: conclusions adopted (→ point 1.3.142).

1410th meeting

1.8.8. Environment (Luxembourg, 7 June).

- Previous meeting: Bull. EC 3-1990, point 1.6.12

President: Mr Flynn, Irish Minister for the Environment.

Commission: Mr Ripa di Meana.

Main items

Water pollution by certain dangerous substances: substantive agreement reached (→ point 1.3.116).

Dangerous batteries and accumulators: substantive agreement reached (→ point 1.3.119).

Protection of the ozone layer: negotiating brief approved (→ point 1.3.120).

Strengthening of Directive 75/422/EEC on waste: policy agreement reached (→ point 1.3.124).

Freedom of access to information on the environment: Directive formally adopted (→ point 1.3.125).

Other business

Control of water quality: discussion.

Greenhouse effect: conclusions adopted.

Pollution by nitrates: proposal for a Directive examined.

Municipal waste water: progress report.

Protection of habitats: exchange of views.

Pollution by motor vehicles: progress report.

German unification: briefing by the German delegation.

1411th meeting

1.8.9. Economic and Financial Affairs (Luxembourg, 11 June).

- Previous meeting: Bull. EC 4-1990, point 1.6.9

President: Mr Reynolds, Irish Minister for Finance.

Commission: Mr Delors, Sir Leon Brittan, Mr Christophersen, Mrs Scrivener.

Main items

Economic and monetary union: discussion continued (→ point 1.3.2).

Multilateral surveillance: first exercise conducted (→ point 1.3.3).

Direct taxation of companies in different Member States: policy agreement reached (→ points 1.3.131 to 1.3.134).

Other business

Abolition of fiscal frontiers: briefing by the Commission.

Investment services in the securities field: general discussion.

Court of Auditors' report on export refunds: conclusions reached.

1412th meeting

1.8.10. Consumer Affairs (Luxembourg, 13 June).

- **Previous meeting:** Bull. EC 11-1989, point 2.7.12

President: Mr O'Malley, Irish Minister for Industry and Commerce.

Commission: Mr Van Miert.

Main items

Package travel: Directive adopted (→ point 1.3.127).

Rapid exchange of information: favourable reception (→ point 1.3.129).

Other business

General product safety: discussion.

Community system of information on accidents in the home and during leisure activities (Ehlass): favourable reception.

Three-year action plan: exchange of views.

1413th meeting

1.8.11. General Affairs (Luxembourg, 18 and 19 June).

- **Previous meeting:** Bull. EC 5-1990, point 1.7.8

President: Mr Collins, Irish Minister for Foreign Affairs.

Commission: Mr Delors, Mr Andriessen, Mr Marín and Mr Matutes.

Main items

European Council on 25 and 26 June: preparation (→ point 1.1.2).

Relations with EFTA — establishment of a European economic area: negotiating brief adopted (→ point 1.4.6).

Relations with the countries of Central and Eastern Europe (Romania): signing of agreement suspended (→ point 1.4.5).

Fourth ACP-EEC Convention: internal agreement on the financing and administration of Community aid: policy agreement reached (→ point 1.4.32).

Uruguay Round: conclusions adopted (→ point 1.4.67).

Other business

Relations with the countries of Central and Eastern Europe: briefing by the Commission.

Preparation for the forthcoming Western Economic Summit: briefing by the Commission and exchange of views.

South Africa — redirection of positive measures: briefing by the Commission and discussion.

Voting rights for Community nationals in local elections in the Member State of residence: progress reviewed.

Redirecting the Community's Mediterranean policy: briefing by the Commission and exchange of views.

Relations with Yugoslavia: briefing by the Commission and exchange of views.

Relations with Turkey: briefing by the Commission.

Community measures to aid Palestinians in the Occupied Territories: briefing by the Commission.

1414th meeting

1.8.12. Transport (Luxembourg, 18 and 19 June).

- **Previous meeting:** Bull. EC 3-1990, point 1.6.14

President: Mr Brennan, Irish Minister for Tourism and Transport; Mr Wilson, Irish Minister for the Navy.

Commission: Sir Leon Brittan, Mr Van Miert.

Main items

Accidents causing marine pollution: resolution adopted (→ point 1.3.117).

Development of civil aviation: substantive agreement reached on three regulations (→ points 1.3.239 to 1.3.242).

Transport infrastructure: policy agreement reached (→ point 1.3.244).

Negotiations with EFTA — air transport: negotiating brief adopted (→ point 1.3.245).

Hired vehicles without drivers: substantive agreement reached (→ point 1.3.246).

Passenger ferry safety: resolution adopted (→ point 1.3.249).

Other business

Air cargo: general discussion.

Predatory fares and other anti-competitive practices: general discussion.

Carriage of goods by road — measures to be taken in the event of a crisis: exchange of views.

1991-92 Community quota: exchange of views.

EEC/third countries of transit: Commission report.

Road trains: further examination of a proposal for a Directive.

Tax harmonization: detailed discussion.

Road safety: discussion.

Maritime cabotage: general discussion.

Rules of competition applicable to consortia: briefing by the Commission.

Transfer of ships from one register to another within the Community: proposal for a Regulation presented by the Commission.

Implementation of the 1986 Regulations: verbal report by the Commission.

1415th meeting

1.8.13. Internal Market (Luxembourg, 20 June).

- **Previous meeting:** Bull. EC 5-1990, point 1.7.9

President: Mr O'Malley, Irish Minister for Industry and Commerce.

Commission: Mr Bangemann, Sir Leon Brittan, Mrs Scrivener.

Main items

Community transit: common position adopted (→ point 1.3.7).

Life insurance — second Directive: common position agreed (→ point 1.3.29).

Motor vehicle civil liability insurance: common position adopted (→ point 1.3.30).

Concerted competition practices in the insurance sector — application of Article 85(3): agreement reached in principle (→ point 1.3.36).

Annual accounts and consolidated accounts: substantive agreement reached on the adoption of common positions on two proposals for Directives (→ points 1.3.135 and 1.3.136).

Right of residence: policy agreement reached (→ points 1.3.261 to 1.3.264).

Other business

Annual accounts and consolidated accounts of insurance undertakings: progress report.

Major Europe-wide networks: verbal report by the Commission.

Legal protection of biotechnological inventions: progress report.

Recognition of vocational education and training: progress report.

Food and food ingredients treated with ionizing radiation: exchange of views.

German unification: briefing by the German delegation.

1416th meeting

1.8.14. Agriculture (Luxembourg, 25 and 26 June).

- Previous meeting: Bull. EC 5-1990, point 1.7.13.

President: Mr O'Kennedy, Irish Minister for Agriculture and Food.

Commission: Mr Mac Sharry.

Main items

Veterinary medicinal products — approximation of laws: common positions adopted (→ point 1.3.24 and 1.3.25).

Veterinary medicinal products — tolerances for residues: Regulation adopted (→ point 1.3.26).

Use of agricultural commodities in the non-food sector: policy agreement reached (→ point 1.3.138).

Control of foot-and-mouth disease: Directive adopted (→ point 1.3.139).

Veterinary and zootechnical checks in intra-Community trade in live animals: Regulation adopted (→ point 1.3.140).

Expenditure in the veterinary field: decision adopted (→ point 1.3.141).

Semen of domestic animals of the porcine species: Directive adopted (→ point 1.3.195).

Enzootic bovine leucosis: Directive adopted (→ point 1.3.196).

Intra-Community trade in equidae intended for participation in competitions: Regulation adopted (→ point 1.3.197).

Other business

Organic production methods: exchange of views.

Report on inter-German developments in the field of agricultural policy: statement by the Commission and the German delegation and exchange of views.

Multilateral trade negotiations in the GATT framework (agricultural aspects):

briefing by the Commission; Community position confirmed.

Dried grapes (Greece): policy agreement reached.

Protection of pigs and calves kept in intensive farming systems: exchange of views.

Intra-Community trade in and imports of poultry and hatching eggs: exchange of views.

1417th meeting

1.8.15. Fisheries (Luxembourg, 27 June).

- Previous meeting: Bull. EC 12-1989, point 2.7.14

President: Mr Wilson, Irish Minister for the Navy.

Commission: Mr Marín.

Main items

Revision of certain TACs for 1990: Regulation adopted (→ point 1.3.223).

Additional quota for Greenland: Regulation adopted (→ point 1.3.230).

Other business

Data on landings of fishery products: discussion.

Dual guide price for herring: exchange of views.

Horse mackerel: measures for 1990 revised.

Technical conservation measures: exchange of views.

Relations with third countries and organizations: briefing.

German Democratic Republic: briefing by the German delegation.

1418th meeting

1.8.16. Telecommunications (Luxembourg, 28 June).

- Previous meeting: Bull. EC 12-1989, point 2.7.9

President: Mrs Geoghegan-Quinn, Irish Minister of State with special responsibility for EEC matters.

Commission: Mr Pandolfi.

Main items

Implementation of open network provision: Directive adopted (→ point 1.3.96).

Terminal equipment: substantive agreement reached on the adoption of a common position (→ point 1.3.102).

Integrated services digital network: conclusions adopted (→ point 1.3.103).

Cooperation in the postal sector: conclusions adopted (→ point 1.3.104).

Other business

European conference of postal and telecommunications administrations: discussion.

External policy *vis-à-vis* the countries of Eastern Europe: Commission communication examined.

Broadband integrated telecommunications: verbal report by the Commission.

Digital cordless telecommunications: progress report.

Uruguay Round: briefing by the Commission.

Trans-European networks: briefing by the Commission.

1419th meeting

1.8.17. Research (Luxembourg, 29 June).

- **Previous meeting:** Bull. EC 1/2-1990, point 1.6.17

President: Mr Smith, Irish Minister of State for Science and Technology.

Commission: Mr Pandolfi.

Main items

Cooperation in the field of scientific and technical research (COST) and Central and

Eastern European States: resolution adopted (→ point 1.3.95).

Human genome analysis — programme 1990-91: decision adopted (→ point 1.3.97).

Specific programme concerning the development of an operational Eurotra system: common position adopted (→ point 1.3.98).

Specific research and technological development programme in the field of transport (Euret) 1990-93: common position adopted (→ point 1.3.99).

Other business

Scientific and technological cooperation with third countries: briefing by the Commission and general discussion.

Implementation of the R&D framework programme (1990-94): work programme planned.

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1.8.18. The Ministers for Agriculture held an informal meeting at Dromoland Castle on 18 and 19 June.

Commission

Measures taken

1.8.19. In June the Commission adopted the following provisions:

Regulation (EEC) No 1795/90 concerning the methods of implementation of Council Regulation (EEC) No 1794/90 (→ point 1.2.4);

Decision 1796/90/ECSC on the suspension of customs duties and quantitative restrictions for products falling within the ECSC Treaty coming from the German Democratic Republic (→ point 1.2.5);

Decision 90/348/EEC extending and amending Decision 85/594/EEC authorizing Greece to take certain safeguard measures

under Article 108(3) of the EEC Treaty (→ point 1.3.32);

Financing decisions concerning structural measures in less developed regions (→ points 1.3.80 to 1.3.82) and in declining industrial regions (→ points 1.3.83 and 1.3.84);

Decision 90/340/EEC concerning the areas referred to in Article 3(2) of Council Regulation (EEC) No 2506/88: Fife (Scotland) and Gibraltar (→ point 1.3.88);

Financing decisions concerning the Netherlands in respect of the areas referred to in Article 3(2) of Regulation (EEC) No 2506/88: Amsterdam-North and Rhine Delta (→ point 1.3.89);

Decision on the provision of the first instalment of assistance from the EAGGF Guidance Section for 1990 under the integrated Mediterranean programmes (IMPs) — France and Italy (→ point 1.3.91);

Decision 90/349/EEC allocating import quotas in respect of substances governed by the Montreal Protocol (→ point 1.3.122);

recommendations on the reduction of chlorofluorocarbons used in the foam plastics and refrigeration industries in the Community (→ point 1.3.123);

Decision on detailed procedures for the application of the Council Decision concerning a Community system for the rapid exchange of information on the dangers arising from the use of consumer products (→ point 1.3.128);

forward programme for steel for the third quarter of 1990 (→ point 1.3.137);

Community support frameworks (CSFs): Objective 5b — Rural development (→ point 1.3.145);

Decisions 90/336/EEC and 90/337/EEC adopting a specific measure granting Community financial assistance towards the provision of data-processing facilities for establishing a register of fishing vessels in Greece and in Ireland (→ point 1.3.231);

Decisions 90/368/EEC to 90/372/EEC concerning the specific programme on the provision of facilities for fishing ports pursuant

to Council Regulation (EEC) No 4028/86 (→ point 1.3.232);

Decision on the conclusion of an Agreement in the form of an exchange of letters on the standstill declaration between the EEC and the member countries of the Charter of the Cooperation Council for the Arab States of the Gulf (→ point 1.4.18);

Decision to grant financial support to Colombia (→ point 1.4.27);

Decision concerning an exchange of letters between the Community and the Latin American Economic System (SELA) (→ point 1.4.31);

Regulation (EEC) No 1863/90 laying down detailed rules for the application of Council Regulation (EEC) No 4045/89 on scrutiny by Member States of transactions forming part of the system of financing the EAGGF-Guarantee Section and repealing Directive 77/435/EEC (→ point 1.6.11).

Measures proposed

1.8.20. Proposals to be adopted under the cooperation procedure.

Re-examined proposal for a Directive on the approximation of the laws of the Member States relating to active implantable electromedical devices (→ point 1.3.16).

Re-examined proposal for a Directive on the approximation of the laws of the Member States relating to non-automatic weighing instruments (→ point 1.3.17).

Amended proposal for a Directive amending Directive 84/529/EEC on the approximation of the laws of the Member States relating to electrically-operated lifts (→ point 1.3.18).

Re-examined proposal for a Directive on the approximation of the laws of the Member States relating to appliances burning gaseous fuels (→ point 1.3.22).

Amended proposal for a second Directive on the coordination of laws, regulations and administrative provisions relating to direct life assurance, laying down provisions to facilitate the effective exercise of freedom

to provide services and amending Directive 79/267/EEC (→ point 1.3.29).

Amended proposal for a Directive amending, particularly as regards motor vehicle liability insurance, the first Council Directive 73/239/EEC and the second Council Directive 88/357/EEC on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 73/239/EEC (→ point 1.3.30).

Directive on the approximation of the laws of the Member States relating to certain employment relationships with regard to distortions of competition (→ point 1.3.72).

Directive supplementing the introduction of measures to encourage improvements in the safety and health of temporary workers (→ point 1.3.73).

Directive on the minimum health and safety requirements for improved medical treatment on board vessels (→ point 1.3.74).

Re-examined proposal for a Directive on the establishment of the internal market for telecommunications services through the implementation of open network provision (→ point 1.3.96).

Re-examined proposal for a Decision adopting a specific research and technological development programme in the field of health: human genome analysis (1990-91) (→ point 1.3.97).

Amended proposal for a Directive on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity (→ point 1.3.102).

Decision on the conclusion of a cooperation agreement between the European Economic Community and the Republic of Iceland on a programme plan to stimulate the international cooperation and interchange necessary for European research scientists (Science) (→ point 1.3.110).

Amended proposal for a Directive on general product safety (→ point 1.3.131).

1.8.21. Other proposals and recommendations.

Regulation on transitional measures with regard to trade with the German Democratic Republic (→ point 1.2.3).

Regulation on transitional measures concerning trade with the German Democratic Republic in the agriculture and fisheries sector (→ point 1.2.6).

Decision amending Decision 77/270/Euratom empowering the Commission to issue Euratom loans for the purpose of contributing to the financing of nuclear power stations in the German Democratic Republic (→ point 1.2.8).

Decision on the procedure concerning derogations from the rules of origin set out in Protocol No 1 to the ACP-EEC Convention (→ point 1.3.12).

Proposal for a Regulation derogating from the definition of 'originating products' to take account of the special situation of Saint-Pierre and Miquelon with regard to certain fisheries products (→ point 1.3.13).

Amended 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 (→ point 1.3.33).

Regulation on the application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices between shipping companies (→ point 1.3.34).

Council Directive on the approximation of the laws of the Member States relating to certain categories of agreements, decisions and concerted practices between shipping companies (→ point 1.3.34).

Council Directive on the approximation of the laws of the Member States relating to certain employment relationships with regard to working conditions (→ point 1.3.71).

Decision on the negotiating brief for the drawing up of an international convention on preparations and action to combat hydrocarbon pollution (→ point 1.3.118).

Decision on the setting up of a model scheme for information on rural development initiatives and agricultural markets (Miriam) (→ point 1.3.146).

Directive amending the annex to Directive 79/117/EEC prohibiting the placing on the market and use of plant protection products containing certain active substances (→ point 1.3.206).

Regulation amending for the second time Regulation (EEC) No 4047/89 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1990 and certain conditions under which they may be fished (→ point 1.3.223).

Decision on the conclusion of an Agreement in the form of an exchange of letters concerning the temporary extension from 1 to 30 April 1990 of the Protocol to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal (→ point 1.3.227).

Regulation on the conclusion of the Agreement between the European Economic Community and the United Republic of Tanzania on fishing off Tanzania (→ point 1.3.228).

Regulation amending Regulation (EEC) No 4054/89 allocating, for 1990, Community catch quotas in Greenland waters (→ point 1.3.230).

Amended proposal for a Regulation on fares for scheduled air services (→ point 1.3.240).

Amended proposal for a Regulation on access for air carriers to scheduled intra-Community air service routes and on the sharing of passenger capacity between carriers on scheduled air services between Member States (→ point 1.3.241).

Regulation on the transfer of ships from one register to another within the Community (→ point 1.3.243).

Amended proposal for a Directive concerning a Community procedure on the transparency of gas and electricity prices charged to the industrial end-user (→ point 1.3.253).

Amended proposal for a Regulation amending Regulation (EEC) No 1056/72 on notifying the Commission on investment projects of interest to the Community in the petroleum, natural gas and electricity sectors (→ point 1.3.254).

Decision on the conclusion of the Fourth Financial Protocol with Turkey (→ point 1.4.15).

Decision on the conclusion of a Protocol renewing the Cooperation Agreement between the European Economic Community and Thailand on manioc production, marketing and trade (→ point 1.4.22).

Regulation extending to Bolivia, Colombia and Peru the generalized tariff preferences applied to certain products originating in the least developed countries and amending Regulations (EEC) Nos 3896/89, 3897/89 and 3898/89 of 18 December 1989 (→ point 1.4.24).

Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, extending to Bolivia, Colombia and Peru the generalized tariff preferences applied to certain products originating in the least developed countries and amending Decision 89/645/ECSC of 18 December 1989 (→ point 1.4.25).

Resolution concerning the coordination of bilateral aid from the Member States and from the Community under Colombia's special cooperation plan (→ point 1.4.26).

Financial Regulation applicable to development financing cooperation under the fourth Lomé Convention (→ point 1.4.33).

Decision concerning the provisional application of an agreed minute amending the Agreement between the European Economic Community and the Republic of Hungary on trade in textile products (→ point 1.4.63).

Decision concerning the conclusion of the Protocol for the accession of Tunisia to the GATT (→ point 1.4.70).

Decision authorizing the Commission to open tariff negotiations under Article XXVIII of the GATT (→ point 1.4.71).

Preliminary draft budget for 1991 (→ point 1.6.1).

Communications and reports

1.8.22. In June the Commission adopted the following for transmission to the institutions concerned:

communication on the Community and German unification: implications of the Staatsvertrag (→ point 1.2.2);

thirteenth six-monthly report on the rate of utilization of the NCI tranches (→ point 1.3.5);

communication concerning the Convention on temporary admission of the Customs Cooperation Council (CCC) (→ point 1.3.14);

report on the possibility of a block exemption for consortia agreements in the field of maritime transport (→ point 1.3.34);

communication concerning atypical work (→ point 1.3.70);

interim report on the implementation of Council Decision 85/368/EEC of 16 July 1985 on the comparability of vocational training qualifications between the Member States of the European Communities (→ point 1.3.78);

communication on cooperation in science and technology with third countries (→ point 1.3.92);

communication on scientific and technological cooperation with the countries of Central and Eastern Europe (→ point 1.3.93);

communication on the Community's relations with the countries of Central and Eastern Europe — the role of telecommunications (→ point 1.3.94);

communication: Green Paper on the urban environment (→ point 1.3.113);

report on the progress made towards specific objectives and the implementation of structural measures in Portugal (→ point 1.3.147);

communication on negotiating directives for the extension of the Erasmus scheme to the EFTA countries (→ point 1.3.265);

communication on relations with Turkey (→ point 1.4.15);

communication on guidelines for cooperation with the developing countries of Latin America and Asia (→ point 1.4.19);

thirteenth report on the use of financial and technical aid to Latin American and Asian developing countries as at 31 December 1989 (→ point 1.4.21);

communication concerning the Community response to the special cooperation plan presented by Colombia (→ point 1.4.23);

communication on the reorientation of the special Community programme of positive measures to assist the victims of apartheid in South Africa (→ point 1.4.48);

communication concerning the second United Nations Conference on the Least Developed Countries (September 1990) (→ point 1.4.49);

communication to the Council on the outcome of the exploratory talks with the FAO Secretariat and negotiating directives aimed at enabling the Community to become a member of FAO (→ point 1.4.50);

seventh annual report on the Community's anti-dumping and anti-subsidy activities (→ point 1.4.52);

communication on the financial statements of the European Coal and Steel Community for 1989 (→ point 1.6.7).

Community lawcourts

New cases

1.8.23. The following cases came before the Court of Justice in June, either as refer-

ences for preliminary rulings or as actions brought direct.

Free movement of goods

Case C-176/90 *Publivia v Departamento de Sanidad y Seguridad Social, Generalitat de Cataluña*

Basis: Article 177 of the EEC Treaty

Interpretation of Articles 30 and 36 of the EEC Treaty.

1. Does a law of a Member State (or, in this case, of a parliament of an autonomous community of a Member State with powers, under domestic legislation, to legislate on particular matters) which prohibits, within the territory under its jurisdiction, the advertising of alcoholic beverages of a strength exceeding 23° in (a) the mass media; (b) streets and highways, with the exception of signs indicating centres of production and sale; (c) cinemas and (d) public transport facilities, constitute a measure having an effect equivalent to a quantitative restriction on imports within the meaning of Article 30 of the EEC Treaty?

2. If the answer is in the affirmative, must the first sentence of Article 36 of the EEC Treaty be interpreted as meaning that a Member State may lawfully impose a partial prohibition on the advertising of alcoholic beverages of a strength exceeding 23° for the protection of the health of humans in accordance with domestic law?

OJ C 166, 7.7.1990

Freedom of establishment

Case C-159/90 *The Society for the Protection of Unborn Children Ireland v Grogan and Others*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 60 of the EEC Treaty.

1. Does the organized activity or process of carrying out an abortion or the medical termination of pregnancy come within the definition of 'services' provided for in Article 60 of the EEC Treaty?

2. In the absence of any measures providing for the approximation of the laws of Member States concerning the organized activity or process of carrying out an abortion or the medical termination of pregnancy, can a Member State prohibit the distribution of specific information about the identity, location and means of communication with a specified clinic or clinics in another Member State where abortions are performed?

3. Is there a right at Community law in a person in Member State A to distribute specific information about the identity, location and means of communication with a specified clinic or clinics in Member State B where abortions are performed, where the provision of abortion is prohibited under both the Constitution and criminal law of Member State A but is lawful under certain conditions in Member State B?

OJ C 158, 28.6.1990

Competition

Case C-114/90 *Ministère Public v Saint-Laurent née Knaebel*

Basis: Article 177 of the EEC Treaty

Do Articles 85(1)(b) and (c) and 87 of the Treaty of Rome, and the regulations and directives adopted for their application, permit the free extension of a supermarket, or do they allow a restriction on freedom of competition such as the restriction created by French national legislation?

OJ C 129, 24.5.1990

Social policy

Case C-181/90 *Consorgan — Gesteo de Empresas v Commission*

Basis: Article 173 of the EEC Treaty

Annulment of the Commission's decision of 4 April 1990 that ineligible expenditure totalling ESC 62 834 699 on project No 871106/P1 should not be charged to the European Social Fund.

OJ C 169, 11.7.1990

Case C-189/90 *Cipeke — Comércio e Indústria de Papel v Commission*

Basis: Article 173 of the EEC Treaty

Annulment of the Commission's decision of 4 April 1990 that ineligible expenditure totalling ESC 11 104 748 on project No 871012/P1 should not be charged to the European Social Fund.

Agriculture

Case C-121/90 *Posthumus v Rinze and Anne Oosterwoud*

Basis: Article 177 of the EEC Treaty

Interpretation of Article 7, first paragraph, point (2) of Commission Regulation No 1546/88 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation No 804/68 and of Article 7(4) of Council Regulation No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation No 804/68 in the milk and milk products sector.

1. Must Article 7, first paragraph, point (2) of Commission Regulation No 1546/88, wherein it is provided *inter alia* that where one or several parts of a holding is leased (which must also be understood as meaning where such leasing is terminated) the corresponding reference quantity is to be distributed in proportion to the area used for milk production, be construed as meaning that if the Member State has not laid down any other objective criteria nor taken any measures under Article 7(4) of Council Regulation No 857/84, the dairy farmer who continues to farm his holding but loses the use of some parcels of land as a result of the termination of the lease must, possibly for a consideration, surrender part of the reference quantity in the same proportion which the area to be surrendered bears to the holding's total area, without account having to be taken of the farm buildings (cowsheds) which he owns or leases from a third party?

2. Must the objective criteria to be laid down by the Member States be understood as including criteria based on verifiable factual circumstances, such as the existence of buildings, land, labour, machines or such like?

OJ C 135, 2.6.1990

Case C-151/90 *The Queen v Fletcher, Pritchard and North Riding Lamb*

Basis: Article 177 of the EEC Treaty

1. Are paragraphs 1 and 2 of Article 4 of Commission Regulation No 1633/84 laying down detailed rules for applying the variable slaughter premium for sheep and repealing Regulation (EEC) No 2661/80 invalid in that they are *ultra vires* the power conferred on the Commission by Article 9 of Council Regulation No 1837/80 on the common organization of the market in sheepmeat and goatmeat, as amended by Council Regulation No 871/84?

2. If the answer to the first question is in the affirmative, what are the definitive or temporary effects of the invalid parts of the Regulation?

3. If the answer to the first question is in the affirmative, can the United Kingdom be said to be authorized or required under Community law

(i) to require the production of documentation in relation to export transactions subjected to charges under the abovementioned Article 4 of Regulation No 1633/84?

(ii) to prosecute for false statements in such documentation in a case such as the one at issue in the national proceedings in which the national enactment under which the prosecution is brought depends upon the existence of Community rights or obligations?

OJ C 146, 15.6.1990

Cases C-165/90 *Petersen*,
C-178/90 *Wendell*,
C-180/90 *Sierakowitz*
v the European Communities represented by the Council

Basis: Second paragraph of Article 215 of the EEC Treaty

Claim for damages on the grounds that Council Regulation No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation No 804/68 in the milk and milk products sector, as amended by Council Regulation No 764/

89, as supplemented by Commission 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, is invalid in so far as it does not provide for the allocation of a reference quantity to producers who, complying with a commitment made under Council Regulation No 1078/77 of 17 May 1977 introducing a system of premiums for the non-marketing of milk products and for the conversion of dairy herds, did not deliver any milk during the reference year chosen by the Member State concerned.

Cases C-166/90 *Petersen*,
C-171/90 *Tewordt*,
C-172/90 *Pauls*,
C-173/90 *Iben*,
C-174/90 *Prahl*,
C-175/90 *Schütt*,
C-187/90 *Orth & Orth*,
C-193/90 *Schmütz*
v (1) *the Council*, (2) *the Commission*

Basis: second paragraph of Article 215 of the EEC Treaty

Claim for damages on the grounds that Council Regulation No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation No 804/68 in the milk and milk products sector, as amended by Council Regulation No 764/89, as supplemented by Commission 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, is invalid in so far as it does not provide for the allocation of a reference quantity to producers who, complying with a commitment made under Council Regulation No 1078/77 introducing a system of premiums for the non-marketing of milk products and for the conversion of dairy herds, did not deliver any milk during the reference year chosen by the Member State concerned.

Infringements

Case C-167 *Commission v Belgium*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by reserving the exercise of the activities of qualified pharmacists and of all pharmacists attached to hospital pharmacies or medical depositories to persons holding a diploma in hospital pharmacy, whereas Article 1 of Council Directive 85/432/EEC concerning the coordination of provisions laid down by law, regulation or administrative action in respect of certain activities in the field of pharmacy permits the exercise of such activities by holders of a diploma, certificate or other university or equivalent qualification in pharmacy which meets the conditions laid down in Article 2 thereof, Belgium has failed to fulfil its obligations under Article 1 of Directive 85/432/EEC; and that by failing to provide information, with the exception of the provisions referred to in Articles 15 and 17 of Directive 85/433/EEC, concerning the laws, regulations and administrative provisions by which it considers it has fulfilled its obligations under Council 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, and Council Directive 85/584/EEC amending, on account of the accession of Spain and Portugal, Directive 85/433/EEC, cited above, Belgium has failed to fulfil its obligations under those Directives and the Treaty establishing the EEC.

OJ C 163, 4.7.1990

Case C-168/90 *Commission v Luxembourg*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that by failing to provide information, with the exception of the provisions referred to in Articles 15 and 17 of Directive 85/433/EEC, concerning the laws, regulations and administrative provisions by which it considers it has fulfilled its obligations under Council 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 relat-

ing to certain activities in the field of pharmacy, and Council Directive 85/584/EEC amending, on account of the accession of Spain and Portugal, Directive 85/433/EEC, cited above, Luxembourg has failed to fulfil its obligations under those Directives and the Treaty establishing the EEC.

OJ C 163, 4.7.1990

Case C-169/90 *Commission v Italy*
Basis: Article 169 of the EEC Treaty

Unlawful aid in the poultry sector in breach of Council Directive 72/159/EEC on the modernization of farms and Council Regulation No 797/85 on improving the efficiency of agricultural structures.

OJ C 166, 7.7.1990

Case C-190/90 *Commission v Netherlands*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that the Netherlands has failed to fulfil its obligations under the Treaty by not adopting within the period laid down all the legislative and administrative provisions needed in order to give effect to Council Directive 82/501/EEC on the major-accident hazards of certain industrial activities.

OJ C 179, 19.7.1990

Case C-192/90 *Commission v Spain*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by not communicating to the Commission the programmes for reducing the tonnage and/or volume of containers of liquids for human consumption in accordance with Article 3 of Council Directive 85/339/EEC on containers of liquids for human consumption, Spain has failed to fulfil its obligations under the EEC Treaty.

OJ C 179, 19.7.1990

Cases C-195/90 and C-195/90 R *Commission v Germany*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by enacting the law of 30 April 1990 on charges for the use of federal roads and motorways by heavy goods vehicles, Germany has failed to fulfil its obligations under the EEC Treaty.

OJ C 179, 19.7.1990

Case C-198/90 *Commission v Netherlands*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by refusing to grant Dutch family allowances to recipients of a Dutch early retirement pension residing in Belgium, the Netherlands has failed to take all such measures as are necessary to conform to Council Regulation No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community.

OJ C 192, 1.8.1990

Disputes between the Community and its staff

v Commission:

Case C-126/90P *Bocos Viciano*

Appeals against judgments of the Court of First Instance:

Case C-185/90P *Gill*

1.8.24. The following action was brought before the Court of First Instance in June.

Competition

Case T-29/90 *Quantel v Commission*
Basis: Article 173 of the EEC Treaty

Annulment of the Commission's decision of 11 April 1990 concerning the scope of Commission Regulation No 418/85 on the application of Article 85(3) of the Treaty to categories of research and development agreements (Decision IV/33.335).

OJ C 179, 19.7.1990

Judgments

1.8.25. Decisions were given by the Court of Justice in the following cases in June.

Customs union

6.6.1990: Case C-11/89 *Unifert v HZA Münster*

1. The price stipulated in a contract of sale between persons resident in the Community may be regarded as the transaction value

within the meaning of Article 3(1) of Council Regulation No 1224/80 on the valuation of goods for customs purposes.

2. Where, in successive sales of goods, more than one price actually paid or payable fulfils the requirements laid down in Article 3(1) of Regulation No 1224/80, any of those prices may be chosen by the importer for purposes of determining the transaction value. If the importer has referred to one of those prices in the customs value declarations, he may not correct the declaration after the goods have been released for free circulation, in accordance with Article 8(1) of Council Directive 79/695/EEC on the harmonization of procedures for the release of goods for free circulation.

3. A payment made by the buyer to the seller, invoiced separately and described as a 'purchase commission', forms part of the price actually paid or payable for the imported goods within the meaning of Article 3(1) of Regulation No 1224/80.

4. Demurrage charges (amounts payable for detaining ships in port) are transport costs within the meaning of Article 8 of Regulation No 1224/80.

5. Article 3(1) of Regulation No 1224/80 must be interpreted as meaning that it is not necessary to make a proportionate reduction of the price actually paid or payable where there is a discrepancy between the quantity of goods shipped and the quantity purchased, not exceeding the weight discrepancy allowance agreed upon between the parties, provided that this discrepancy does not lead to a reduction of the purchase price.

OJ C 161, 30.6.1990

6.6.1990: Case C-17/89 *HZA Frankfurt am Main-Ost v Deutsche Olivetti*

1. Transport by container cannot be considered to be a 'means of transport' within the meaning of Article 15(2)(a) of Council Regulation No 1224/80 on the valuation of goods for customs purposes.

2. Where an importer has paid an all-in price for transport to a place within the

Community situated beyond the point at which the goods entered the customs territory of the Community and the goods have been carried by several different means of transport, the cost of transport referred to in Article 8(1)(e)(i) must be calculated by deducting the cost of transport within the customs territory of the Community, determined on the basis of the rates normally applied, from the price actually paid or payable or, alternatively, by determining directly the cost of transport to the point at which the goods entered the customs territory of the Community, on the basis of the rates normally applied. It is a matter for the national authorities to select the criterion which is more likely to avoid arbitrary and unrealistic values.

OJ C 161, 30.6.1990

13.6.1990: Cases C-222 to 225/89 *Brun née Alidor, Techer, Legros and Payet v Direction Régionale des Douanes de la Réunion*

Removed from the Court Register.

(Four references for a preliminary ruling on the interpretation of Articles 3, 9, 95 and 227 of the EEC Treaty).

26.6.1990: Case C-64/89 *HZA Giessen v Deutsche Fernsprecher*

1. Under Article 4 of Commission Regulation No 1573/80 laying down provisions for the implementation of Article 5(2) of Council Regulation No 1697/79 on the post-clearance recovery of import duties or export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties, properly construed, when the amount of the duties not collected is equal to or greater than ECU 2 000, the national authorities are not obliged to request the Commission to take a decision on the possibility of refraining from taking action for the post-clearance recovery of customs duties if they consider that the conditions laid down in Article 5(2) of Council Regulation No 1697/79 are not fulfilled.

2. In order to determine whether there has been an 'error ... which could not reason-

ably have been detected by the person liable' within the meaning of Article 5(2) of Council Regulation No 1697/79, account must be taken, *inter alia*, of the nature of the error, the professional experience of the trader concerned and the care he has exercised. It is for the national court to decide, on the basis of that interpretation, whether or not the error out of which the failure to collect customs duties arose could have been detected by the person liable.

OJ C 179, 19.7.1990

28.6.1990: Case C-80/89 *Erwin Behn Verpackungsbedarf v HZA Itzehoe*

1. Examination of the first question submitted to the Court had disclosed no factor of such a kind as to affect the validity of the Commission's decision of 4 November 1985 (COM(85) 1709 final) addressed to the Federal Republic of Germany.

2. Article 5(1), first indent, of Council Regulation No 1697/79 on the post-clearance recovery of import duties or export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties must be interpreted as not referring to a tariff manual for national use in which rules of national law and Community law, including those on the Common Customs Tariff, are compiled.

OJ C 186, 27.7.1990

Taxation

26.6.1990: Case C-195/89 *Staatssecretaris van Financiën v Velker International Oil Company*

Under Article 15(4) of the 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, properly construed, only supplies to a vessel operator of goods to be used by that operator for fuelling and provisioning are to be regarded as supplies of goods for the fuelling and provisioning of vessels, but there is no requirement that the goods

should be actually shipped on board the vessels at the time of their supply to the operator.

OJ C 179, 19.7.1990

Social policy

27.6.1990: Case C-33/89 *Kowalska v Freie und Hansestadt Hamburg*

1. Article 119 of the EEC Treaty is to be interpreted as precluding the application of a clause in a collective wage agreement applying to the national public service under which the employers may exclude part-time employees from the payment of a severance grant when in fact a considerably lower percentage of men than of women work part-time, unless the employer shows that the exclusion is based on objectively justified factors unrelated to any discrimination on grounds of sex.

2. Where there is indirect discrimination in a clause in a collective wage agreement, the class of persons placed at a disadvantage by reason of that discrimination must be treated in the same way and become subject to the same scheme, proportionately to the number of hours worked, as other workers, such scheme remaining, for want of correct transposition of Article 119 of the EEC Treaty into national law, the only valid system of reference.

OJ C 179, 19.7.1990

Agriculture

6.6.1990: Case C-119/88 *AERPO (Associazione Emiliano Romagnola tra Produttori Ortifrutticoli) and Others v Commission*

The application is dismissed as unfounded.

(Seeking an order that the Community must pay compensation for the damage suffered by the applicants as a result of the adoption by the Commission of Regulation No 3587/86 fixing the conversion factors to be applied to buying-in prices for fruit and vegetables.)

OJ C 158, 28.6.1990

6.6.1990: Case C-159/88 *Van Sillevoldt and Others v Hoofdprodukschap voor Akkerbouwprodukten*

1. For the purpose of determining the average length of the whole grain within the meaning of point 3 of Annex A to Council Regulation No 1418/76 on the common organization of the market in rice, it is necessary to consider the average length of the whole grains in a sample from the consignment of imported rice, without taking account of grains which are not full grown.

2. Point 3 of Annex A, understood as requiring that account be taken of whole grains in a sample from the consignment of imported rice, to the exclusion of grains which are not full grown, does not create any inequality or uncertainty in the application of the levy system such as to bring that system into conflict with the general principles of Community law.

OJ C 161, 30.6.1990

6.6.1990: Case C-174/88 *The Queen v Dairy Produce Quota Tribunal for England and Wales, ex-parte Hall & Sons (Dairy Farmers)*

Article 6(1) of Council Regulation No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation No 804/68 in the milk and milk products sector must be interpreted as meaning that the reference quantity assigned to each producer of milk and milk products referred to in Article 5c(2) of Regulation No 804/68 is to be calculated on the basis of the quantity of milk or milk products which he sold directly to consumption during the relevant reference year and was produced by his own herd.

OJ C 161, 30.6.1990

12.6.1990: Case C-8/88 *Germany v Commission*

1. Commission Decision 87/541/EEC amending Decisions 87/468/EEC and 87/469/EEC on the clearance of the accounts presented by the Member States in respect of the European Agricultural Guidance and Guarantee Fund, Guarantee Section, expen-

diture for 1984 and 1985, is declared void in so far as it did not recognize as chargeable to the EAGGF the expenditure incurred in Baden-Württemberg, by way of premium for the maintenance of the suckler cow herd, in respect of the financial years in question.

2. The application is dismissed for the rest.

OJ C 163, 4.7.1990

26.6.1990: Case C-152/88 *Sofrimport v Commission*

1. Commission Regulations Nos 962/88 and 984/88 suspending the issue of import licences for dessert apples originating in Chile and Commission Regulation No 1040/88 fixing quantities of imports of dessert apples originating in third countries and amending Regulation No 962/88 are declared void in so far as those Regulations concern products in transit to the Community.

2. For the rest, the application for annulment is dismissed.

3. The European Economic Community is ordered to make good the damage suffered by Sofrimport as a result of the application of Regulations Nos 962/88, 984/88 and 1040/88.

4. Interest at the annual rate of 8% shall be paid on the amount payable as from the date of this judgment.

5. The parties shall inform the Court within 12 months from the delivery of this judgment of the amounts of compensation arrived at by agreement.

6. In the absence of agreement the parties shall transmit to the Court within 12 months from the delivery of this judgment a statement of their views with supporting figures.

OJ C 179, 19.7.1990

26.6.1990: Case C-8/89 *Zardi v Consorzio Agrario Provinciale di Ferrara*

Consideration of the question raised has disclosed no factor of such a kind as to affect the validity of Article 4b of Council

Regulation No 2727/75 on the common organization of the market in cereals, as amended by Council Regulation No 1097/88, or that of Commission Regulation No 1432/88 laying down detailed rules for applying the co-responsibility levy in the cereals sector.

OJ C 179, 19.7.1990

27.6.1990: Case C-67/98 *Berkenheide v HZA Münster*

The provisions of Article 3(3) of Council Regulation No 857/84 in conjunction with Article 3 of Commission Regulation No 1371/84 do not govern a situation in which producers have been affected by an exceptional event in a year other than the reference year. However, the provisions of Article 2(2) of Regulation No 857/84 in conjunction with Article 2(1) of Regulation No 1371/84 permit, in the case of a Member State which has selected 1983 as the reference year and which has exercised the option of varying the percentage weighting for the determination of the reference quantities on the basis of the trend in deliveries by producers between 1981 and 1983, account to be taken for the purposes of such variation of the situation of the category of producers whose milk production was affected by an exceptional event in 1981 or 1982.

OJ C 179, 19.7.1990

27.6.1990: Case C-118/89 *Firma Otto Lingenfelser v Germany, represented by the Bundesamt für Ernährung und Forstwirtschaft*

The third subparagraph of Article 9(2) of Commission Regulation No 2499/82 laying down provisions concerning preventive distillation for the 1982/83 wine year is invalid in so far as it penalizes with total loss of aid any failure to meet the time-limit within which the distiller must pay the minimum buying-in price to the producer.

OJ C 179, 19.7.1990

28.6.1990: Case C-174/89 *Firma Hoche v Bundesanstalt für landwirtschaftliche Marktordnung*

1. Consideration of the first question raised by the national court has disclosed no factor of such a kind as to affect the validity of Article 12(1) of Commission Regulation No 1932/81 on the granting of aid for butter and concentrated butter for use in the manufacture of pastry products, ice-cream and other foodstuffs, on the ground that it does not exclude the forfeiture of the tendering security in the case where an undertaking was awarded contracts in 1985 pursuant to individual invitations to tender Nos 76 to 81, did not lodge the processing security but instead proceeded, before the entry into force of Commission Regulation No 2661/85 derogating from Regulations No 262/79 and No 1932/81 as regards butter for use in the manufacture of pastry products, ice-cream and other foodstuffs, to purchase intervention butter, in the amount of the contract quantity, in accordance with Commission Regulation No 262/79 on the sale of butter at reduced prices for use in the manufacture of pastry products, ice-cream and other foodstuffs, and to process it lawfully.

2. The application of Article 12(1) of Regulation No 1932/81 cannot be suspended in an individual case for reasons of fairness.

OJ C 184, 25.7.1990

Fisheries

19.6.1990: Case C-213/89 *The Queen v Secretary of State for Transport, ex-parte Factortame and Others*

Community law must be interpreted as meaning that a national court which, in a case before it concerning Community law, considers that the sole obstacle which precludes it from granting interim relief is a rule of national law must set aside that rule.

OJ C 169, 11.7.1990

Miscellaneous

(Interpretation of the Staff Regulations)

14.6.1990: Case C-37/89 *Weiser v Caisse nationale des barreaux français*

A person pursuing an activity as a self-employed person, such as that of a lawyer, who abandons his practice in order to become an official of the European Communities is not entitled, as Community law now stands, to claim the application, for his benefit, of Article 11(2) of Annex VIII to the Staff Regulations of Officials of the European Communities.

That provision is however invalid in so far as it provides for a difference in treatment, as regards the transfer of pension rights from a national scheme to the Community scheme, between officials who have acquired those rights as employed persons and those who have acquired them as self-employed persons.

OJ C 169, 11.7.1990

Infringements

12.6.1990: Case C158/88 *Commission v Ireland*

By limiting the application of the exemptions provided for in Council 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, as last amended by Council Directive 85/348/EEC, to goods contained in the personal luggage of travellers arriving at its borders after a period of 48 hours outside its territory, Ireland has failed to fulfil its obligations under the EEC Treaty.

OJ C 166, 7.7.1990

13.6.1990: Case C-162/89 *Commission v Belgium*

By failing to forward to the Commission within the periods laid down the reports needed, in relation to the capital region, Brussels, in order to comply with Article 18 of Council Directive 75/439/EEC on the disposal of waste oils, as amended by Directive 87/101/EEC, Article 12 of Council Directive 75/442/EEC on waste, Article 10 of Council Directive 76/403/EEC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls and Article 16

of Council Directive 78/319/EEC on toxic and dangerous waste, Belgium has failed to fulfil its obligations under the EEC Treaty.

OJ C 166, 7.7.1990

14.6.1990: Case C-48/89 *Commission v Italy*

1. By failing to provide the plans and reports referred to in Articles 3(2) and 12 of Council Directive 75/442/EEC on waste, Articles 10 and 12 of Council Directive 76/403/EEC on the disposal of polychlorinated biphenyls and polychlorinated terphenyls, and Articles 12(2) and 16 of Council Directive 78/319/EEC on toxic and dangerous waste, Italy has failed to fulfil its obligations under those Directives.

2. The application is dismissed in all other respects.

OJ C 169, 11.7.1990

19.6.1990: Case C-177/89 *Commission v Italy*

By subjecting the marketing in Italy of food extracts and similar products of animal or vegetable origin lawfully manufactured and marketed in other Member States to restrictions relating to the composition, description and packaging of those products, and also by requiring previous authorization for such marketing, Italy has failed to fulfil its obligations under Article 30 of the EEC Treaty.

OJ C 169, 11.7.1990

1.8.26. Decisions were given by the Court of First Instance in the following cases in June.

Disputes between the Community and its staff

v Commission:

6.6.1990: Case T-44 *Gouvras-Laycock*

The Commission's decision of 24 May 1988 is annulled.

OJ C 158, 28.6.1990

20.6.1990: Joined Cases T-47 and 82/89 *Marcato*

The application in Case T-47/89 is dismissed as inadmissible. In Case T-82/89, the objection of inadmissibility raised by the defendant is considered together with the merits of the case.

v Court of Justice:

22.6.1990: Case T-27/89 *Sklias*

The application is dismissed.

22.6.1990: Joined Cases T-32 and 39/89 *Marcopoulos*

1. In Case T-32/89 the Selection Board's decision in Competition CJ 75/87 refusing to award the applicant the points he needed to take part in the optional tests is annulled.

2. The application in Case T-39/89 is dismissed as inadmissible.

OJ C 179, 19.7.1990

v Parliament:

20.6.1990: Case T-133/89 *Burban*

The application is dismissed.

Court of Auditors

1.8.27. Special report No 3/90 on ECSC, Euratom and NCI loans and borrowings of the Communities.

Published on 29 June. The Court concentrated its audit on loans under Articles 54 and 56 of the ECSC Treaty, Euratom loans, New Community Instrument loans and borrowings under all three instruments, i.e. the instruments which provide the Commission with the power to finance loans by borrowings. The Commission has more than 40 years' experience in this area, starting with ECSC lending and borrowing, and the current level of activity is around ECU 3 000

million a year.

OJ C 160, 29.6.1990

ECSC Consultative Committee

285th session (ordinary)

1.8.28. Luxembourg, 29 June.

Chairman: Mr Soulé.

Items discussed

Commission Decision on the suspension of customs duties and quantitative restrictions for products falling within the ECSC Treaty coming from the German Democratic Republic: consultation (→ point 1.2.5).

Draft Commission Decision on the granting of ECSC loans to industrial projects in the German Democratic Republic: consultation (→ point 1.2.9).

Financial aid for a programme of 89 coal research projects: consultation (→ point 1.3.106).

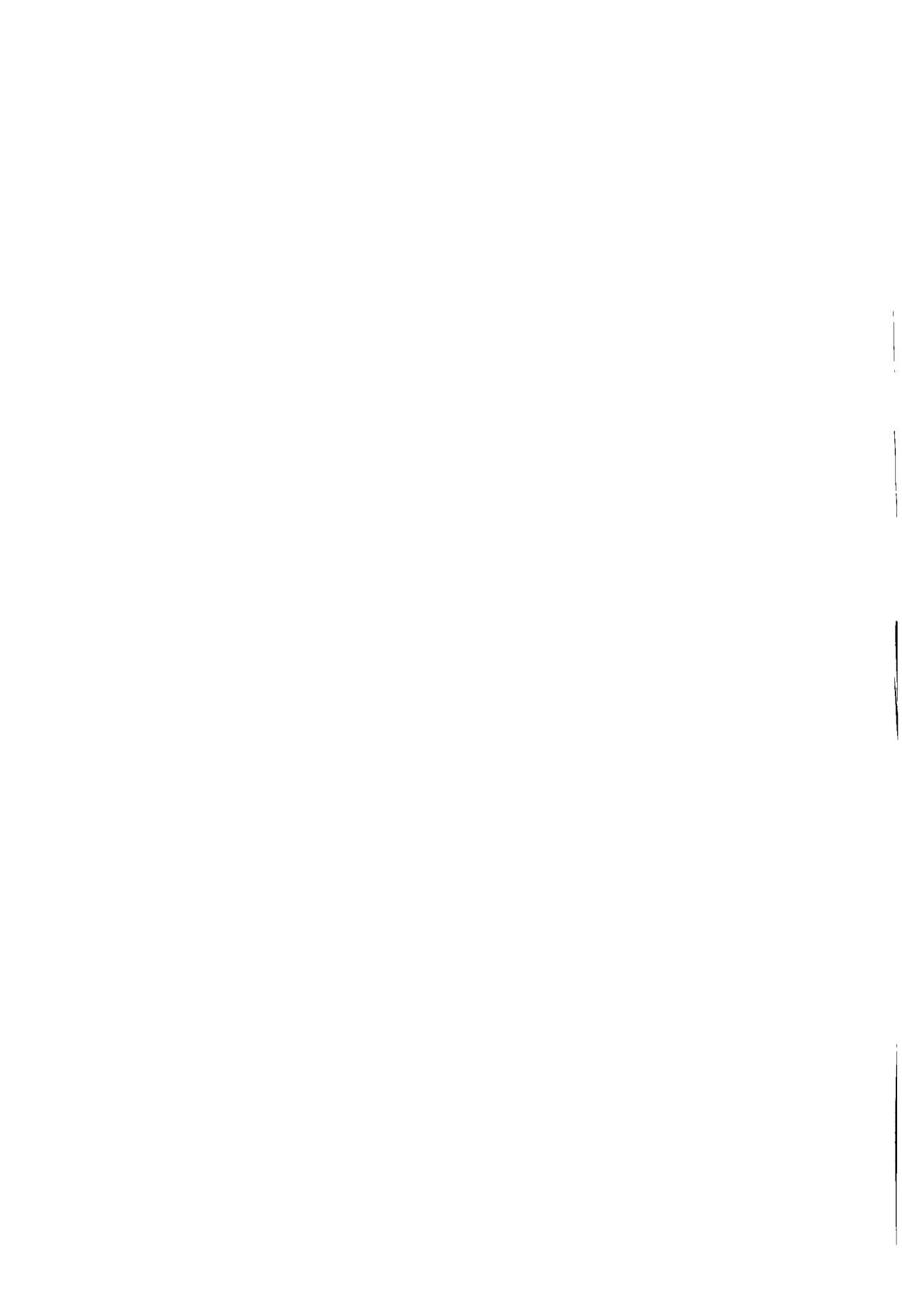
Financial aid for a programme of 101 steel research projects and a programme of 14 pilot and/or demonstration projects in the steel industry: consultation (→ point 1.3.107).

Forward programme for steel (third quarter of 1990): consultation (→ point 1.3.137).

Commission communication on energy and the environment: discussion (→ point 1.3.255).

Commission report on activities under the ECSC Treaty.

Report on the distribution of information on ECSC research findings.



PART TWO
DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

June 1990 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	42.3219
DKR	Danish krone	7.83772
DM	German mark	2.05914
DR	Greek drachma	201.459
ESC	Portuguese escudo	180.868
FF	French franc	6.92603
HFL	Dutch guilder	2.31754
IRL	Irish pound	0.768015
LIT	Italian lira	1 511.70
PTA	Spanish peseta	127.105
UKL	Pound sterling	0.715033
AUD	Australian dollar	1.57042
CAD	Canadian dollar	1.43445
FMK	Finnish markka	4.83640
NKR	Norwegian krone	7.91290
NZD	New Zealand dollar	2.09862
OS	Austrian schilling	14.4878
SFR	Swiss franc	1.74249
SKR	Swedish krona	7.44537
USD	United States dollar	1.22289
YEN	Japanese yen	188.161

¹ Average for the month; OJ C 162, 3.7.1990.

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

June 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 Sheepmeat and goatmeat, eggs and poultrymeat, pigmeat, fishery products Other crop products Other products	2.37360 2.35053 2.36110 2.34113
DR	Greek drachma Sheepmeat and goatmeat Structural measures Pigmeat Tobacco Beef and veal, milk and milk products Cereals, sugar, wine, olive oil Eggs and poultrymeat Other crop products Other products	211.490 224.589 220.221 224.722 199.603 204.401 183.177 191.975 176.576
ESC	Portuguese escudo Structural measures, tobacco Other products	206.902 199.761
FF	French franc Milk and milk products, beef and veal, pigmeat, tobacco Other products	7.85183 7.69787
HFL	Dutch guilder Cereals Other products	2.66089 2.63785
IRL	Irish pound Beef and veal, milk and milk products, tobacco Other products	0.873900 0.856765

June 1990		
	National currency/sector	Value in national currency of ECU 1
LIT	Italian lira Pigmeat Cereals and oilseeds Wine Sheepmeat and goatmeat, sugar, rice, eggs and poultrymeat, fishery products, olive oil Other products	1 726.00 1 700.00 1 703.00 1 709.00 1 751.67
PTA	Spanish peseta Sheepmeat and goatmeat Milk and milk products, structural measures Pigmeat Other livestock products Tobacco Rice, wine, olive oil, oilseeds Other crop products	153.315 154.794 147.650 on 11.6.1990 155.786 153.498 152.896 152.213
UKL	Pound sterling Beef and veal Pigmeat Sheepmeat and goatmeat Crop products Other products	0.795232 0.756267 0.702276 0.704335 0.758185

2. Meeting of Ministers concerned with immigration

Public declaration

2.2.1. At their meeting in Dublin on 15 June 1990, Ministers concerned with immigration adopted the following declaration:

'Ministers concerned with immigration from the 12 Member States, together with Mr Bangemann, Vice-President of the Commission of the European Communities, met in Dublin on 15 June 1990 under the chairmanship of Mr Burke, the Minister for Justice of Ireland. This was the eighth of the meetings of Immigration Ministers held towards the end of each Presidency.

The Ministers reviewed events and developments since their previous meeting held in Paris on 15 December 1989 and took stock of the future work which would be needed to make headway with the measures adopted by the European Council in Madrid in June 1989 and in Strasbourg in December 1989.

They congratulated the Irish Presidency on its efforts to further this programme of work and on the results achieved, warmly welcoming the arrangements established for informing the European Parliament.

Asylum

The Ministers noted that 11 Member States were in agreement on a Convention setting out procedures and criteria for determining the Member State responsible for examining an application for asylum. These 11 Member States signed the Convention on 15 June 1990. The Convention reaffirms Member States' obligations to refugees under the Geneva Convention of 28 July 1951 as amended by the New York Protocol of 31 January 1967. Under the terms of this Convention, a single Member State will be responsible for examining an asylum application. In particular, the Convention will avoid the possibility of asylum seekers being sent from one Member State to another ("refugees in orbit"). The United Nations High Commissioner for Refugees was consulted on the terms of the draft Convention and welcomed the prospects for a constructive dialogue in this field. The Convention constitutes a significant step forward in the development of cooperation between Member States in immigration matters and is an essential element in the programme of measures under preparation in the context of Article 8a of the Treaty.

The Ministers hoped that work on an inventory of Member States' asylum policies would continue also within the *ad hoc* Working Party on Immigration, with a view to achieving harmonization in this field, and decided to pursue this matter further at their next meeting.

The Ministers resolved that the fruitful contact established on asylum matters with the United Nations High Commissioner for Refugees should be maintained. They also agreed upon the importance of adequately explaining to the public the measures developed in this field, so as to avoid misconceptions, and of taking into account concerns expressed.

Developments in Central and Eastern Europe

The Ministers noted with approval the momentous changes which had occurred and were continuing to take place in Central and Eastern Europe and resolved to adjust their policies as appropriate in response to these developments. As announced after the meeting of the General Affairs Council in May, the Member States had decided jointly to waive visa requirements for nationals of the German Democratic Republic. Member States' visa requirements for other countries would be kept under active review.

Draft Convention on the crossing of external borders of the Member States of the Community

This draft Convention is designed to ensure uniform standards of control at Member States' external borders in relation to persons wishing to enter the Community for a short stay, and to increase cooperation between Member States in matters concerning visas. The latter aspect could, *inter alia*, facilitate travel of visa nationals to more than one Member State by reducing present formalities which require a separate visa for each country visited.

At its meeting in Strasbourg in December 1989, the European Council requested that efforts be made to conclude a Convention by the end of 1990. Discussions on the draft Convention continued under the Irish Presidency and further progress was expected to be made before the end of June. The Ministers hoped, now that work on the Asylum Convention had been successfully concluded, that the *ad hoc* Working Party on Immigration would

now devote its attention to the Convention on external borders so that it could be concluded in accordance with the wishes of the European Council.

During discussion of this draft Convention, the Member States were to lay down rules for a system of exchanging information on non-admissible persons. Proposals for a multilateral agreement on readmission would also be examined.

Other immigration matters

The Ministers discussed the growing importance of immigration issues in the Member States and exchanged information about the measures taken by Member States to combat illegal immigration. They also exchanged information on ways and means of ensuring the satisfactory integration of legal immigrants into their host societies. They took note of the work carried out at the request of the Strasbourg European Council, aimed at establishing an inventory of national positions on immigration with a view to more detailed discussion between Member States on this issue.

Contacts with the European Parliament

The Ministers reiterated their intention of keeping the public informed of the principles involved in the policies they were pursuing.

In particular, the Ministers expressed satisfaction at the procedure for contacts with the European Parliament recommended by the Coordinators' Group on the Free Movement of Persons, adopted by the Council (General Affairs) at its meeting on 7 May.⁷

Rights of asylum

2.2.2. At the meeting of Immigration Ministers of the Member States of the European Communities, held in Dublin on 15 June, the Ministers signed the Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities.

The text of the Convention is as follows:

'...

Having regard to the objective, fixed by the European Council meeting in Strasbourg on 8 and 9 December 1989, of the harmonization of their asylum policies;

Determined, in keeping with their common humanitarian tradition, to guarantee adequate protection to refugees in accordance with the terms of the Geneva Convention of 28 July 1951, as amended by the New York Protocol of 31 January 1967 relating to the status of refugees, hereinafter referred to as the "Geneva Convention" and the "New York Protocol" respectively;

Considering the joint objective of an area without internal frontiers in which the free movement of persons shall, in particular, be ensured, in accordance with the provisions of the Treaty establishing the European Economic Community, as amended by the Single European Act;

Aware of the need, in pursuit of this objective, to take measures to avoid any situations arising, with the result that applicants for asylum are left in doubt for too long as regards the likely outcome of their applications and concerned to provide all applicants for asylum with a guarantee that their applications will be examined by one of the Member States and to ensure that applicants for asylum are not referred successively from one Member State to another without any of these States acknowledging itself to be competent to examine the application for asylum;

Desiring to continue the dialogue with the United Nations High Commissioner for Refugees in order to achieve the above objectives;

Determined to cooperate closely in the application of this Convention through various means, including exchanges of information,

Have decided to conclude this Convention and to this end have designated as their plenipotentiaries:

...

Who, having exchanged their full powers, found in good and due form,

Have agreed as follows:

Article 1

1. For the purposes of this Convention:
 - (a) Alien means: any person other than a national of a Member State;
 - (b) Application for asylum means: a request whereby an alien seeks from a Member State protection under the Geneva Convention by claiming refugee status within the meaning of Article 1 of the Geneva Convention, as amended by the New York Protocol;
 - (c) Applicant for asylum means: an alien who has made an application for asylum in respect of which a final decision has not yet been taken;

- (d) Examination of an application for asylum means: all the measures for examination, decisions or rulings given by the competent authorities on an application for asylum, except for procedures to determine the State responsible for examining the application for asylum pursuant to this Convention;
 - (e) Residence permit means: any authorization issued by the authorities of a Member State authorizing an alien to stay in its territory, with the exception of visas and "stay permits" issued during examination of an application for a residence permit or for asylum;
 - (f) Entry visa means: authorization or decision by a Member State to enable an alien to enter its territory, subject to the other entry conditions being fulfilled;
 - (g) Transit visa means: authorization or decision by a Member State to enable an alien to transit through its territory or pass through the transit zone of a port or airport, subject to the other transit conditions being fulfilled.
2. The nature of the visa shall be assessed in the light of the definitions set out in paragraph 1, points (f) and (g).

Article 2

The Member States reaffirm their obligations under the Geneva Convention, as amended by the New York Protocol, with no geographic restriction of the scope of these instruments, and their commitment to cooperating with the services of the United Nations High Commissioner for Refugees in applying these instruments.

Article 3

1. Member States undertake to examine the application of any alien who applies at the border or in their territory to any one of them for asylum.
2. The application shall be examined by a single Member State, which shall be determined in accordance with the criteria defined in this Convention. The criteria set out in Articles 4 to 8 shall apply in the order in which they appear.
3. That application shall be examined by that State in accordance with its national laws and its international obligations.
4. Each Member States shall have the right to examine an application for asylum submitted to it by an alien, even if such examination is not its responsibility under the criteria defined in this Convention, provided that the applicant for asylum agrees thereto.

The Member State responsible under the above criteria is then relieved of its obligations, which are transferred to the Member State which expressed the wish to examine the application. The latter State shall inform the Member State responsible under the said criteria if the application has been referred to it.

5. Any Member State shall retain the right, pursuant to its national laws, to send an applicant for asylum to a third State, in compliance with the provisions of the Geneva Convention, as amended by the New York Protocol.

6. The process of determining the Member State responsible for examining the application for asylum under this Convention shall start as soon as an application for asylum is first lodged with a Member State.

7. An applicant for asylum who is present in another Member State and there lodges an application for asylum after withdrawing his or her application during the process of determining the State responsible shall be taken back, under the conditions laid down in Article 13, by the Member State with which that application for asylum was lodged, with a view to completing the process of determining the State responsible for examining the application for asylum.

This obligation shall cease to apply if the applicant for asylum has since left the territory of the Member States for a period of at least three months or has obtained from a Member State a residence permit valid for more than three months.

Article 4

Where the applicant for asylum has a member of his family who has been recognized as having refugee status within the meaning of the Geneva Convention, as amended by the New York Protocol, in a Member State and is legally resident there, that State shall be responsible for examining the application, provided that the persons concerned so desire.

The family member in question may not be other than the spouse of the applicant for asylum or his or her unmarried child who is a minor of under 18 years, or his or her father or mother where the applicant for asylum is himself or herself an unmarried child who is a minor of under 18 years.

Article 5

1. Where the applicant for asylum is in possession of a valid residence permit, the Member

States which issued the permit shall be responsible for examining the application for asylum.

2. Where the applicant for asylum is in possession of a valid visa, the Member State which issued the visa shall be responsible for examining the application for asylum, except in the following situations:

- (a) If the visa was issued on the written authorization of another Member State, that State shall be responsible for examining the application for asylum. Where a Member State first consults the central authority of another Member State, *inter alia* for security reasons, the agreement of the latter shall not constitute written authorization within the meaning of this provision.
- (b) Where the applicant for asylum is in possession of a transit visa and lodges his application in another Member State in which he is not subject to a visa requirement, that State shall be responsible for examining the application for asylum.
- (c) Where the applicant for asylum is in possession of a transit visa and lodges his application in the State which issued him or her with the visa and which has received written confirmation from the diplomatic or consular authorities of the Member State of destination that the alien for whom the visa requirement was waived fulfilled the conditions for entry into the State, the latter shall be responsible for examining the application for asylum.

3. Where the applicant for asylum is in possession of more than one valid residence permit or visa issued by different Member States, the responsibility for examining the application for asylum shall be assumed by the Member States in the following order:

- (a) the State which issued the residence permit conferring the right to the longest period of residency or, where the periods of validity of all the permits are identical, the State which issued the residence permit having the latest expiry date;
- (b) the State which issued the visa having the latest expiry date where the various visas are of the same type;
- (c) where visas are of different kinds, the State which issued the visa having the longest period of validity, or where the periods of validity are identical, the State which issued the visa having the latest expiry date. This provision shall not apply where the applicant is in possession of one or more transit visas, issued on presentation of an entry visa for another

Member State. In that case, that Member State shall be responsible.

4. Where the applicant for asylum is in possession only of one or more residence permits which have expired less than two years previously or one or more visas which have expired less than six months previously and enabled him or her actually to enter the territory of a Member State, the provisions of paragraphs 1, 2 and 3 of this Article shall apply for such time as the alien has not left the territory of the Member States.

Where the applicant for asylum is in possession of one or more residence permits which have expired more than two years previously or one or more visas which have expired more than six months previously and enabled him or her to enter the territory of a Member State and where an alien has not left Community territory, the Member State in which the application is lodged shall be responsible.

Article 6

When it can be proved that an applicant for asylum has irregularly crossed the border into a Member State by land, sea or air, having come from a non-member State of the European Communities, the Member State thus entered shall be responsible for examining the application for asylum.

That State shall cease to be responsible, however, if it is proved that the applicant has been living in the Member State where the application for asylum was made at least six months before making his application for asylum. In that case it is the latter Member State which is responsible for examining the application for asylum.

Article 7

1. The responsibility for examining an application for asylum shall be incumbent upon the Member State responsible for controlling the entry of the alien into the territory of the Member States, except where, after legally entering a Member State in which the need for him or her to have a visa is waived, the alien lodges his or her application for asylum in another Member State in which the need for him or her to have a visa for entry into the territory is also waived. In this case, the latter State shall be responsible for examining the application for asylum.

2. Pending the entry into force of an agreement between Member States on arrangements for crossing external borders, the Member State which authorizes transit without a visa through the transit zone of its airports shall not be regarded as

responsible for control on entry, in respect of travellers who do not leave the transit zone.

3. Where the application for asylum is made in transit in an airport of a Member State, that State shall be responsible for examination.

Article 8

Where no Member State responsible for examining the application for asylum can be designated on the basis of the other criteria listed in this Convention, the first Member State with which the application for asylum is lodged shall be responsible for examining it.

Article 9

Any Member State, even when it is not responsible under the criteria laid out in this Convention, may, for humanitarian reasons, based in particular on family or cultural grounds, examine an application for asylum at the request of another Member State, provided that the applicant so desires.

If the Member State thus approached accedes to the request, responsibility for examining the application shall be transferred to it.

Article 10

1. The Member State responsible for examining an application for asylum according to the criteria set out in this Convention shall be obliged to:

- (a) Take charge under the conditions laid down in Article 11 of an applicant who has lodged an application for asylum in a different Member State.
- (b) Complete the examination of the application for asylum.
- (c) Readmit or take back under the conditions laid down in Article 13 an applicant whose application is under examination and who is irregularly in another Member State.
- (d) Take back, under the conditions laid down in Article 13, an applicant who has withdrawn the application under examination and lodged an application in another Member State.
- (e) Take back, under the conditions laid down in Article 13, an alien whose application it has rejected and who is illegally in another Member State.

2. If a Member State issues to the applicant a residence permit valid for more than three months, the obligations specified in paragraph 1, points (a) to (e) shall be transferred to that Member State.

3. The obligations specified in paragraph 1, points (a) to (d), shall cease to apply if the alien concerned has left the territory of the Member States for a period of at least three months.

4. The obligations specified in paragraph 1, points (d) and (e), shall cease to apply if the State responsible for examining the application for asylum, following the withdrawal or rejection of the application, takes and enforces the necessary measures for the alien to return to his country of origin or to another country which he may lawfully enter.

Article 11

1. If a Member State with which an application for asylum has been lodged considers that another Member State is responsible for examining the application, it may, as quickly as possible and in any case within the six months following the date on which the application was lodged, call upon the other Member State to take charge of the applicant.

If the request that charge be taken is not made within the six-month time-limit, responsibility for examining the application for asylum shall rest with the State in which the application was lodged.

2. The request that charge be taken shall contain indications enabling the authorities of that other State to ascertain whether it is responsible on the basis of the criteria laid down in this Convention.

3. The State responsible in accordance with those criteria shall be determined on the basis of the situation obtaining when the applicant for asylum first lodged his application with a Member State.

4. The Member State shall pronounce judgment on the request within three months of receipt of the claim. Failure to act within that period shall be tantamount to accepting the claim.

5. Transfer of the applicant for asylum from the Member State where the application was lodged to the Member State responsible must take place not later than one month after acceptance of the request to take charge or one month after the conclusion of any proceedings initiated by the alien challenging the transfer decision if the proceedings are suspensory.

6. Measures taken under Article 18 may subsequently determine the details of the process by which applicants shall be taken in charge.

Article 12

Where an application for asylum is lodged with the competent authorities of a Member State by

an applicant who is on the territory of another Member State, the determination of the Member State responsible for examining the application for asylum shall be made by the Member State on whose territory the applicant is. The latter Member State shall be informed without delay by the Member State which received the application and shall then, for the purpose of applying this Convention, be regarded as the Member State with which the application for asylum was lodged.

Article 13

1. An applicant for asylum shall be taken back in the cases provided for in Article 3(7) and in Article 10 as follows:

- (a) the request for the applicant to be taken back must provide indications enabling the State with which the request is lodged to ascertain that it is responsible in accordance with Article 3(7) and with Article 10;
- (b) the State called upon to take back the applicant shall give an answer to the request within eight days of the matter being referred to it. Should it acknowledge responsibility, it shall then take back the applicant for asylum as quickly as possible and at the latest one month after it agrees to do so.

2. Measures taken under Article 18 may at a later date set out the details of the procedure for taking the applicant back.

Article 14

1. Member States shall conduct mutual exchanges with regard to:

national legislative or regulatory measures or practices applicable in the field of asylum;

statistical data on monthly arrivals of applicants for asylum, and their breakdown by nationality. Such information shall be forwarded quarterly through the General Secretariat of the Council of the European Communities, which shall see that it is circulated to the Member States and the Commission of the European Communities and to the United Nations High Commissioner for Refugees.

2. The Member States may conduct mutual exchanges with regard to:

general information on new trends in applications for asylum;

general information on the situation in the countries of origin or of provenance of applicants for asylum.

3. If the Member State providing the information referred to in paragraph 2 wants it to be kept confidential, the other Member States shall comply with this wish.

Article 15

1. Each Member State shall communicate to any Member State that so requests such information on individual cases as is necessary for:

determining the Member State which is responsible for examining the application for asylum;

examining the application for asylum;

implementing any obligation arising under this Convention.

2. This information may only cover:

personal details of the applicant, and, where appropriate, the members of his family (full name — where appropriate, former name — nicknames or pseudonyms, nationality — present and former — date and place of birth);

identity and travel papers (references, validity, date of issue, issuing authority, place of issue, etc.);

other information necessary for establishing the identity of the applicant;

places of residence and routes travelled;

residence permits or visas issued by a Member State;

the place where the application was lodged;

the date any previous application for asylum was lodged, the date the present application was lodged, the stage reached in the proceedings and the decision taken, if any.

3. Furthermore, one Member State may request another Member State to let it know on what grounds the applicant for asylum bases his or her application and, where applicable, the grounds for any decisions taken concerning the applicant. It is for the Member State from which the information is requested to decide whether or not to impart it. In any event, communication of the information requested shall be subject to the approval of the applicant for asylum.

4. This exchange of information shall be effected at the request of a Member State and may only take place between authorities the designation of which by each Member State has been communicated to the Committee provided for under Article 18.

5. The information exchanged may only be used for the purposes set out in paragraph 1. In each Member State such information may only be com-

municated to the authorities and courts and tribunals entrusted with:

determining the Member State which is responsible for examining the application for asylum;

examining the application for asylum;

implementing any obligation arising under this Convention.

6. The Member State that forwards the information shall ensure that it is accurate and up-to-date.

If it appears that this Member State has supplied information which is inaccurate or which should not have been forwarded, the recipient Member State shall be immediately informed thereof. They shall be obliged to correct such information or to have it erased.

7. An applicant for asylum shall have the right to receive, on request, the information exchanged concerning him or her, for such time as it remains available.

If he or she establishes that such information is inaccurate or should not have been forwarded, he or she shall have the right to have it corrected or erased. This right shall be exercised in accordance with the conditions laid down in paragraph 6.

8. In each Member State concerned, the forwarding and receipt of exchanged information shall be recorded.

9. Such information shall be kept for a period not exceeding that necessary for the ends for which it was exchanged. The need to keep it shall be examined at the appropriate moment by the Member State concerned.

10. In any event, the information thus communicated shall enjoy at least the same protection as is given to similar information in the Member State which receives it.

11. If data are not processed automatically but are handled in some other form, every Member State shall take the appropriate measures to ensure compliance with this Article by means of effective controls. If a Member State has a monitoring body of the type mentioned in paragraph 12, it may assign the control task to it.

12. If one or more Member States wish to computerize all or part of the information mentioned in paragraphs 2 and 3, such computerization is only possible if the countries concerned have adopted laws applicable to such processing which implement the principles of the Strasbourg Convention of 28 February 1981 for the protection of individuals, with regard to automatic processing of personal data and if they have entrusted an

appropriate national body with the independent monitoring of the processing and use of data forwarded pursuant to this Convention.

Article 16

1. Any Member State may submit to the Committee referred to in Article 18 proposals for revision of this Convention in order to eliminate difficulties in the application thereof.

2. If it proves necessary to revise or amend this Convention pursuant to the achievement of the objectives set out in Article 8a of the Treaty establishing the European Economic Community, such achievement being linked in particular to the establishment of a harmonized asylum policy and a common visa policy, the Member State holding the Presidency of the Council of the European Communities shall organize a meeting of the Committee referred to in Article 18.

3. Any revision of this Convention or amendment hereto shall be adopted by the Committee referred to in Article 18. They shall enter into force in accordance with the provisions of Article 22.

Article 17

1. If a Member State experiences major difficulties as a result of a substantial change in the circumstances obtaining on conclusion of this Convention, the State in question may bring the matter before the Committee referred to in Article 18 so that the latter may put to the Member States measures to deal with the situation or adopt such revisions or amendments to this Convention as appear necessary, which shall enter into force as provided for in Article 16(3).

2. If, after six months, the situation mentioned in paragraph 1 still obtains, the Committee, acting in accordance with Article 18(2), may authorize the Member State affected by that change to suspend temporarily the application of the provisions of this Convention, without such suspension being allowed to impede the achievement of the objectives mentioned in Article 8a of the Treaty establishing the European Economic Community or contravene other international obligations of the Member States.

3. During the period of suspension referred to in paragraph 2, the Committee shall continue its discussions with a view to revising the provisions of this Convention, unless it has already reached an agreement.

Article 18

1. A Committee shall be set up comprising one representative of the Government of each Member State.

The Committee shall be chaired by the Member State holding the Presidency of the Council of the European Communities.

The Commission of the European Communities may participate in the discussions of the Committee and the working parties referred to in paragraph 4.

2. The Committee shall examine, at the request of one or more Member States, any question of a general nature concerning the application or interpretation of this Convention.

The Committee shall determine the measures referred to in Article 11(6) and Article 13(2) and shall give the authorization referred to in Article 17(2).

The Committee shall adopt decisions revising or amending the Convention pursuant to Articles 16 and 17.

3. The Committee shall take its decisions unanimously, except where it is acting pursuant to Article 17(2), in which case it shall take its decisions by a majority of two-thirds of the votes of its members.

4. The Committee shall determine its rules of procedure and may set up working parties.

The Secretariat of the Committee and of the working parties shall be provided by the General Secretariat of the Council of the European Communities.

Article 19

As regards the Kingdom of Denmark, the provisions of this Convention shall not apply to the Faeroe Islands nor to Greenland unless a declaration to the contrary is made by the Kingdom of Denmark. Such a declaration may be made at any time by a communication to the Government of Ireland which shall inform the Governments of the other Member States thereof.

As regards the French Republic, the provisions of this Convention shall apply only to the European territory of the French Republic.

As regards the Kingdom of the Netherlands, the provisions of this Convention shall apply only to the territory of the Kingdom of the Netherlands in Europe.

As regards the United Kingdom the provisions of this Convention shall apply only to the United Kingdom of Great Britain and Northern Ireland. They shall not apply to the European territories for whose external relations the United Kingdom is responsible unless a declaration to the contrary is made by the United Kingdom. Such a declaration may be made at any time by a communication to the Government of Ireland, which shall inform the Governments of the other Member States thereof.

Article 20

This Convention shall not be the subject of any reservations.

Article 21

1. This Convention shall be open for the accession of any State which becomes a member of the European Communities. The instruments of accession will be deposited with the Government of Ireland.

2. It shall enter into force in respect of any State which accedes thereto on the first day of the third month following the deposit of its instrument of accession.

Article 22

1. This Convention shall be subject to ratification, acceptance or approval. The instruments of ratification, acceptance or approval shall be deposited with the Government of Ireland.

2. The Government of Ireland shall notify the Governments of the other Member States of the deposit of the instruments of ratification, acceptance or approval.

3. This Convention shall enter into force on the first day of the third month following the deposit of the instrument of ratification, acceptance or approval by the last signatory State to take this step.

The State with which the instruments of ratification, acceptance or approval are deposited shall notify the Member States of the date of entry into force of this Convention.

In witness whereof, the undersigned plenipotentiaries have hereunto set their hands.

Done at Dublin this fifteenth day of June in the year one thousand nine hundred and ninety, in a single original, in the Danish, Dutch, English,

French, German, Greek, Irish, Italian, Portuguese and Spanish languages, the texts drawn up in each of these languages being equally authentic and being deposited in the archives of the Government

of Ireland which shall transmit a certified copy to each of the other Member States.

(...)'.

3. Infringement procedures

Initiation of proceedings for failure to implement Directives

Letters of formal notice

2.3.1. In June the Commission sent letters of formal notice for failure to inform it of national implementing measures in the following cases.

Internal market

Council Directive 89/235/EEC of 13 March 1989 amending Directive 78/1015/EEC on the approximation of the laws of the Member States on the permissible sound level and exhaust systems of motorcycles (Greece)
OJ L 98, 11.4.1989

Commission Directive 89/277/EEC of 28 March 1989 adapting to technical progress Council Directive 76/759/EEC on the approximation of the laws of the Member States relating to direction indicator lamps for motor vehicles and their trailers (Greece)
OJ L 109, 20.4.1989

Commission Directive 89/278/EEC of 28 March 1989 adapting to technical progress Council Directive 76/756/EEC on the approximation of the laws of the Member States relating to the installation of lighting and light-signalling devices on motor vehicles and their trailers (Greece)
OJ L 109, 20.4.1989

Council Directive 89/297/EEC of 13 April 1989 on the approximation of the laws of the Member States relating to the lateral protection (side guards) of certain motor vehicles and their trailers (Greece)
OJ L 124, 5.5.1989

Council Directive 89/458/EEC of 18 July 1989 amending with regard to European emission stan-

dards for cars below 1.4 litres Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles (Greece, Italy, Luxembourg, Netherlands)
OJ L 226, 3.8.1989

Agriculture

Commission Directive 88/483/EEC of 14 July 1988 amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs (Netherlands)
OJ L 237, 27.8.1988

Commission Directive 88/616/EEC of 30 November 1988 amending the Annexes to Council Directive 70/524/EEC concerning additives in feedingstuffs (Netherlands)
OJ L 343, 13.12.1988

Council Directive 89/186/EEC of 6 March 1989 amending Annex II to Directive 76/895/EEC relating to the fixing of maximum levels for pesticide residues in and on fruit and vegetables (Italy, Netherlands)
OJ L 66, 10.3.1989

Commission Directive 89/321/EEC of 27 April 1989 amending for the second time the Annexes to Council Directive 77/96/EEC on the examination for trichinae (*Trichinella spiralis*) upon importation from third countries of fresh meat derived from domestic swine (Belgium, Italy)
OJ L 133, 17.5.1989

Council Directive 89/360/EEC of 30 May 1989 amending Directive 64/432/EEC as regards administrative areas and a cessation of serological testing for brucellosis in certain types of swine (Italy)
OJ L 153, 6.6.1989

Environment

Council Directive 87/219/EEC of 30 March 1987 amending Directive 75/716/EEC on the approxi-

mation of the laws of the Member States relating to the sulphur content of certain liquid fuels (Greece)
OJ L 91, 3.4.1987

Council Directive 84/538/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to the permissible sound power level of lawnmowers (Greece)

OJ L 300, 19.11.1984

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 (Belgium)

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 (Greece, Ireland)

OJ L 181, 4.7.1986

2.3.2 The Commission also sent a letter of formal notice for failure to implement a judgment of the Court of Justice in the following case:

Social affairs

Council Directive 80/987/EEC of 20 October 1980 on the approximation of the laws of the Member

States relating to the protection of employees in the event of the insolvency of their employer (Italy)

OJ L 283, 20.10.1980

Reasoned opinions

2.3.3. In June the Commission delivered reasoned opinions for failure to inform it of national implementing measures in the following cases:

Agriculture

Commission Directive 87/120/EEC of 14 January 1987 amending various Council Directives on the marketing of seeds and propagating materials (Belgium, France, Italy, Luxembourg)

OJ L 49, 18.2.1987

Commission Directive 88/95/EEC of 8 January 1988 amending Annex I to Council Directive 66/400/EEC on the marketing of beet seed (Belgium, France, Italy, Luxembourg)

OJ L 56, 2.3.1988.

4. Additional references in the Official Journal

2.4.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 12-1989

Point 2.1.131

Commission Decision 90/271/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Lorraine (France)

Commission Decision 90/272/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Aquitaine (France)

Commission Decision 90/273/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Poitou-Charentes (France)

Commission Decision 90/274/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Franche-Comté (France)

Commission Decision 90/275/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Pays de la Loire (France)

Commission Decision 90/276/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Brittany (France)

Commission Decision 90/277/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Bourgogne (France)

Commission Decision 90/278/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Nord/Pas-de-Calais (France)

Commission Decision 90/279/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Champagne-Ardenne (France)

Commission Decision 90/280/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Picardy (France)

Commission Decision 90/281/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the Upper Normandy region (France)

OJ L 153, 19.6.1990

Commission Decision 90/282/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the Lower Normandy region (France)

Commission Decision 90/283/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assist-

ance in the areas eligible under Objective 2 in the region of Languedoc-Roussillon (France)

Commission Decision 90/284/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Provence-Alpes-Côte d'Azur (France)

Commission Decision 90/285/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Auvergne (France)

Commission Decision 90/286/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Rhône-Alpes (France)

Commission Decision 90/287/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Midi-Pyrénées (France)

Commission Decision 90/288/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the cantons of Esch-sur-Alzette and Capellen (Grand Duchy of Luxembourg), which are eligible under Objective 2

Commission Decision 90/289/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the province of Liège (Belgium)

Commission Decision 90/290/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the province of Luxembourg (Belgium)

Commission Decision 90/291/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the province of Limburg (Belgium)

Commission Decision 90/292/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in Turnhout (Belgium)

Commission Decision 90/293/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the province of Hainaut (Belgium)

OJ L 154, 20.6.1990

Commission Decision 90/294/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the self-governing town of Emden (Federal Republic of Germany), which is eligible under Objective 2

Commission Decision 90/295/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in greater Saarbrücken and the Saarlouis district (Federal Republic of Germany)

Commission Decision 90/296/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the self-governing town of Salzgitter and the district of Peine (Federal Republic of Germany)

Commission Decision 90/297/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the district of Pirmasens and the self-governing town of Pirmasens and Zweibrücken in Rhineland-Palatinate (Federal Republic of Germany), which are eligible under Objective 2

Commission Decision 90/298/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in Berlin (Federal Republic of Germany), which is eligible under Objective 2

Commission Decision 90/299/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in North Rhine-Westphalia (Federal Republic of Germany)

Commission Decision 90/300/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in Bremen (Federal Republic of Germany)

Commission Decision 90/301/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in Zuid-Limburg (the Netherlands)

Commission Decision 90/302/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in Groningen/Zuidoost-Drenthe (the Netherlands)

Commission Decision 90/303/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assist-

ance in the areas eligible under Objective 2 in Twente (the Netherlands)

OJ L 155, 21.6.1990

Commission Decision 90/304/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Lazio (Italy)

Commission Decision 90/305/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Valle d'Aosta (Italy)

Commission Decision 90/306/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Umbria (Italy)

Commission Decision 90/307/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Marche (Italy)

Commission Decision 90/308/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Liguria (Italy)

Commission Decision 90/309/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Piedmont (Italy)

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Commission Decision 90/312/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in the region of Tuscany (Italy)

OJ L 157, 22.6.1990

Commission Decision 90/315/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assist-

ance in the areas eligible under Objective 2 in north-east England in the United Kingdom

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Commission Decision 90/323/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in eastern Scotland in the United Kingdom

Commission Decision 90/324/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 in North Jutland (Denmark)

Commission Decision 90/325/EEC of 20 December 1989 on the establishment of the Community support framework for Community structural assistance in the areas eligible under Objective 2 West Lolland (Denmark)

OJ L 158, 23.6.1990

Bull. EC 3-1990

Point 1.1.177

Proposal for a Council Regulation (EEC) on consultation between airports and airport users and on airport charging principles

OJ C 147, 16.6.1990

Bull. EC 4-1990

Point 1.1.3

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

OJ C 152, 21.6.1990

Point 1.4.6

Decision 90/354/Euratom, ECSC, EEC of the European Parliament of 3 April 1990 granting discharge to the Commission in respect of the implementation of the general budget of the European Communities for the financial year 1988 concerning Section I — Parliament, II — Council, III — Commission, IV — Court of Justice and V — Court of Auditors

Resolution embodying the comments which form an integral part of the Decision granting a discharge in respect of the implementation of the general budget of the European Communities for the financial year 1988

OJ L 174, 7.7.1990

Point 1.4.8

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Decision 90/356/EEC of the European Parliament of 3 April 1990 granting a discharge to the Commission in respect of the financial management of the fifth European Development Fund during the 1988 financial year

Decision 90/357/EEC of the European Parliament of 3 April 1990 granting a discharge to the Commission in respect of the financial management of the sixth European Development Fund during the 1988 financial year

Resolution containing the observations accompanying the Decisions granting a discharge

in respect of the financial management of the fourth, fifth and sixth European Development Funds during the 1988 financial year
OJ L 174, 7.7.1990

Point 1.4.9

Decision 90/358/EEC of the European Parliament of 3 April 1990 granting discharge to the Management Board of the European Centre for the Development of Vocational Training in respect of the implementation of its appropriations for the 1988 financial year
OJ L 174, 7.7.1990

Point 1.4.10

Decision 90/359/EEC of the European Parliament of 3 April 1990 granting discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its appropriations for the 1988 financial year
OJ L 174, 7.7.1990

Bull. EC 5-1990

Point 1.2.7

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OJ C 163, 4.7.1990

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Council resolution of 29 May 1990 on action to assist the long-term unemployed
OJ C 157, 27.6.1990

Point 1.2.67

Council resolution of 29 May 1990 on the protection of the dignity of women and men at work
OJ C 157, 27.6.1990

Bull. EC 6-1990

Point 1.2.72

Proposal for a Council Directive amending Directive 83/477/EEC on the protection of workers from the risks related to exposure to asbestos at work
OJ C 161, 30.6.1990

Point 1.2.92

Proposal for a Council Decision amending Decision 89/118/EEC on a European stimulation plan for economic science (SPES) (1989-92)
OJ C 155, 26.6.1990

Point 1.2.124

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OJ C 158, 28.6.1990

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OJ L 161, 27.6.1990

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Point 1.2.239

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OJ C 162, 3.7.1990

Point 1.2.240

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OJ C 162, 3.7.1990

Point 1.2.241

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OJ C 162, 3.7.1990

Point 1.2.247

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OJ C 157, 27.6.1990

Point 1.3.48

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OJ C 153, 22.6.1990

Point 1.6.4

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OJ L 161, 27.6.1990

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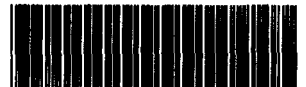
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