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Commission



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

E \overline{C} U	= 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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I — Rome European Council

Rome, 14 and 15 December

1.1. With the Italian Prime Minister, Mr Andreotti, in the chair, this meeting of Heads of State or Government of the Member States was attended by Mr Delors, President, and Mr Andriessen, Vice-President, representing the Commission. It first heard a statement by Mr Barón Crespo, President of the European Parliament, on the situation in the Community and Parliament's views on the questions to be discussed at the two Intergovernmental Conferences.

The European Council held an in-depth discussion on the Community's internal development and on the contribution it plans to make towards shaping the new face of Europe.

It expressed its determination to define the stages in the process of transforming the Community into a political union, which will act as a focus of stability in Europe.

It noted with satisfaction all the reparatory work designed to serve as a basis for the Intergovernmental Conference on Political Union.

Without prejudice to other subjects raised by Governments or by the Commission in the preparatory work, it asked the Conference to give particular attention to democratic legitimacy, common foreign and security policy, European citizenship, and the extending and strengthening of Community action.

Moving on to the organization of the Intergovernmental Conferences, the European Council confirmed that they should proceed in parallel and be concluded rapidly and at the same time, so that the results could be submitted for simultaneous ratification by the end of 1992 if possible.

On the internal market, the European Council took note of the Commission's progress report, observing that the main features of the European internal market were now in place. It called for rapid completion of proceedings on VAT and excise duties, and welcomed the Commission proposal for

a major infrastructure network. It asked for every effort to be made to ensure that all the internal market measures embodied in the programme annexed to the Commission communication were adopted in 1991.

Regretting the delay in work in the free movement of persons, the European Council asked that all the necessary decisions be taken under the Single Act, particularly on the crossing of external borders. It took note of the recent reports on immigration, and invited the Council and the Commission to consider the most appropriate measures regarding assistance to countries of emigration.

It then considered the situation regarding the social dimension and stressed the importance of pressing ahead more actively with application of the action programme for the implementation of the Social Charter.

The European Council noted the considerable importance attaching to the systematic and sustained strengthening of the action taken by the Community to combat drugs. It stressed the importance of the role played by Celad and asked the Council to reach an agreement on money laundering.

The European Council then took general stock of external relations questions.

In particular, it expressed the hope that the forthcoming ministerial conference between the EEC and EFTA would enable decisive progress to be made, and welcomed the completion of work on the new Mediterranean policy.

It called for closer political and economic links between the Community, the Rio Group countries and the other countries of Latin America; it welcomed the accession of Namibia to the Lomé IV Convention and called for a swift examination of the Commission paper on debt relief for the ACP countries.

While regretting the developments in the Uruguay Round negotiations, the European Council stressed the need for a global

approach based on balanced concessions. It asked all parties concerned to show the political will needed to resolve these problems and called on the Commission to step up its contacts in order to conclude a balanced agreement covering all sectors in the shortest possible time.

The European Council then considered the situation in the Middle East and adopted three declarations on the Gulf crisis, the Middle East and the Lebanon.

It also adopted a declaration welcoming the initiatives taken to establish a united, non-racial and democratic South Africa. It recalled that sanctions could be relaxed as soon as the South African Government had taken measures to repeal the Group Areas Act and the Land Acts, and decided to lift the ban on new investments forthwith. It also agreed to intensify the programme of positive measures to assist the victims of apartheid.

There was also a general debate on relations with the USSR and the countries of Central and Eastern Europe, upon which conclusions were adopted.

On the basis of guidelines set out in a report prepared by the Commission as requested by the Dublin European Council, and following consultations with the IMF, the World Bank, the EIB, the OECD and the President of the EBRD, the European Council decided to grant the Soviet Union food aid worth up to ECU 750 million and technical assistance worth ECU 400 million in 1991 to support the reorganization of the Soviet economy. The European Council particularly emphasized energy questions.

Regarding the other countries of Central and Eastern Europe, the European Council called for the swift conclusion of the first set of European Agreements, and agreed that measures should be taken, notably within the G-24 context, to meet the financing requirements of those countries which were not covered by public or private initiatives. It agreed that Community financing could in certain conditions be given over and above that provided by international financial institutions.

The European Council noted that the Council would release the second tranche of ECU 260 million granted to Hungary to support its balance of payments, together with Community support for Czechoslovakia's programme to stabilize and modernize its economy and make its currency convertible.

It approved emergency aid of ECU 100 million for Romania and Bulgaria, and asked the Council to press ahead with examination of the Commission proposals on credit insurance for exports to Central and Eastern Europe.

Conclusions of the Presidency (Part 1)

1.2. The European Council heard a statement by the President of the European Parliament on the situation in the Community and Parliament's views on the questions to be discussed at the two Intergovernmental Conferences.

1.3. On the eve of the opening of the two Conferences on EMU and Political Union and following the recent CSCE meeting in Paris, the European Council held an in-depth discussion on the Community's internal development and on the contribution it plans to make to shaping the new face of Europe.

With regard to its internal development the Heads of State or Government expressed their determination to complete the large single market within the periods laid down, to continue strengthening economic and social cohesion and to define the stages in the process of transforming the Community into a political union, which will act as a focus of stability in Europe.

For the European Council, the Community's internal development is closely linked with the adoption of an open approach to the world in general and, in particular, with its resolve to cooperate ever more closely with the other European countries. This cooperation must today be expressed in particular by showing active solidarity with the USSR and the countries of Central and Eastern Europe in their efforts to overcome the difficulties they are experiencing.

The European Council adopted the following conclusions:

Political union

● References:

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

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

Conclusions of the Dublin European Council, 25 and 26 June 1990: Bull. EC 6-1990, point I.11

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

Commission opinion on the proposal for amendment of the Treaty establishing the European Economic Community with a view to political union: COM(90) 600; Bull. EC 10-1990, point 1.1.5

Resolution embodying Parliament's opinion on the convening of the Intergovernmental Conferences: OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.1.2

Council opinion and decision convening the Intergovernmental Conferences: → point 1.1.3

First meeting of the Intergovernmental Conference on Political Union: → point 1.1.7

1.4. The European Council notes with satisfaction all the preparatory work which is to serve as a basis for the Intergovernmental Conference on Political Union.

The Union will be based on the solidarity of its Member States, the fullest realization of its citizens' aspirations, economic and social cohesion, proper balance between the responsibilities of the individual States and the Community and between the roles of the institutions, coherence of the overall external action of the Community in the framework of its foreign, security, economic and development policies and of its efforts to eliminate racial discrimination and xenophobia in order to ensure respect for human dignity.

Without prejudice to other subjects raised by Governments or by the Commission in the preparatory work, the European Council asks the Conference to give particular attention to the following:

1. *Democratic legitimacy*

1.5. In order to strengthen the role of the European Parliament, the European Council asks the Conference to consider the following measures:

- (i) extension and improvement of the cooperation procedure;
- (ii) extension of the procedure for assent to international agreements which require unanimous approval by the Council;
- (iii) involvement of the European Parliament in the appointment of the Commission and its President;

(iv) increased powers on budget control and financial accountability;

(v) closer monitoring of the implementation of Community policies;

(vi) consolidation of the rights of petition and enquiry as regards Community matters.

The European Council also discussed further-reaching reforms on the role of the European Parliament and asks the Conference to consider developing co-decision procedures for acts of a legislative nature, within the framework of the hierarchy of Community acts.

Consideration should be given to arrangements allowing national parliaments to play their full role in the Community's development.

The European Council notes the particular importance which some Member States attach to:

(i) the adoption of arrangements that take account of the special competence of regional or local institutions as regards certain Community policies;

(ii) the need to consider suitable procedures for the consultation of such institutions.

2. *Common foreign and security policy*

1.6. The European Council welcomes the broad agreement on basic principles concerning the vocation of the Union to deal with aspects of foreign and security policy, in accordance with a sustained evolutive process and in a unitary manner, on the basis of general objectives laid down in the Treaty.

The common foreign and security policy should aim at maintaining peace and international stability, developing friendly relations with all countries, promoting democracy, the rule of law and respects for human rights, and encouraging the economic development of all nations, and should also bear in mind the special relations of individual Member States.

To this end, the Conference will in particular address the Union's objectives, the scope of its policies and the means of fostering and ensuring their effective implementation within an institutional framework.

Such an institutional framework would be based on the following elements:

(i) one decision-making centre, namely the Council;

(ii) harmonization and, where appropriate, unification of the preparatory work; a unified Secretariat;

(iii) a reinforced role for the Commission, through a non-exclusive right of initiative;

(iv) adequate procedures for consulting and informing the European Parliament;

(v) detailed procedures ensuring that the Union can speak effectively with one voice on the international stage, in particular in international organizations and *vis-à-vis* third countries.

The following elements should be considered as a basis for the decision-making process:

(i) the rule of consensus in defining general guidelines; in this context, non-participation or abstention in the voting as a means of not preventing unanimity;

(ii) the possibility of recourse to qualified-majority voting for the implementation of agreed policies.

As regards common security, the gradual extension of the Union's role in this area should be considered, in particular with reference, initially, to issues debated in international organizations: arms control, disarmament and related issues; CSCE matters; certain questions debated in the United Nations, including peacekeeping operations; economic and technological cooperation in the armaments field; coordination of armaments export policy; and non-proliferation.

Furthermore, the European Council emphasizes that, with a view to the future, the prospect of a role for the Union in defence matters should be considered, without prejudice to Member States' existing obligations in this area, bearing in mind the importance of maintaining and strengthening the ties within the Atlantic alliance and without prejudice to the traditional positions of other Member States. The idea of a commitment by Member States to provide mutual assistance, as well as proposals put forward by some Member States on the future of Western European Union, should also be addressed.

3. European citizenship

1.7. The European Council notes with satisfaction the consensus among Member States that the concept of European citizenship should be examined.

It asks the Conference to consider the extent to which the following rights could be enshrined in the Treaty so as to give substance to this concept:

(i) civil rights: participation in elections to the European Parliament in the country of residence; possible participation in municipal elections;

(ii) social and economic rights: freedom of movement and residence irrespective of engagement in economic activity, equality of opportunity and of treatment for all Community citizens;

(iii) joint protection of Community citizens outside the Community's borders.

Consideration should be given to the possible institution of a mechanism for the defence of citizens' rights as regards Community matters ('ombudsman').

In the implementation of any such provisions, appropriate consideration should be given to particular problems in some Member States.

4. Extension and strengthening of Community action

1.8. The European Council notes that there is a wide recognition of the need to extend or redefine the Community's competence in specific areas.

It asks the Conference to bear in mind, *inter alia*, the following areas:

(i) the social dimension, including the need for social dialogue;

(ii) economic and social cohesion among the Member States;

(iii) improved protection of the environment in order to ensure sustainable growth;

(iv) the health sector and in particular the combating of major diseases;

(v) a research effort commensurate with the development of the Community's competitive capacity;

(vi) an energy policy aiming at greater security and efficiency, bearing also in mind cooperation in the whole of Europe;

(vii) providing the Community with major infrastructures, in order also to permit the completion of a trans-European network;

(viii) safeguarding the diversity of the European heritage and promoting cultural exchanges and education.

It should also be considered whether and how activities currently conducted in an intergovernmental framework could be brought into the ambit of the Union, such as certain key areas of home affairs and justice, namely immigration, visas, asylum and the fight against drugs and organized crime.

The European Council agrees on the importance of the principle of subsidiarity, not only when considering the extension of Union competence,

but also in the implementation of Union policies and decisions.

The European Council stresses the fact that the Union must have at its disposal all the necessary resources to achieve the objectives that it sets and to carry out the resulting policies.

5. Effectiveness and efficiency of the Union

1.9. The European Council discussed how to ensure the effectiveness and efficiency of the Union's institutions.

It agreed that the essential role that the European Council has played over recent years in creating fundamental political momentum will continue. The Conference will consider whether the Community's development towards the Union necessitates an accentuation of this role.

Regarding the Council, the extension of majority voting will be examined by the Conference, including the possibility of making it the general rule with a limited number of exceptions.

Regarding the Commission, the European Council emphasized that extending the responsibilities of the Union must be accompanied by a strengthening of the Commission's role and in particular of its implementing powers so that it may, like the other institutions, help to make Community action more effective.

As for the Community's other institutions and organs, the Conference will examine the question of how to improve their effectiveness and efficiency in the light of the suggestions presented by those institutions and by Member States.

Economic and monetary union

● References:

Conclusions of the special meeting of the European Council, Dublin: Bull. EC 4-1990, point 1.7

Commission communication to the Council on economic and monetary union: Bull. EC 7/8-1990, point 1.3.2

Conclusions of the special meeting of the European Council, Rome: Bull. EC 10-1990, point 1.5

Resolution embodying the European Parliament's opinion on the convening of the Intergovernmental Conferences: OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.1.2

Council opinion and decision convening the Intergovernmental Conferences: → point 1.1.3

1.10. The European Council takes note of the Report by the Committee of Governors of the Central Banks, of the draft statute and of the

draft Treaty on Economic and Monetary Union submitted by the Commission.

The European Council notes that the Intergovernmental Conferences on Political Union and Economic and Monetary Union will open in Rome on 15 December 1990. The Conferences will take due account of the opinions given by the European Parliament and by the Commission under Article 236 of the Treaty.

The European Council confirms that the work of the two Conferences will proceed in parallel and should be concluded rapidly and at the same time. The results will be submitted for ratification simultaneously with the objective of ratification before the end of 1992.

The European Council takes note of the President's report on his discussions with the European Parliament concerning, *inter alia*, the contacts between the Conferences and the European Parliament.

The European Council decides to take the fullest account of the European Parliament's views during the Intergovernmental Conferences and at the time of their conclusion.

Internal market

● References:

White Paper on completing the internal market: an area without internal frontiers: COM(85) 310; Bull. EC 6-1985, points 1.3.1 to 1.3.9

Commission report on progress in completing the internal market: COM(90) 552; Bull. EC 11-1990, point 1.3.2

Commission communication on trans-European networks: → point 1.3.7

Council conclusions on the new VAT arrangements: → point 1.3.4

Council conclusions on the new excise duties arrangements: → point 1.3.5

1.11. The European Council took note of the Commission report on the progress made towards completion of the internal market.

The report shows that the main features of the large European internal market are now present. The credibility which the project has thereby acquired has given rise to a feeling of anticipation on the part of economic operators who, in their turn, are helping to speed up the process.

On the subject of indirect taxation, the European Council took note of the results recently achieved. As regards VAT and excise duties, it considers that proceedings must be completed in the near future and be accompanied by the approximation necessary to satisfy the requirements of a true internal market.

All the advantages of the large market will fully emerge only if it is supported by a major transport, energy and telecommunications infrastructure network. The European Council welcomed the Commission proposal in this area.

The European Council invites the Council, the Commission, the European Parliament and the Member States to make every effort to ensure that all the measures concerning the internal market and embodied in the programme annexed to the Commission communication are adopted in 1991. Since the time available is short, it requests that an assessment be made of the work that remains to be done. The European Council undertakes to take every useful initiative to ensure that the deadline of 1 January 1993 is met.

It underlines the importance of timely implementation and adequate enforcement of agreed measures and notes with satisfaction that the measures taken by the Commission and the Member States to effect the full and rapid incorporation of the directive into national law have made it possible to reduce the delay that has occurred.

Free movement of persons

- **Reference:**
Conclusions of the Madrid European Council: Bull. EC 6-1989, point 1.1.7
Experts' report on immigration policies and the social integration of immigrants in the Community: Bull. EC 9-1990, point 1.2.190

1.12. The European Council notes with regret that a delay has occurred in relation to the programme. It considers it necessary to give full scope to the provisions of the Single Act on the free movement of persons. It wants the necessary decisions, in particular on the crossing of external borders, to be taken at an early date to ensure that the 1 January 1993 deadline is met.

The European Council invites the Commission to submit, on the basis of information to be provided by the Member States, the study which has been announced on measures designed to reinforce the infrastructure necessary for controls at external borders.

The European Council took note of the reports on immigration and asks the General Affairs Council and the Commission to examine the most appropriate measures and actions regarding aid to countries of emigration, entry conditions and aid for social integration, taking particular account of the need for a harmonized policy on the right of asylum.

Transport policy

- **References:**
Proposal for a Directive on the harmonization of the structures of excise duty on mineral oils: OJ C 322, 21.12.1990; COM(90) 434; Bull. EC 9-1990, point 1.2.5
Amended proposal for a Council Directive on the charging of transport infrastructure costs to heavy goods vehicles: COM(90) 540; Bull. EC 11-1990, point 1.3.182

Harmonization of conditions of competition

1.13. The European Council noted the Commission's latest proposals, which address certain aspects of the problem (excise duties on fuel, taxes, tolls). It asks the Council to reach decisions by 30 June 1991.

Netherlands memorandum

1.14. Having taken note of the Transport Council's report on this matter, the European Council requests the Commission and the Council to take the necessary decisions to ensure that the deadline of 1 January 1993 is met. The European Council stresses the importance of making progress on the other aspects of the common transport policy (relationship with the environment, social aspects and major infrastructures).

Situation of peripheral countries

1.15. The European Council calls for special heed to be paid to the situation of the peripheral countries in the context of the common transport policy.

Social dimension

- **References:**
Commission communication concerning the action programme for the implementation of the Community Charter of Fundamental Social Rights: COM(89) 568; Bull. EC 11-1989, point 2.1.80
Commission proposals to the Council for three Directives on atypical work: OJ C 224, 8.9.1990; Bull. EC 6-1990, points 1.3.70 to 1.3.72
Commission memorandum on the rationalization and coordination of Community vocational training programmes: Bull. EC 7/8-1990, point 1.3.91
Opinion of the Steering Group on the creation of a European occupational and geographical mobility area and improving the operation of the labour market in Europe: Bull. EC 7/8-1990, point 1.3.85
Agreement of the Social Dialogue Steering Group: Bull. EC 1/2-1990, point 1.1.91

Third Community action programme on equal opportunities for women and men: COM(90) 449; Bull. EC 10-1990, point 1.3.46

1.16. The European Council referred to the need, in the context of European integration, to give equal weight to social aspects and to economic aspects. The establishment of the large single market must result in a genuine improvement in employment and in the living and working conditions of all Community citizens.

The European Council stresses the importance of pressing ahead more actively with the application of the action programme for the implementation of the Social Charter.

This applies in particular to the proposals on health protection and safety at work, which should be adopted without delay in order to ensure that the Community's legislation in the essential area of social protection is complete.

With regard to the other proposals on working conditions and industrial relations (including non-standard employment), vocational training, free movement of workers, the information and consultation of workers and equal treatment for men and women, the European Council requests that proceedings be speeded up, starting with the matters on which rapid progress is possible. It asks that in each case the solutions sought should be those which best serve the spirit of the Social Charter, taking account of the respective responsibilities of the Community, the Member States and the social partners, the aim of creating and developing employment and the need to respect the different customs and traditions of the Member States in the social area.

The European Council emphasizes the importance of the family as an essential aspect of solidarity and social cohesion. It also stresses the importance of the support which young people can bring to European integration and hopes that Community action in both these areas will be extended.

Combating drugs and organized crime

● References:

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

Conclusions of the Dublin European Council, 25 and 26 June 1990: Bull. EC 6-1990, point 1.16

Proposal for a Directive on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances: COM(90) 597; → point 1.3.8

Council Regulation (EEC) No 3677/90 laying down measures to be taken to discourage the diversion of certain substances for the illicit manufacture of narcotic drugs and psychotropic substances: OJ L 357, 20.12.1990; → point 1.3.9

Council agreement on the proposal for a Directive on prevention of use of the financial system for the purpose of money laundering: → point 1.3.10

1.17. The European Council notes the considerable importance attaching to the systematic and sustained strengthening of the action taken by the Community and its Member States to combat drugs and organized crime.

It asks the bodies responsible to ensure rapid implementation of the programme drawn up by Celad, with particular regard to the objective of reducing demand for drugs. It asks the Council to reach an agreement at its meeting on 17 December on money laundering and expresses the wish that a swift decision should be taken on the principle of a European Drug Monitoring Centre.

The European Council considers that policies towards third countries must take account of the objective of combating drugs.

The role of Celad should be to encourage and coordinate Member States' action at international level.

External relations

Relations with European countries

1.18. The European Council held an in-depth discussion on the Community's relations with other European countries, including the USSR, which are especially important at a time when the groundwork for the new structure of Europe is being established, in particular in the context of the CSCE.

The European Council adopted conclusions on relations with the USSR and relations with the countries of Central and Eastern Europe and these are to be found in Part 2 of the present Conclusions.

Relations with the EFTA countries

● References:

Conclusions of the Dublin European Council: Bull. EC 6-1990, point 1.18

EEC/EFTA Ministerial Conference: → point 1.4.12

1.19. Given the political importance of the negotiations with these countries, the European Council hopes that the meeting at ministerial level on

19 December 1990 will enable decisive progress to be made towards the conclusion of negotiations next spring.

Other third countries

Mediterranean policy

- **Reference:** Council conclusions on the implementation of a new Mediterranean policy: → point 1.4.15

I.20. The European Council notes with satisfaction the progress made in redirecting Mediterranean policy, which involves *inter alia* Community support for structural adjustments. It asks the Council to complete its discussions as quickly as possible so that negotiations on the Financial Protocols can be opened.

Relations with the countries of Latin America

- **References:**
 - Council agreement on guidelines for technical and financial cooperation with developing countries in Latin America and Asia (1991-2000): → point 1.4.33
 - Proposal for a Council decision on general guidelines for technical and financial cooperation with developing countries in Latin America and Asia (1991-2000): → point 1.4.34
 - Ministerial Conference — EEC/Latin American countries of the Rio Group: → point 1.4.39

I.21. The European Council stresses the importance of relations between the Community and the member States of the Rio Group, as well as the other countries of Latin America. It hopes that the Ministerial Conference to be held in Rome on 20 December 1990 will add a new dimension to its political and economic ties.

Relations with the ACP countries

- **References:**
 - Commission Decision on the conclusion of the Fourth ACP-EEC Lomé Convention: COM(90) 302; Bull. EC 7/8-1990, point 1.4.49
 - Accession of Namibia to the ACP-EEC Lomé Convention: OJ C 295, 26.11.1990; Bull. EC 10-1990, point 1.4.28; → point 1.4.47
 - Commission communication on relieving the ACP countries' debt to the Community: Bull. EC 11-1990, point 1.4.36

I.22. The European Council notes with satisfaction both the entry into force of the new Lomé Convention at the beginning of next year and the planned signing on 19 December 1990 concerning the accession of Namibia to the Lomé Convention. The European Council takes note of the recent

Commission communication concerning relief of the ACP countries' debt to the Community and requests a swift examination of that communication by the appropriate bodies in accordance with international strategy for debt management.

GATT

- **References:**
 - Council conclusions on the Community position in the Uruguay Round negotiations: → point 1.4.95
 - Uruguay Round Ministerial Conference in Brussels: → point 1.4.94

I.23. The European Council regrets the developments which have occurred in the Uruguay Round negotiations. It stresses that only a global approach based on balanced concessions made by all participants will enable the negotiations to be brought to a successful conclusion. The European Council points out that the aim of the negotiations is to strengthen the open multilateral trading system, so as to make possible the further development of world trade, the extension of the system to new sectors and the introduction of a mechanism for the settlement of disputes which prohibits recourse to unilateral action and on the contrary ensures the application of common rules.

The European Council asks all parties concerned to show the political will needed to resolve these problems and to endeavour to seek constructive solutions to the problems outstanding. The European Council calls upon the Commission as negotiator to step up its contacts with all the participants in order to conclude a balanced agreement covering all sectors in the shortest possible time.

Gulf crisis and the Middle East

I.24. The European Council discussed the Gulf crisis and the situation in the Middle East and adopted the declarations in Annexes I, II and III.

South Africa

I.25. The European Council examined the way the situation in South Africa is developing and adopted the declaration given in Annex IV.

Annex I

Declaration on the Gulf crisis

- **References:**
 - Declarations by the Community and its Member States in political cooperation: Bull. EC 7/8-1990, points

1.5.9, 1.5.11, 1.5.14 and 1.5.16; Bull. EC 9-1990, points 1.4.2, 1.4.3 and 1.4.4; Bull. EC 11-1990, point 1.5.1

Commission decisions on emergency aid and emergency food aid: Bull. EC 7/8-1990, points 1.4.65 and 1.4.67; Bull. EC 9-1990, point 1.3.18; Bull. EC 10-1990, point 1.4.36

Regulation (EEC) No 3155/90 amending Regulation (EEC) No 2340/90 preventing trade by the Community as regards Iraq and Kuwait: OJ L 304, 1.11.1990; Bull. EC 10-1990, point 1.4.15

Regulation (EEC) No 3557/90 on financial aid for the countries most directly affected by the Gulf crisis: OJ L 347, 12.12.1990; → point 1.4.16

I.26. The European Community and its Member States remain firmly committed to full implementation of the UN Security Council resolutions. Complete Iraqi withdrawal from Kuwait and the restoration of Kuwaiti sovereignty and of its legitimate government remain the absolute conditions for a peaceful solution of the crisis.

Security Council Resolution 678 sends the clearest possible signal to Iraq that the international community is determined to ensure full restoration of international legality. The responsibility lies on the Iraqi Government to ensure peace for its people by complying fully with the demands of the UN Security Council, in particular by a complete withdrawal from Kuwait by 15 January.

The European Community and its Member States earnestly hope that implementation of the UN Security Council resolutions can be secured peacefully. To this end, they support a dialogue of the sort President Bush has offered. They also favour action by the UN Secretary-General and hope that the UN Security Council's Permanent Members will remain actively involved as well. They wish Arab countries to continue to play an important role in the efforts for a peaceful solution. The European Community and its Member States underline the value of a contact between the Presidency and the Foreign Minister of Iraq, aimed at securing, in coordination with other members of the international community, full compliance with UN Security Council resolutions.

The European Council expresses relief at Iraq's decision to release all foreign hostages, but underlines its deep concern at Iraq's failure to withdraw, at its oppressive and inhuman occupation of Kuwait and its attempt to destroy the fabric of the country.

Annex II

Declaration on the Middle East

- **Reference:** Conclusions of Rome European Council I: Bull. EC 10-1990, point 1.16

I.27. The European Council expresses its dismay at the continuing lack of clear prospects for a solution to the Arab-Israeli conflict and to the Palestinian problem, and at the renewed acts of terrorism and violence. It expresses its deep concern at the rising incomprehension and tension in the Occupied Territories. It renews its call to the parties concerned to refrain from violence which can only engender new violence. It expresses its concern about the Israeli practices of collective reprisals, such as the destruction of houses or restrictions on freedom of movement, and deplores the recent decision to place moderate Palestinians under administrative arrest.

The European Council calls once again on Israel to comply with Resolutions 672 and 673 of the UN Security Council, to act in conformity with its obligations under the Fourth Geneva Convention on the Protection of the Civilian Population, and to cooperate with the United Nations. It welcomes the recommendations by the UN Secretary-General in this regard and fully supports every effort of the UN Security Council to achieve a better protection of the Palestinian population and to promote peace in the area. It reaffirms the determination of the European Community and its Member States to further assist the Palestinian population in its serious plight.

The European Council reiterates its longstanding commitment to a just and lasting solution to these problems, in conformity with the relevant resolutions of the UN Security Council and with the principles expressed by the European Community in its previous declarations. To this end, the European Council reaffirms its support for the principle of convening, at an appropriate time, an international peace conference under the auspices of the UN.

The serious deterioration in the economic situation in the Occupied Territories is a source of great concern to the Community. In this connection, the European Council reaffirms its commitment to the economic and social development of the Palestinian people and considers that, in the new circumstances, the doubling of Community aid to the Occupied Territories decided on by the Strasbourg European Council appears particularly appropriate and timely.

The European Council also considers it vital for all efforts to be made to create the conditions for facilitating and increasing trade between the Occupied Territories and the Community.

As expressed in its Declaration of 28 October 1990, the European Council remains convinced that relations of mutual confidence and cooperation must be encouraged among the countries of the region, with a view to establishing a situation of

stability, security, economic and social well-being, and respect for civil and political rights, to forestalling the recurrence of crises, and to preventing the spread of weapons of mass destruction. The European Community and its Member States remain ready to cooperate actively with the countries concerned to achieve these goals and to contribute to the success of the task entrusted by the relevant resolutions to the UN Secretary-General to examine measures to enhance security and stability in the region. In this connection, the European Council reaffirms the importance of a meaningful and constructive Euro-Arab Dialogue.

Annex III

Declaration on Lebanon

- **Reference:** Conclusions of the Madrid European Council: Bull. EC 6-1989, point 2.3.6

1.28. The European Council expresses its satisfaction at the implementation of the security plan in greater Beirut following the withdrawal of all militias from the Lebanese capital. It expresses the hope that the recent developments can foster the process of national reconciliation and lead to the full implementation of the Taif Agreements, thus bringing about the restoration of the sovereignty, independence, unity and territorial integrity of a Lebanon free of all foreign troops and enabling the Lebanese people to express their will through free elections.

It appeals to the parties concerned to release all remaining hostages.

The European Community and its Member States reaffirm their commitment to help provide Lebanon with the assistance needed to build its future and view favourably the participation of the Community in the pledging conference for the creation of a Lebanon Assistance Fund.

Annex IV

Declaration on South Africa

- **References:**
 - Positive measures for the victims of apartheid: Bull. EC 9-1985, point 2.5.1
 - Commission communication on reorientation of the special Community programme of measures to assist the victims of apartheid in South Africa: Bull. EC 6-1990, point 1.4.48
 - Conclusions of the Dublin European Council: Bull. EC 6-1990, point 1.38

1.29. The Community and its Member States have consistently followed developments in South Africa with the greatest attention and have given a favourable reception to the initiatives which have been taken to bring about the abolition of apartheid and the establishment of a united, non-racial and democratic South Africa. They have already expressed approval of the results of the talks between the Government and the ANC, in particular those of the Pretoria meeting in August which opened the way to the negotiation of a new constitution.

They deplore the phase of serious violence through which South Africa is passing which may endanger these developments. They welcome, however, further indications serving to confirm that the process of change already begun is going ahead in the direction advocated by the Strasbourg European Council. They have decided to continue to encourage this process.

Against this background, the European Council has decided that as soon as legislative action is taken by the South African Government to repeal the Group Areas Act and the Land Acts, the Community and its Member States will proceed to an easing of the set of measures adopted in 1986.

As of now, so as to contribute to combating unemployment and improving the economic and social situation in South Africa, and to encourage the movement under way aimed at the complete abolition of apartheid, the European Council has decided to lift the ban on new investments.

At the same time, the Community and its Member States, with the objective of sending a clear signal of political support to the victims of apartheid, and intending to contribute to a new economic and social balance in South Africa, have agreed to strengthen the programme of positive measures and to adapt it to the requirements of the new situation, including requirements related to the return and resettlement of the exiles.

The Community and its Member States hope in this way to be able to contribute to the speeding up of the process under way by sending to all the parties involved in negotiation a concrete sign of support for the establishment of a new South Africa, united, non-racial and democratic, and capable of resuming the place which it deserves in the international community.

Conclusions of the Presidency (Part 2)

- **References:**
 - Agreement between the European Economic Community and the Soviet Union on trade and commercial

and economic cooperation: OJ L 68, 15.3.1990; Bull. EC 1/2-1990, points 1.2.23 and 1.2.24

Conclusions of the special meeting of the European Council, Dublin: Bull. EC 4-1990, point 1.8

Commission plan of action for coordinated assistance from the Group of 24 to Bulgaria, Czechoslovakia, the German Democratic Republic, Romania and Yugoslavia: Bull. EC 5-1990, point 1.3.3

Conclusions of Dublin European Council: Bull. EC 6-1990, point 1.19

Council Regulation (EEC) No 2698/90 amending Regulation (EEC) No 3906/89 in order to extend economic aid given to Hungary and Poland to other countries of Central and Eastern Europe: OJ L 257, 21.9.1990; Bull. EC 9-1990, point 1.3.3

Ministerial meeting of the Group of 24: Bull. EC 7/8-1990, point 1.4.1

Conclusions of the Rome European Council I: Bull. EC 10-1990, points 1.8 and 1.9

Commission communication on measures to strengthen export credit insurance and investment protection and promotion in connection with the countries of Central and Eastern Europe; proposal for a Council Regulation concerning the establishment of a reinsurance pool for export credits to Central and Eastern European countries: Bull. EC 11-1990, point 1.4.3

Council decision authorizing the Commission to negotiate European Agreements with the Czech and Slovak Federative Republic, the Republic of Hungary and the Republic of Poland: → point 1.4.6

Proposal for a Council Regulation introducing a Community guarantee for exports of foodstuffs from the European Community to the Union of Soviet Socialist Republics; proposal for a Council Regulation on urgent action to supply agricultural products to the USSR, Romania and Bulgaria: → point 1.4.2

Relations with the USSR

1.30. The European Council fully supports the reforms undertaken by the President and the competent authorities of the Union. In order to contribute to their success, it has adopted the following guidelines for the short, medium and long term on the basis of a Commission statement:

In order to satisfy the urgent food and health requirements reported by the authorities of the Union, the Community will be making available to the USSR food aid up to an amount of ECU 750 million, 250 million of which will be in the form of gifts under the 1990 farm budget. The rest will be in the form of a medium-term loan guarantee in accordance with the procedures laid down by the Economic and Financial Affairs Council on 17 December. This aid will be routed in accordance with arrangements to be finalized with the authorities of the Union guaranteeing that the aid actually reaches those for whom it is intended and does not jeopardize the gradual advance towards normality of supplies in accordance with market rules. Such aid will commence as soon as possible and will continue in 1991 under the conditions as stated above, in the light of developing requirements.

Regarding the reorganization and rehabilitation of the Soviet economy, the European Council feels that the Community's role must, above all, be to cooperate with the USSR in order to help it to mobilize its own resources.

The Community will provide as soon as possible technical assistance in the fields of public and private management, financial services, energy, transport and foodstuffs distribution. With reference to the energy sector, technical assistance should give priority to nuclear safety, energy saving, electricity, gas and oil transport systems and the administrative and legal framework.

Technical assistance will be the subject of a practical programme geared to specific projects and will be eligible for overall support of ECU 400 million in 1991 and a sum yet to be determined in 1992, to be released in tranches as projects actually materialize.

In the case of longer-term economic relations in sectors of common interest essential for the development of the Soviet economy, such as energy, telecommunications, transport and the agri-foodstuffs industry, the European Council requests the Commission to propose the instruments and framework for effective cooperation, with due regard for the ideas put forward by the Netherlands, Italy and the United Kingdom.

With regard, more generally, to energy and on the basis in particular of the proposals from the Netherlands Prime Minister and the Commission, the European Council deemed it necessary to institute long-term cooperation in Europe, in order to increase security of supplies, to optimize the exploitation of resources and investment, improve networks, increase trade and ensure more rational use of energy, which—in the light, particularly, of joint responsibility for the environment—will greatly benefit the whole of Europe. The European Council hopes that an international conference can be organized in 1991 to prepare a Pan-European Energy Charter.

The Commission is requested to explore with the Soviet authorities the idea of a major agreement between the Community and the USSR, encompassing a political dialogue and covering all aspects of close economic cooperation and cooperation in the cultural sphere, with a view to concluding such an agreement as quickly as possible and certainly by the end of 1991.

The Community's endeavours in the context of cooperation with the Soviet Union support the objective of the Government of the Union of achieving its gradual integration into the world economy. The Community and its Member States will use their influence to facilitate the USSR's

membership of international financial institutions, in particular the IMF, which must form the main framework for macroeconomic assistance.

The European Council would like the present provisions of the EBRD, which limit the possibility of aid grants for the USSR, to be examined.

The European Council stresses the importance of effective coordination by the Commission of the efforts made by the Community and its Member States acting individually, including efforts in the field of credits granted to ensure the urgent provision of supplies to Soviet industry.

The European Council would like cooperation with the USSR to be given priority by the Council, the Commission and the European Parliament. In particular all the necessary measures, including budgetary decisions, will have to be decided on in time to make it possible for food aid to begin early in 1991 and to enable the Commission to make the necessary arrangements to implement technical assistance as quickly as possible.

Countries of Central and Eastern Europe

1.31. Right from the start the Community has adopted a clear policy of helping the countries of Central and Eastern Europe to succeed with their political and economic reforms. This policy involves actions and initiatives within the framework of the Group of 24 and bilateral cooperation with each of the countries concerned. The Community hopes to conclude 'European Agreements' as quickly as possible and these will mark a new stage in the Community policy of developing increasingly close relations with those countries.

The general process of reform embarked on with the help of such support is being threatened, however, by external disturbances and constraints arising from, *inter alia*, the Gulf crisis, which are very seriously affecting their financial situation.

The European Council agreed that initiatives will be taken, within the framework of the Group of 24 in particular, to meet the financing requirements

of those countries which are not covered by public or private contributions and which are estimated at USD 4 000 million.

The Community initiative could take the form of financing over and above that provided by international financial institutions, which would be subject to a time-limit and to which the Community and the Member States would contribute, together with the other countries of G-24 and possibly other third countries. Such aid would be conditional. It would be subject to agreement with the IMF and would be granted on a case-by-case basis, with the proviso that it met the real needs and specific conditions of each country in such a way as to ensure maximum effectiveness.

The European Council noted, moreover, that at its meeting on 17 December 1990 the Economic and Financial Affairs Council would adopt the second tranche of ECU 260 million granted to Hungary to support its balance of payments. In addition it confirmed that in the context of G-24 the Community would support the programme undertaken by Czechoslovakia to stabilize and modernize its economy and to make its currency convertible.

The European Council decided on emergency aid of ECU 100 million in the form of food and medicinal products for Bulgaria and Romania. In addition, the European Council called for urgent examination of the problem arising for these countries because of the risk of interruption of their oil supplies. The countries estimated their immediate requirements at approximately ECU 150 million.

The European Council asked the Council to press ahead with examination of the proposals on credit insurance for exports to the countries of Central and Eastern Europe, tabled by the Commission in line with the conclusions of the Dublin European Council on 28 April 1990.

Finally, the European Council stated that it was following recent developments in Albania with great interest, and it expressed the hope that that country would gradually move towards democracy.

PART ONE

ACTIVITIES

IN DECEMBER 1990

1. Towards European Union

1.1.1. The European Council held a detailed debate on the transformation of the Community into a political union and identified the main issues to be examined by the Intergovernmental Conference on Political Union. It also confirmed that the two Conferences should proceed in parallel and be concluded at the same time so that the results could be submitted for simultaneous ratification by the end of 1992 if possible (→ point 1.4).

Preparations for the European Council

1.1.2. Council discussion (General Affairs) on 4 December.

- **References:** Conclusions of the special meeting of the European Council, Rome, 27 and 28 October: Bull. EC 10-1990, point 1.4

The Council held preparatory discussions on the questions likely to be on the agenda for the European Council in Rome on 14 and 15 December. In particular, it took stock of the preparations for the Intergovernmental Conference on Political Union, basing its assessment on the report drawn up following the work done by the Ministers' personal representatives, which it decided to forward to the European Council. The report, commissioned by the European Council in October, deals with matters which required further explanation or more detailed analysis and is designed to provide the Intergovernmental Conference with a sufficiently clear basis for negotiation.

The Council also noted with satisfaction the conclusions drawn up by the Presidency for the attention of the Heads of State or Government at the opening of the Intergovernmental Conferences. Following the exchange of views the Presidency confirmed its decision to forward its conclusions to the European Council in its own name.

Political union

Preparations for the Intergovernmental Conference

1.1.3. Council opinion and decision convening the Intergovernmental Conferences on Economic and Monetary Union and on Political Union.

- **References:**

Commission communication to the Council on economic and monetary union: Bull. EC 7/8-1990, point 1.3.2

Commission opinion on the proposal for amendment of the Treaty establishing the European Economic Community with a view to political union: COM(90) 600; Bull. EC 10-1990, point 1.1.5

Resolution embodying Parliament's opinion on the convening of the Intergovernmental Conferences on Economic and Monetary Union and on Political Union: OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.1.2

Adopted by the Council (General Affairs) on 4 December. In accordance with Article 236 of the Treaty the Council agreed to the convening of the Intergovernmental Conferences on 15 December.

1.1.4. Fourth interinstitutional conference (political union).

- **Reference:** Third interinstitutional conference: Bull. EC 10-1990, point 1.1.6

Held in Brussels on 5 December. The last interinstitutional meeting before the start of the Intergovernmental Conferences was attended by Mr Barón Crespo, President of Parliament, Mr De Michelis, President of the Council, and Mr Delors, President of the Commission.

Mr De Michelis stressed the innovative nature of the interinstitutional dialogue and its importance in maintaining the institutional balance. This was followed by a detailed discussion on future interinstitutional relations and the powers of the different institutions, Parliament in particular.

In this connection, Mr Barón Crespo mentioned the different procedures enabling Parliament to participate in the Conferences and once again recommended that Article 236 of the Treaty should be amended to give Parliament the power of assent.

Mr De Michelis then informed the meeting about the organization and content of the Conference on Political Union, reported on what stage the preparations had reached and gave a breakdown of the issues on which there was already agreement and those which had yet to be settled. In the course of the debate, Mr Delors raised the question of increased powers for Parliament and the possibility of amending the Treaty to give it greater responsibility for budgetary matters.

1.1.5. Parliament resolution on the constitutional basis of European Union.

- **Reference:** Parliament resolution on its guidelines for a draft constitution for the European Union: OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.1.2

Adopted on 12 December. Confirming its political will to put forward a proposal for a constitutional basis for the European Union expressed in its resolution of 11 July, Parliament has drawn up a draft constitution and called on the Governments of the Member States to adopt a decision acknowledging its rights to do so. A general preamble dealing *inter alia* with the competences of the Union is followed by a run-down of the main areas involved: fundamental rights and freedoms, citizenship, rights and duties of the Member States, the institutions of the Union (including a new Committee of Regions and Local Authorities), legislative procedure, implementation of Union laws, the budget, international agreements, organs and competences of the Union and, lastly, procedures for amending the Constitution and for its entry into force.

OJ C 19, 18.1.1991

1.1.6. Parliament resolution on the executive powers of the Commission and the role of the Commission in the Community's external relations.

- **References:**

Parliament resolution on the Intergovernmental Conference in the context of Parliament's strategy for European Union: OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.1.1

Parliament resolution on its guidelines for a draft constitution for the European Union: OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.1.2

Parliament resolution on the principle of subsidiarity: OJ C 231, 17.9.1990; Bull. 7/8-1990, point 1.1.3.

Adopted by Parliament on 13 December. In the light of the objectives of the Intergovernmental Conferences, Parliament is proposing that the role of the Commission, the Council and Parliament be redefined. It considers that the Commission should become the real executive of the Community, should be given clearly defined powers and that, consequently, the controls on it should be strengthened and improved.

Moreover, quite apart from its general executive powers, Parliament feels that the Commission must play an essential role in decision-making on both economic and social matters within the framework of economic and monetary union.

Parliament then goes on to deal with the procedures for drawing up and concluding international agreements and stresses the need for a coherent common foreign policy.

It also considers that legislative power in the Community should be exercised by both the Council and Parliament and that Parliament should therefore have the right to elect the President of the Commission by absolute majority on a proposal from the European Council.

OJ C 19, 28.1.1990

Opening of the Conference

1.1.7. Ministerial meeting.

- **Reference:** First meeting of the Intergovernmental Conference on Economic and Monetary Union (→ point 1.1.9)

Held in Rome on 15 December. This meeting was chaired by Mr De Michelis, Presi-

dent of the Council, and was attended by Mr Delors and Mr Andriessen, President and Vice-President of the Commission respectively. After a short welcoming speech, Mr De Michelis reminded those present that the aim of the opening meeting was to prepare for and organize the work to be done in the first half of 1991; he thought the proceedings ought to be completed by the autumn in time for the results to be ratified by the Member States by the end of 1992. Following an exchange of views, the delegations agreed on the basic working procedures and methods.

Economic and monetary union

Preparations for the Intergovernmental Conference

1.1.8. Council opinion and decision convening the Intergovernmental Conferences on Economic and Monetary Union and on Political Union (→ point 1.1.3).

Opening of the Conference

1.1.9. Ministerial meeting.

- **References:**

Conclusions of the special meeting of the European Council: Bull. EC 10-1990, point 1.5

First meeting of the Intergovernmental Conference on Political Union (→ point 1.1.7)

Held in Rome on 15 December. This meeting was chaired by Mr Carli, President of the Council, and was attended by Mr Delors and Mr Christophersen, President and Vice-President of the Commission respectively.

Measures were adopted relating to the organization of the proceedings, in essence identical to those for the Intergovernmental Conference on Political Union, albeit with a slightly different timetable. Participants subsequently spoke in turn about their priorities and some gave their initial reaction to the draft Treaty forwarded by the Community as a working paper and described by Mr Delors as representing the link between the problems to be solved and the legal and institutional framework of the Community. He also reminded those present that the mandate for the negotiations derived from the conclusions of the Rome European Council agreed upon by 11 of the Member States. Finally, he listed the questions yet to be settled: the content of economic union, the link between economic and monetary union and economic cohesion, the role of the ecu, the nature of the transition from the present stage to the final stage, and the interinstitutional aspects of economic and monetary union.

2. German unification

I

Transitional measures

1.2.1. Transitional measures in connection with German unification.

- **References:**

Council Directive 90/476/EEC on interim measures applicable after the unification of Germany in anticipation of the adoption of transitional measures by the Council in cooperation with the European Parliament: OJ L 266, 28.9.1990; Bull. EC 9-1990, point 1.1.2

Council Regulation (EEC) No 2684/90 on interim measures applicable after the unification of Germany, in anticipation of the adoption of transitional measures by the Council either in cooperation with, or after consultation of, the European Parliament: OJ L 263, 26.9.1990; Bull. EC 9-1990, point 1.1.2

- **Commission proposals:** COM(90) 400; Bull. EC 7/8-1990, points 1.2.1 to 1.2.3; Supplement 4/1990 — Bull. EC
- **Parliament opinions under the consultation procedure and on first reading under the cooperation procedure:** OJ C 295, 26.11.1990; Bull. EC 10-1990, point 1.2.3
- **Amended Commission proposals:** COM(90) 495; Bull. EC 10-1990, point 1.2.3
- **Agricultural aspects agreed by the Council (Agriculture):** Bull. EC 11-1990, point 1.2.1
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.2.1
- **Parliament second opinion under the consultation procedure and opinion (first reading) under the cooperation procedure:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.2.1
- **Proposals amended by the Commission under the consultation procedure and proposals re-examined under the cooperation procedure:** COM(90) 569; Bull. EC 11-1990, point 1.2.1

Adopted by the Council (General Affairs) on 4 December. All the instruments finally adopted enter into force on 1 January 1991 — replacing the provisional measures based on the Council Decisions of 17 September — so as to create the conditions for the harmonious integration of the former GDR into the Community.

The Council expressed satisfaction at the fact that the adoption of this comprehensive package had been made possible thanks to

exemplary cooperation between Parliament and the Commission in accordance with the timetable drawn up by the Presidents of the three institutions in September, taking into account the political importance of this dossier and the exceptional circumstances surrounding it.

The instruments were as follows:

Council Decision authorizing the Commission to begin negotiations with third countries which have concluded textile agreements with the Community with a view to their adjustment to take account of German unification (not published in the Official Journal);

Council Regulation (EEC) No 3568/90 on the introduction of transitional tariff measures for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia until 31 December 1992 to take account of German unification;

Council Regulation (EEC) No 3569/90 laying down amendments for the purpose of implementing in Germany Regulation (EEC) No 3044/89 on the organization of a labour force sample survey in the spring of 1990 and 1991;

Council Regulation (EEC) No 3570/90 on derogations in respect of agricultural statistical surveys in Germany in connection with the unification of Germany;

Council Regulation (EEC) No 3571/90 introducing various measures concerning the implementation of the common fisheries policy in the former German Democratic Republic;

Council Regulation (EEC) No 3572/90 amending, as a result of German unification, certain Directives, Decisions and Regulations relating to transport by road, rail and inland waterway;

Council Regulation (EEC) No 3573/90 amending, as a result of German unification, Regulation (EEC) No 4055/86 applying the principle of freedom to provide services to maritime transport between Member States and between Member States and third countries;

Council Regulation (EEC) No 3574/90 introducing a transitional period for the implementation of certain Community acts in the energy sector;

Council Regulation (EEC) No 3575/90 concerning the activities of the structural Funds in the territory of the former German Democratic Republic;

Council Regulation (EEC) No 3576/90 on the temporary suspension of the mechanisms provided for in Articles 123, 152, 318 and 338 of the Act of Accession of Spain and Portugal and the customs duties for wine and fruit and vegetable products originating in Spain and Portugal and released for consumption in the territory of the former German Democratic Republic;

Council Regulation (EEC) No 3577/90 on the transitional measures and adjustments required in the agricultural sector as a result of German unification;

Council Directive 90/650/EEC on transitional measures applicable in Germany in the context of the harmonization of technical rules for certain products;

Council Decision 90/651/EEC on the adaptations necessary in the context of German unification to the Community system for the rapid exchange of information on dangers arising from the use of consumer products;

Council Directive 90/652/EEC amending Directive 87/167/EEC on aid to ship-building;

Council Directive 90/653/EEC laying down amendments for the purpose of implementing in Germany certain Community Directives relating to statistics on the carriage of goods and statistics on gas and electricity prices;

Council Directive 90/654/EEC on the transitional measures and the adjustments required to the Directives on plant health, seeds, plants and animal feedingstuffs and to the veterinary and zootechnical legislation as a result of German unification;

Council Decision 90/655/EEC amending Decision 87/277/EEC on the allocation of the catch possibilities for cod in the Spits-

bergen and Bear Island area and in Division 3M as defined in the NAFO Convention;

Council Directive 90/656/EEC on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment;

Council Directive 90/657/EEC on transitional measures applicable in Germany in the context of the harmonization of technical rules;

Council Directive 90/658/EEC amending certain Directives on the recognition of professional qualifications consequent upon the unification of Germany;

Council Directive 90/659/EEC relating to the transitional measures applicable in Germany in the field of workers' health and safety;

Council Directive 90/660/EEC on the transitional measures applicable in Germany with regard to certain Community provisions relating to the protection of the environment, in connection with the internal market.

OJ L 353, 17.12.1990

II

1.2.2. Commission Decision on the introduction of transitional tariff measures for products covered by the Treaty establishing the ECSC for Bulgaria, the Czech and Slovak Federative Republic, Hungary, Poland, Romania, the USSR and Yugoslavia until 31 December 1992 to take account of German unification.

- **Reference:** Council Regulation (EEC) No 3568/90 on the introduction of transitional tariff measures for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the USSR and Yugoslavia until 31 December 1992 to take account of German unification: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1

Assent No 36/90 given by the Council on 4 December.

OJ C 323, 22.12.1990

Bull. EC 12-1990

Adopted by the Commission on 19 December. The purpose of the Decision is to extend the transitional tariff measures for products covered by the EEC Treaty to products covered by the ECSC Treaty in order to maintain traditional supplies from the former State-trading nations. Like Council Regulation (EEC) No 3568/90, the Decision, which is to apply until 31 December 1992, grants temporary suspension from the customs duty applied to ECSC products imported from these countries when they are released for free circulation on the territory of the former German Democratic Republic.

Amendments to Community legislation

Transport

1.2.3. Council Regulation (EEC) amending Regulation (EEC) No 3164/76 on access to the market in the international carriage of goods by road.

- **Regulation amended:** Council Regulation (EEC) No 3164/76: OJ L 357, 29.12.1976
- **Commission proposal:** COM(90) 579; Bull. EC 11-1990, point 1.2.4

Agreed by the Council on 17 December.

Endorsed by the Economic and Social Committee on 18 December.

Formally adopted by the Council on 21 December. Purpose: to increase Community quotas by 2% as a result of German unification.

1.2.4. Proposal for a Council Regulation amending Regulation (EEC) No 4059/89 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State.

- **Regulation to be amended:** Council Regulation (EEC) No 4059/89: OJ L 390, 30.12.1989; Bull. EC 12-1989, point 2.1.243
- **Commission proposal:** COM(90) 579; Bull. EC 11-1990, point 1.2.4

Endorsed by the Economic and Social Committee on 18 December.

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

Economic and monetary policy

Economic situation

1.3.1. Annual Economic Report 1990-91.

- Reference: Previous report: Bull. EC 10-1989, points 1.2.1 to 1.2.5

Adopted by the Commission on 5 December. In 1990, Community GDP is estimated to have increased by about 3% in real terms. In 1991, however, economic growth could decelerate to about 2¼% while something of a recovery (2½%) could take place in 1992. The slowdown is partly due to internal factors whose effect has been reinforced by the Gulf crisis, the depreciation of the dollar and the deterioration of growth prospects in the United States. On the other hand, German unification is underpinning expansion in the Community.

Although the Community economy has been somewhat shielded from the inflationary effects of the oil price increase by the appreciation of its currencies, inflation is still accelerating and might reach 5¼% in 1991.

Employment is still increasing fast, but its rate of growth will slow down in 1991, leading to a slight increase in unemployment, to 8¾% of the civilian population.

Despite the less favourable short-term outlook, longer-term prospects remain promising. There has been a significant improvement in the fundamental determinants of economic growth, and the prospects opened up by the expectation of an early completion of the internal market have imparted additional dynamism.

In order to sustain economic growth and employment in the present unfavourable external environment, the Community will have to rely on its own potential. A climate of stability is an essential prerequisite for its development.

The Community will, therefore, have to maintain restrictive monetary and fiscal policies. These policies will at the same time help to preserve the favourable growth conditions. Completion of the internal market, implementation of other structural policies, a further strengthening of economic and social cohesion, and improvements in the environment will in turn add to the Community's potential.

Despite a significant appreciation of the ecu and a slowdown in growth, inflation remains high.

The oil price increase is adding new impetus to an already accelerating cost and price trend. To preserve a satisfactory growth climate in the Community, the inflationary threat posed by rising wage costs and the latest surge in oil prices must be addressed immediately and divergent developments avoided. The lessons from the previous oil price shocks should therefore be carefully taken on board. Appropriate monetary and budgetary policies should ensure that the income losses entailed by the oil price rise are properly shared between wages and profits, in order to minimize the negative impact on investment profitability. Economic policy cannot prevent a temporary slackening of growth but, by forestalling second-round inflationary effects, it should make it possible to maintain the fundamental medium-term conditions for sustained growth.

The general policies which must be implemented to curb the resurgence of inflationary pressures and the reappearance of inflation differentials are also those needed to create the conditions for realization of the Community's major objectives: economic and monetary union, completion of the internal market, and economic and social cohesion. These objectives also complement the policies being implemented at national level.

The internal market programme is the decisive driving force in improving the Community's prospects as regards growth and prosperity. Economic operators are increasingly preparing for the highly competitive environment and the new conditions and opportunities which will exist by 1992. Their expectations must not be disappointed. And so it is essential that the deadline of 1 January 1993 for completing the internal market be met.

The improvement of economic and social cohesion will also strengthen growth prospects. Above-average growth in the less-favoured countries would help to expand the growth potential of the Community economy as a whole. The catching-up process will require a long-term effort in the countries concerned.

Structural policies enhance the capacity of Member States' economies to adjust. In so doing, they reduce the potential magnitude and duration of the adjustment needed to cope with disruptions and the resulting costs.

There is a growing awareness —reinforced by the Gulf crisis— that the link between economic growth and pollution needs to be severed.

The Community has significantly improved its economic convergence performance since the beginning of the decade. However, serious problems remain in some countries and in some areas.

Stage I of EMU will further reinforce convergence. The significant progress already made bears witness to the positive effects of the discipline imposed by the exchange-rate mechanism of the EMS. In fact, the present degree of convergence between Member States is closely correlated with their exposure to this discipline.

For Stage I of EMU to be successful, closer economic policy coordination will have to ensure that the satisfactory results obtained by the group of countries that have accepted from the outset the discipline imposed by the narrow band of the EMS are improved and extended to the other countries. The

report contains quite specific recommendations for Member States which should enable them to improve their convergence performance further over the next few years.

The report has been published in the *European Economy* series and is available from Community publications sales offices.

Free movement of capital

Protective measures

1.3.2. Commission Decision 90/663/EEC under Article 108(3) of the EEC Treaty.

- **Reference:** Commission Decision 85/594/EEC authorizing Greece to take certain protective measures under Article 108(3) of the EEC Treaty: OJ L 373, 31.12.1985

Adopted by the Commission on 19 December. Objective: on the basis of an examination of the economic situation in Greece, to extend until 30 June 1991 the authorization given to Greece by Commission Decision 85/594/EEC to take, in accordance with Article 108(3) of the EEC Treaty, certain protective measures in respect of capital movements and transfers relating to tourist expenditure. The capital transactions concerned are operations in securities and investment in real estate carried out abroad by Greek residents.

OJ L 357, 20.12.1990

Internal market

1.3.3. The European Council took note of the Commission's report on the progress made towards completion of the internal market and of the results achieved regarding indirect taxation. It welcomed the Commission's proposal concerning major infrastructure networks. The European Council also called for every effort to be made to ensure that all the internal market measures included in the programme annexed to the Commission communication were adopted in 1991 (→ point I.11).

I

Removal of tax frontiers**1.3.4. Council conclusions on the transitional VAT arrangements.**● **References:**

Proposal for a Directive supplementing the common system of VAT and amending Directive 77/388/EEC: COM(90) 182; Bull. EC 5-1990, point 1.2.3

Proposal for a Regulation on administrative cooperation in the field of indirect taxation: OJ C 183, 27.7.1990; COM(90) 183; Bull. EC 5-1990, point 1.2.4

Proposal for a Regulation on the statistics relating to the trading of goods between Member States: OJ C 177, 18.7.1990; COM(90) 177; Bull. EC 5-1990, point 1.2.5

Council conclusions of 13 November 1989: Bull. EC 11-1989, point 2.1.27

Conclusions of the European Council meeting in Dublin on 25 and 26 June: Bull. EC 6-1990, point 1.6

Adopted by the Council (Economic and Financial Affairs) on 3 December.

'Further to the instructions given to it by the Dublin European Council, the Economic and Financial Affairs Council records agreement on the main arrangements for application of the VAT system which will apply from 1 January 1993. The conclusions of the Economic and Financial Affairs Council of 13 November 1989, the Commission proposals and the work of the *ad hoc* Working Party have led to the following solutions.

Chargeable event

The main features of the taxation of intra-Community transactions in goods undertaken by taxable persons are as follows:

1. From the time that the chargeable event on importation is abolished, transactions in goods between taxable persons will be subject to taxation on the basis of the intra-Community acquisition of goods within the country of destination.

The new taxable transaction has been defined as the process of acquiring the right as owner to dispose of tangible property which is dispatched or transported to the person acquiring the goods, by the vendor or on his behalf or by the person acquiring the goods or on his behalf, to a Member State other than that from which the goods were dispatched or transported.

The intra-Community acquisition of goods will be defined on the basis of the legal (civil and commercial) and fiscal criteria in force in the Member State of destination. The Member States will therefore have to take measures to ensure that acquisitions are given the same fiscal categorization as equivalent supplies carried out under their internal arrangements.

The place where an intra-Community acquisition of goods is taxed is the place of arrival of the goods. Without prejudice to this principle, a provision will guarantee that the person acquiring the goods will be liable for tax in the territory of the Member State which has issued him with a VAT registration number. Appropriate measures will be taken by that Member State to avoid any double taxation.

The taxable event and the conditions for charging the tax are based on the provisions of Article 10 of the Sixth VAT Directive.

2. Exemption of intra-Community supplies of goods is granted in the Member State of departure when two conditions are fulfilled:

(i) the goods are actually transported or dispatched out of the Member State of departure;

(ii) the supply is made to a taxable person who must, on that basis, have been declared or identified for VAT purposes in a Member State other than that from which the goods were dispatched or transported.

3. Certain intermediate acquisitions, that is to say acquisitions made on arrival in the territory of a Member State where the person acquiring the goods does not carry out any taxable activities, will be exempted in the interests of simplification.

4. Movements of goods between Member States which are not supplies (for example storage) will be treated as taxable transactions in order to ensure correct application of the tax and appropriate control of such movements. Specific arrangements will be made to simplify the fiscal treatment of these transactions.

Control

From 1 January 1993 Member States will set up control mechanisms for intra-Community trade to replace frontier controls, which must take account of differing administrative structures in the Member States and limit the additional administrative workload.

1. Exchange of computer-based data

(a) Each Member State will, as a minimum, collect from its sellers to other Member States the following data:

VAT registration number of the seller;

the purchaser's VAT registration number in the country of acquisition;

total turnover for each quarter of supplies made by a seller to each individual purchaser.

(b) These data will be stored on EDP equipment.

(c) Member States will take the necessary steps to allow for the exchange of the computer-based data by means of telecommunications. For this reason the data-processing systems of the Member States must be compatible.

(d) Such EDP systems for storing and exchanging data shall be operational in each Member State at 1 January 1993. Preparations to that end must begin immediately; in particular the Commission will set in hand as soon as possible, in cooperation with the Member States, a feasibility study of the necessary computer and telematic support network.

(e) On the basis of the stored data the purchaser's country may obtain automatically and without delay, or have direct access to, no more than the following data:

VAT registration numbers of all purchasers;

total value of all supplies received by each purchaser from all sellers in the Member State in question, for each quarter.

(f) For the purpose of controlling the taxation of acquisitions, the country of acquisition shall, wherever it considers it necessary, and solely in order to combat tax fraud, obtain directly and without delay, and have direct access to, the following other data:

VAT registration numbers of sellers of the Member State in question;

the total value of supplies from each seller to each purchaser concerned for each quarter.

(g) At any time a Member State may obtain directly or have transmitted to it, on the basis of the computerized data, confirmation that a purchaser whose name and/or declared VAT registration number it has supplied is registered for VAT.

(h) Further personal data, e.g. names of the sellers, etc., may be obtained only on request. They shall be supplied without delay. Such data may not be stored for possible future use.

(i) The data storage systems of individual Member States and the system for communicating these data between them must be technically secured in such a way that any misuse of data is ruled out.

(j) The data must be used exclusively for fiscal control reasons and for the prosecution of fiscal infringements.

2. Other exchanges of information

(a) If any information, and in particular that referred to in 1(e) and (f) above, which has been forwarded by a seller's country to a purchaser's country allows the latter to obtain further information which may be relevant in assessing liability to VAT in the seller's country, then such information shall be forwarded by the purchaser's country to the seller's country.

(b) Frequently the stored data are not sufficient. It must therefore be possible at any time and on the basis of specific requests to exchange details concerning supplies made by a seller to a specific purchaser.

For this purpose, sellers' and purchasers' countries may ask for the transmission of at least invoice dates, numbers and total invoice values in addition to the data mentioned under point 1.

(c) Further information may be requested on specific demand, if needed for the purpose of tax collection.

(d) All information should be provided as soon as possible, particularly where there is a presumption of tax fraud, and in any event within three months unless the time-limit is extended by the applicant authority.

(e) These requests must be limited to what is strictly necessary (...).

1.3.5. Council conclusions on the new excise-duty arrangements.

• References:

Proposal for a Directive on the general arrangements for products subject to excise duty and on the holding and movement of such products: COM(90) 431; Bull. EC 9-1990, point 1.2.2

Proposal for a Directive on the harmonization of the structures of excise duties on alcoholic beverages and on the alcohol contained in other products: COM(90) 432; Bull. EC 9-1990, point 1.2.3

Proposal for a Directive amending Council Directives 72/464/EEC and 79/32/EEC on taxes other than turnover taxes which are levied on

the consumption of manufactured tobacco: COM(90) 433; Bull. EC 9-1990, point 1.2.4

Council conclusions of 13 November 1989; bull. EC 11-1989, point 2.1.27

Conclusions of the European Council meeting in Dublin on 25 and 26 June: Bull. EC-1990, point I.6

Adopted by the Council (Economic and Financial Affairs) on 17 December.

'Further to the instructions it received from the European Council in Dublin, the Economic and Financial Affairs Council considers that the arrangements to be implemented on 1 January 1993 regarding the main rules governing the movement and control of products subject to excise duty which are the subject of intra-Community transactions between professional operators are now approved. The proceedings of the *ad hoc* Working Party on the Abolition of Fiscal Frontiers result, on the basis of the Commission's proposals, in the following solutions as the concrete expression of the Economic and Financial Affairs Council's conclusions of 13 November 1989 on this matter.

I — Movement between authorized warehousekeepers under duty-suspension arrangements

1. Authorized warehousekeepers are entitled, subject to certain conditions, to receive, hold and dispatch under duty-suspension arrangements, products subject to excise duty.

Such warehousekeepers are required to comply with certain obligations imposed by each Member State. A minimum level of Community harmonization is necessary.

These obligations must comply with the principle of non-discrimination between national and intra-Community transactions.

2. Movement will take place on the basis of an accompanying administrative or commercial document.

The content of the documents and the form of the administrative document must be harmonized.

Appropriate provisions will be made for the discharge of the accompanying document.

3. The tax authorities in each Member State must be notified by warehousekeepers of deliveries sent and received. Appropriate arrangements will be made to determine the notification procedures.

4. There will be appropriate provisions to enable information to be exchanged between all Member States involved in the movement of products sub-

ject to excise duty in order to effectively reduce the risk of fraud.

II — Receipt of products subject to excise duty by professional operators who do not have the status of authorized warehousekeepers

1. Such operators may receive products subject to excise duty under duty suspension arrangements from authorized warehousekeepers of other Member States. Such operators may not hold or dispatch such products under duty suspension arrangements.

2. Such operators may request registration with the competent authorities of their Member State. Registration shall be subject to compliance with certain obligations. A minimum level of Community harmonization is necessary.

3. If such operators are registered, excise duties become chargeable on receipt of the goods. The provisions set out in paragraph 3 of point I shall apply.

4. If they are not registered, they must make a declaration to the tax authority of the country of receipt prior to the receipt of the goods.

Excise duties are payable by the consignee in the country of destination. There will be appropriate provisions in order to guarantee collection of the duty in the country of destination.

5. Excise duty payable in the State of destination may be charged to a fiscal representative established in that State and designated by the consignor. The declaration prior to receipt referred to in paragraph 4 may be made by the fiscal representative. The fiscal representative must comply with certain obligations. A minimum level of Community harmonization of these obligations is necessary.

6. Where products subject to excise duty are covered by specific national regulations which are compatible with Community provisions, Member States may provide that deliveries of such products are made in accordance with appropriate procedures for the purposes of applying such regulations.

7. Movement of such goods will take place on the basis of an accompanying document, and, where the consignee is not registered, by a document certifying payment of the duties in the State of destination or compliance with any other arrangement guaranteeing payment of excise duties.

When the operator is not registered, the authorities of the Member State of destination, previously

informed of the dispatch of the goods, shall have the right to check that the goods were actually received.

8. Appropriate steps will be taken to enable information to be exchanged between all Member States involved in the movement of products subject to excise duty in order to effectively reduce the risk of fraud.

III — In appropriate cases, special arrangements will be laid down for avoiding the maintenance of double taxation where a product for which excise duty has been paid in a Member State is subject to excise duties in another Member State

It will be necessary to introduce special provisions forming an integral part of a general Community control mechanism, in order to ensure that payment of tax in that other Member State is not evaded. (...)

Travellers' tax-paid allowances

1.3.6. Council conclusions on travellers' tax-paid allowances.

- **References:**
 - Council conclusions of 13 November 1989: Bull. EC 11-1989, point 2.1.27
 - Conclusions of the European Council meeting in Rome on 14 and 15 December: → point I.12 of this Bulletin
 - Proposal for a Directive amending Directive 69/169/EEC to increase in real terms the tax-paid allowances in intra-Community travel: OJ C 245, 26.9.1989; COM(89) 331; Bull. EC 7/8-1989, point 2.1.37

Adopted by the Council (Economic and Financial Affairs) on 17 December.

'The Council noted the agreement on the one-year derogations for Ireland and Denmark, subject to general agreement on the Netherlands compromise on the increase in duty-free travellers' allowances.

In the light of the Economic and Financial Affairs Council's conclusions of November and December 1989 and the conclusions of the European Council in Rome in December 1990, and of the timetable for the next six months, to be fixed at the beginning of 1991, with particular reference to the proceedings on the completion of the internal market, including the approximation of rates, the Council undertook to adopt an overall decision on the Netherlands compromise before 31 March 1991.

That decision will enable the derogations for Ireland and Denmark to enter into force with retroactive effect as from 1 January 1991.'

Trans-European networks: priority projects

1.3.7. Commission communication on trans-European networks — proposal for a Council resolution adopting a programme of priority projects.

- **References:**
 - Conclusions of the European Council meeting in Rome on 14 and 15 December: → point I.11 of this Bulletin
 - Commission progress report on trans-European networks: COM(90) 310; Bull. EC 7/8-1990, point 1.3.5
- **Previous Commission communication:** COM(89) 643; Bull. EC 12-1989, point 2.1.6

Adopted by the Commission on 5 December. This communication sets out a programme of priority action covering the completion of projects or networks, the adoption of guidelines regarding funding and the priority to be given to trans-European networks in the use of budgetary and lending instruments (EIB and ECSC) and a series of general measures designed to speed up the emergence of trans-European networks (legislative measures, standardization, master plans, etc.).

In the view of the Commission, which has examined, in conjunction with all the parties concerned, four areas of key importance for the smooth running of the internal market (transport, telecommunications, energy and vocational training), the priority measures are as follows.

In the transport field, the Commission notes that substantial headway has been made in both road and rail sectors. In addition to a study on the future prospects for a Community motorway network up to the year 2010, the Commission plans, with the Council's agreement, to promote projects designed to link up existing networks and to improve communications with outlying regions and with the Community's neighbours. In the rail transport field, it has put

forward a master plan for a high-speed network and has recently begun work on the combined transport study. In the air transport field, however, it regrets the lack of a single air traffic control system. Similarly, it deplores the fact that in the sea transport sector a lack of political consensus is preventing the emergence of concerted Community action to develop, for example, port infrastructures along the Atlantic and Mediterranean seabords and links with Ireland. As regards inland waterways, the Commission is aiming to exploit existing networks by linking them up to each other, particularly in France (a study will be completed in 1991 on the Seine/Nord link) and in Germany (the Mittelland Canal). In the combined transport field, in addition to completion of the Brenner route (1990-2000), the Commission would like to see the work already undertaken on rail/road modes extended to cover inland waterways and shipping in order to reflect the interest voiced by Member States. It will also be necessary, in 1991 and 1992, to alter gauges on the United Kingdom-Benelux-Italy and Germany-Spain-Portugal axes.

Turning to the telecommunications field, the Commission argues that, while responsibility for action lies primarily with the business community, the public authorities must still play a leading role in creating the conditions for optimum development. In addition, the authorities must establish the information-exchange networks provided for in various Community decisions (already taken or to be taken) in such fields as customs, indirect taxation, animal and plant health, movement of persons and statistics. The Commission is encouraging the development of electronic data transmission applications in such areas as road traffic, medicine, payment systems and transport management.

In the energy sector, the Commission takes the view that, while it is primarily for the economic operators concerned to devise specific projects and to determine their economic viability, a number of projects currently being studied or in progress are clearly of interest to the Community as a

whole, either because their purpose is to extend the existing network to other Member States or because they help to reinforce security of supply and optimum operation of production capacity.

As to the fourth sector — training — the aim is to establish European networks for the exchange of information on vocational training systems and between training centres, to organize European databases and to develop efficient distance teaching and training systems.

COM(90) 585

Fight against drugs

1.3.8. Proposal for a Directive on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances.

- **Reference:** Council Decision concerning the conclusion, on behalf of the European Economic Community, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances: Bull. EC 10-1990, point 1.4.39

Adopted by the Commission on 18 December. The aim of this proposal is to introduce monitoring to prevent the diversion of chemical substances frequently used for the illicit manufacture of narcotic drugs and psychotropic substances. It therefore provides, as required by the United Nations Convention, for operators to maintain detailed commercial records of all transactions in the scheduled substances, except for tiny quantities of solvents and acids sold at retail level. The proposed monitoring system covers the two categories of precursor, those of limited use for licit purposes (Table I substances) and those of key importance for legitimate commercial use (Table II substances). In addition, the manufacture and marketing of chemical substances which are essential for the manufacture of psychotropic substances will be dependent on possession of an authorization such as is normally granted to enterprises manufacturing and marketing

pharmaceuticals. The proposed measures complement those adopted by the Council in connection with external trade in the same substances (→ point 1.3.9).

COM(90) 597

1.3.9. Council Regulation (EEC) No 3677/90 laying down measures to be taken to discourage the diversion of certain substances for the illicit manufacture of narcotic drugs and psychotropic substances.

● **References:**

Conclusions of the European Council meeting in Dublin on 25 and 26 June 1991: Bull. EC 6-1990, point 1.16

Group of Seven meeting from 9 to 11 July 1990: Bull. EC 7/8-1990, point 2.2.2

Council Decision concerning the conclusion, on behalf of the European Economic Community, of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances: OJ L 326, 24.11.1990; Bull. EC 10-1990, point 1.4.39

- **Commission proposal:** COM(90) 215; Bull. EC 5-1990, point 1.2.6

Adopted by the Council (Internal Market) on 13 December. Objective: to implement at Community level Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the conclusion of which was decided upon by the Community on 22 October 1990. This Regulation relates only to the monitoring of traffic between the Community and third countries. The monitoring of intra-Community traffic is covered by a proposal for a Directive (→ point 1.3.8). The importance of the proposed measures was underlined by the European Council in Dublin in June and by the Heads of State or Government of the Group of Seven (G-7) at their meeting in Houston in July.

OJ L 357, 20.12.1990

1.3.10. Proposal for a Directive on prevention of use of the financial system for the purpose of money laundering.

- **Reference:** United Nations Convention against Illicit Traffic in Drugs and Psychotropic Substances: Bull. EC 12-1988, point 2.2.69
- **Commission proposal:** OJ C 106, 28.4.1990; COM(90) 106, Bull. EC 1/2-1990, point 1.1.25; Bull. EC 3-1990, point 1.1.24

- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.25
- **Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.17
- **Amended Commission proposal:** COM(90) 593; Bull. EC 11-1990, point 1.3.17

Common position agreed in principle by the Council (Economic and Financial Affairs) on 17 December. The agreement in principle reached by the Council covers the following points in particular:

(i) The definitions of money laundering and criminal activity, accompanied by an undertaking to adapt those definitions as the concepts evolve: the definition of laundering is drawn from that given in the Vienna Convention on narcotic drugs; however, since money laundering involves not only the proceeds of drug-related offences but also the proceeds of other criminal activities — such as organized crime and terrorism — it is envisaged that the Member States should extend, within the meaning of their legislation, the effects of the Directive to include the proceeds of such activities since they are likely to result in laundering operations justifying their prevention on that basis.

(ii) The prohibition of laundering and appropriate measures to be taken by each Member State to ensure full application of all the provisions of the Directive and, in particular, the penalties applicable in the event of infringement of the provisions adopted pursuant to the Directive. These provisions are accompanied by an undertaking by the representatives of the Governments of the Member States to introduce the requisite measures of national criminal law.

(iii) The identification of any occasional customers who carry out transactions above a threshold of ECU 15 000; a provision in the Directive would enable the Member States to adopt or maintain stricter provisions to prevent money laundering, for example the choice of a threshold below ECU 15 000.

(iv) The obligation to inform the authorities responsible for efforts to eliminate

money laundering of any facts which might be an indication of money laundering.

(v) Entry into force on 1 January 1993.

II

Removal of physical frontiers

Checks on goods

Simplification of customs formalities

1.3.11. Proposal for a Regulation concerning the elimination of controls and formalities applicable to the cabin and checked baggage of passengers taking an intra-Community flight and the baggage of passengers making an intra-Community sea-crossing.

- **Commission proposal:** OJ C 212, 25.8.1990; COM(90) 370; Bull. EC 7/8-1990, point 1.3.9

Endorsed by the Economic and Social Committee on 18 December.

1.3.12. Proposal for a Regulation concerning the single administrative document.

- **Commission proposal:** OJ C 214, 29.8.1990; COM(90) 363; Bull. EC 7/8-1990, point 1.3.7

Endorsed by Parliament (first reading) on 12 December.

OJ C 19, 28.1.1991

Endorsed by the Economic and Social Committee on 18 December.

Common position adopted by the Council on 20 December.

1.3.13. Proposal for a Directive amending Directive 83/643/EEC on the facilitation of physical inspections and administrative formalities in respect of the carriage of goods between Member States.

- **Directive to be amended:** Council Directive 83/643/EEC; OJ L 359, 22.12.1983
- **Commission proposal:** OJ C 204, 15.8.1990; COM(90) 356; Bull. EC 7/8-1990, point 1.3.6

Endorsed by Parliament (first reading) on 12 December, subject to two amendments concerning the definition of the formalities to be completed by traders.

OJ C 19, 28.1.1991

General legislation

1.3.14. Proposal for a Regulation establishing a Community customs code; proposal for a Regulation determining the cases and the special conditions under which the temporary importation arrangements may be used with total relief from import duties.

- **Commission proposal:** OJ C 128, 23.5.1990; COM(90) 71; Bull. EC 1/2-1990, point 1.1.5

Endorsed by the Economic and Social Committee on 18 December, with the Committee drawing attention, however, to the Commission's increased role regarding adoption of implementing provisions.

1.3.15. Commission Regulation (EEC) No 3716/90 laying down provisions for the implementation of Council Regulation (EEC) No 4046/89 on the security to be given to ensure payment of a customs debt.

- **Reference:** Council Regulation (EEC) No 4046/89; OJ L 388, 30.12.1989; Bull. EC 12-1989, point 2.1.37

Adopted by the Commission on 19 December.

OJ L 358, 21.12.1990

1.3.16. Proposal for a Regulation amending Regulation (EEC) No 3/84 introducing arrangements for movement within the Community of goods sent from one Member State for temporary use in one or more other Member States.

- **Regulation to be amended:** Council Regulation (EEC) No 3/84; OJ L 2, 4.1.1984; Bull. EC 12-1983, point 2.1.25
- **Commission proposal:** OJ C 212, 25.8.1990; COM(90) 354; Bull. EC 7/8-1990, point 1.3.10
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.7
- **Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.7

Common position adopted by the Council on 13 December.

Customs procedures with economic impact

1.3.17. Commission Decision providing for the non-application of the payment of compensatory interest in the event of a customs debt arising under the inward processing arrangements as a result of the impossibility of carrying out planned exports to Iraq and Kuwait.

- **Reference:** Council Regulation (EEC) No 3155/90 amending Regulation (EEC) No 2340/90 concerning Iraq and Kuwait: OJ L 304, 1.11.1990; Bull. EC 10-1990, point 1.4.15

Adopted by the Commission on 12 December. Objective: to exempt Member States generally from the payment of compensatory interest in connection with trade with Iraq and Kuwait in order to ensure uniform implementation of Community legislation.

Common Customs Tariff and Combined Nomenclature

1.3.18. Proposal for a Regulation amending Annex I to Regulation (EEC) No 288/82 on common rules for imports in respect of products subject to national quantitative restrictions.

- **References:**
Council Regulation (EEC) No 288/82: OJ L 35, 9.2.1982
Council Regulation (EEC) No 3156/90 amending Annex I to Regulation (EEC) No 288/82 in respect of the liberalization of certain products which are subject to national quantitative restrictions and in the light of the updating of certain residual national restrictions: OJ L 304, 1.11.1990
- **Commission proposal:** COM(90) 194; Bull. EC 4-1990, point 1.1.8

Amended proposal adopted by the Commission on 10 December. Objective: to take account of the Council's formal adoption of Regulation (EEC) No 3156/90 and the

updating of certain residual national restrictions.

COM(90) 587

1.3.19. Commission Regulation (EEC) No 3796/90 laying down provisions for the implementation of Council Regulation (EEC) No 1715/90 on the information provided by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature.

- **Basic Regulation:** Council Regulation (EEC) No 1715/90: OJ L 160, 26.6.1990; Bull. EC 6-1990, point 1.3.9

Adopted by the Commission on 21 December.

OJ L 365, 28.12.1990

Origin of goods

1.3.20. Proposal for a Regulation amending Regulation (EEC) No 802/68 on the common definition of the concept of the origin of goods (petroleum products).

- **Regulation to be amended:** Council Regulation (EEC) No 802/68: OJ L 148, 28.6.1968

Adopted by the Commission on 12 December. Objective: to include petroleum products under normal Community non-preferential origin rules in view of the completion of the single market in 1992.

COM(90) 518

1.3.21. Commission Regulation (EEC) No 3561/90 on determining the origin of certain ceramic products.

- **Reference:** Council Regulation (EEC) No 2658/87 on the common 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
- **Regulation repealed:** Commission Regulation (EEC) No 2025/73 on the determination of the origin of ceramic products falling under headings Nos 69.11, 69.12 and 69.13 of the Common Customs Tariff: OJ L 206, 27.7.1973

Adopted by the Commission on 11 December. Objective: the complete replacement of Regulation (EEC) No 2025/73, which uses the Common Customs Tariff

nomenclature, by a new Regulation based on the Combined Nomenclature.

OJ L 347, 12.12.1990

1.3.22. Commission Regulation (EEC) No 3620/90 on determining the origin of the meat and offal, fresh, chilled or frozen, of certain domestic animals.

• **References:**

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

Commission Regulation (EEC) No 964/71: OJ L 104, 11.5.1971

Council Regulation (EEC) No 2658/87 on the common 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

Adopted by the Commission on 14 December. Objective: to replace the provisions previously in force based on the Common Customs Tariff nomenclature by provisions based on the Harmonized Commodity description and coding system which is applied in the Community by means of the Combined Nomenclature.

OJ L 351, 15.12.1990

1.3.23. Commission Regulation (EEC) No 3672/90 on determining the origin of ball, roller or needle roller bearings.

• **References:**

Commission Regulation (EEC) No 1836/78: OJ L 210, 1.8.1978; Bull. EC 7/8-1978, point 2.1.31

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

Adopted by the Commission on 18 December. Objective: to adapt Regulation (EEC) No 1836/76 to the Combined Nomenclature and to simplify and clarify the existing provisions.

OJ L 356, 19.12.1990

1.3.24. Commission Regulation (EEC) No 3673/90 amending Regulation (EEC) No 693/88 as regards the amounts expressed in ecus.

• **Regulation amended:** Commission Regulation (EEC) No 693/88 on the definition of the con-

cept of originating products for the purposes of the application of tariff preferences granted by the European Economic Community in respect of certain products from developing countries: OJ L 77, 22.3.1988; Bull. EC 3-1988, point 2.1.58

Adopted by the Commission on 18 December.

OJ L 356, 19.12.1990

1.3.25. Commission Regulation (EEC) No 3674/90 amending Regulation (EEC) No 809/88 as regards the amounts expressed in ecus.

• **Regulation amended:** Commission Regulation (EEC) No 809/88 on the definition of the concept of originating products and methods of administrative cooperation applicable to imports into the Community of products originating in the Occupied Territories: OJ L 86, 30.3.1988; Bull. EC 3-1988, point 2.1.58

Adopted by the Commission on 18 December.

OJ L 356, 19.12.1990

International cooperation

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

- **Commission proposal:** OJ C 142, 12.6.1990; COM(90) 203; Bull. EC 5-1990, point 1.2.19
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.10
- **Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.10

Common position adopted by the Council on 13 December.

Matthaeus programme and training

1.3.27. Proposal for a Decision on the adoption of a programme of Community action on the subject of the vocational training of customs officials (the Matthaeus programme).

- **Reference:** pilot project for training national customs officials: Bull. EC 4-1989, point 2.1.41

Adopted by the Commission on 12 December. Objective: to implement the

Community action programme for training customs officials with a view to ensuring uniform application of Community law at the Community's external frontiers. The proposed programme is a development of the pilot training project launched in 1989.

OJ C 13, 19.1.1991; COM(90) 605

Removal of technical and legal frontiers

Free movement of goods

Removal of trade barriers

Industrial products

1.3.28. Proposal for a Directive on control of the acquisition and possession of weapons.

- **Commission proposal:** OJ C 235, 1.9.1987; COM(87) 383; Bull. EC 7/8-1987, point 2.1.10
- **Economic and Social Committee opinion:** OJ C 35, 8.2.1988; Bull. EC 12-1987, point 2.4.29
- **First amended Commission proposal:** OJ C 299, 28.11.1989; COM(89) 446; Bull. EC 9-1989, point 2.1.13
- **Parliament opinion (first reading):** OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.3.22
- **Second amended Commission proposal:** COM(90) 453; Bull. EC 9-1990, point 1.2.15

Political agreement on a common position reached by the Council (Internal Market) on 13 December.

1.3.29. 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
- **Parliament opinion (first reading):** OJ C 175, 16.7.1990; Bull. EC 6-1990, point 1.3.21
- **Amended Commission proposal:** COM(90) 462; Bull. EC 9-1990, point 1.2.16

Common position adopted by the Council (Internal Market) on 13 December.

1.3.30. Proposal for a directive on the approximation of the laws of the Member States relating to the spray-suppression devices of certain categories of motor vehicles and their trailers.

- **Commission proposal:** OJ C 263, 16.10.1989; COM(89) 377; Bull. EC 7/8-1989, point 2.1.15
- **Economic and Social Committee opinion:** OJ C 62, 12.3.1990; Bull. EC 12-1989, point 2.1.19
- **Parliament opinion (first reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.15
- **Amended Commission proposal:** OJ C 203, 14.8.1990; COM(90) 293; Bull. EC 7/8-1990, point 1.3.26

Commission position adopted by the Council on 13 December.

1.3.31. Proposal for a Directive amending for the 10th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the market and use of certain dangerous substances and preparations.

- **Directive to be amended:** Council Directive 76/769/EEC; OJ L 262, 27.9.1976
- **Commission proposal:** OJ C 309, 8.12.1989; COM(89) 548; Bull. EC 11-1989, point 2.1.14
- **Economic and Social Committee opinion:** OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.19
- **Parliament opinion (first reading):** OJ C 260, 15.10.1990; Bull. EC 9-1990, point 1.2.18
- **Amended Commission proposal:** COM(90) 545; Bull. EC 11-1990, point 1.3.11

Common position agreed in principle by the Council (Internal Market) on 13 December.

1.3.32. Proposal for a Directive amending for the 11th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

- **Directive to be amended:** Council Directive 76/769/EEC; OJ L 262, 27.9.1976
- **Commission proposal:** OJ C 24, 1.2.1990; COM(89) 665; Bull. EC 1/2-1990, point 1.1.20
- **Economic and Social Committee opinion:** OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.11

- **Parliament opinion (first reading):** OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.22
- **Amended Commission proposal:** COM(90) 562; Bull. EC 11-1990, point 1.3.12

Common position agreed in principle by the Council (Internal Market) on 13 December.

Foodstuffs

1.3.33. Proposal for a Directive amending Directive 89/396/EEC on indications or marks identifying the lot to which a foodstuff belongs.

- **Directive to be amended:** Council Directive 89/396/EEC: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20
- **Commission proposal:** COM(90) 440; Bull. EC 9-1990, point 1.1.20
- **Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.13

Endorsed by the Economic and Social Committee on 18 December. The Committee requested that no exception be made to the rule requiring each lot to be identified by means of indications or marks. In view of the high cost and technical difficulties involved in the marking process, it called for the exemption to be limited to a few years.

Common position adopted by the Council on 20 December.

1.3.34. Communication concerning Directive 79/693/EEC on the approximation of the laws of the Member States relating to fruit jams, jellies and marmalades and chestnut purée, as amended by Directive 88/593/EEC.

- **References:**
Council Directive 79/693/EEC: OJ L 205, 13.8.1979; Bull. EC 7/8-1979, point 2.1.10
Council Directive 88/593/EEC: OJ L 318, 25.11.1988; Bull. EC 11-1988, point 2.1.25

Adopted by the Commission on 14 December. Objective: to provide information on the current situation on a market characterized by a growing number of products with a reduced energy value. The Commission considers that the time is not ripe to draft a proposal concerning the use of

Community names in connection with jams as provided for in Directive 79/693/EEC.
COM(89) 508

Pharmaceuticals

1.3.35. Council Directive 90/676/EEC 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
- **Parliament opinion (first reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.17
- **Amended Commission proposal:** OJ C 131, 30.5.1990; COM(90) 135; Bull. EC 4-1990, point 1.1.16
- **Council's common position:** Bull. EC 6-1990, point 1.3.25
- **Parliament's opinion (second reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.15

Re-examined proposal adopted by the Commission on 11 December.

Adopted by the Council on 13 December. Objective: to introduce a multi-State procedure for coordinating registrations and to improve supervision of the wholesale distribution of veterinary medicinal products.
OJ L 373, 31.12.1990

1.3.36. Council Directive 90/677/EEC 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
- **Parliament opinion (first reading):** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.17
- **Amended Commission proposal:** OJ C 131, 30.5.1990; COM(90) 135; Bull. EC 4-1990, point 1.1.16
- **Council's common position:** Bull. EC 6-1990, point 1.3.24

- **Parliament's opinion (second reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.14

Adopted by the Council on 13 December.
Objective: to extend the existing provisions to cover immunological veterinary medicinal products.

OJ L 373, 31.12.1990

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

- **Commission proposal:** OJ C 163, 4.7.1990; COM(90) 212; Bull. EC 5-1990, point 1.2.7

Endorsed by the Economic and Social Committee on 18 December. The Committee emphasizes, however, that differing interpretations of the criteria for classifying suppleable medicinal products would also lead to different results as regards the prohibition or authorization of advertising. It also calls for a clearer distinction to be made between advertising to the public and that aimed at doctors and dispensing chemists. Similarly, the Committee notes that, while advertising can be a medium of information, it can under no circumstances replace either the information provided by the labelling or directions for use or that supplied by health professionals. Finally, it stresses that public health education is an essential precondition for the proper use of medicinal products.

Cultural heritage

1.3.38. European Parliament resolution on the movement of objects of cultural interest in the context of the single market.

- **Reference:** Communication from the Commission to the Council on the protection of national treasures possessing artistic, historic or archaeological value: needs arising from the abolition of frontiers in 1992: COM(89) 594; Bull. EC 11-1989, point 2.1.18

Adopted by Parliament on 13 December. Parliament calls for the establishment of an effective Community system of checks at its external frontiers after 1992, for closer monitoring of the art market to help provide better protection for Europe's cultural heri-

tage and the work of contemporary artist and for coordination of procedures for monitoring within the Community itself. It hopes that forms of cooperation will be established with international bodies such as Unesco and the Council of Europe to strengthen and perfect the international instruments instituting cooperation between States in this field. It calls on the Member States to maintain databanks pooling all the information contained in national, regional and local catalogues of cultural objects. It requests the Commission to set up within its own departments a coordinating service to integrate up-to-date information at national, regional and local level so that data relating to the implementation of measures adopted by the Member States can be centralized and made more readily accessible. Parliament considers it necessary for customs staff dealing with legislation in the Member States and European coordination to be given specialized training in view of the requirements of the single market as regards the movement of cultural objects. Finally, it underlines the need for better cooperation with the police forces and special customs directorates dealing with the import, transport and export of works of art.

OJ C 19, 28.1.1991

Standardization, certification and testing

1.3.39. Council Decision 90/683/EEC concerning the modules for the various phases of the conformity assessment procedures which are intended to be used in the technical harmonization directives.

- **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
- **Parliament opinion (first reading):** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.27
- **Council's common position:** Bull. EC 6-1990, point 1.3.27
- **Amended Commission proposal:** OJ C 179, 19.7.1990; COM(90) 284; Bull. EC 7/8-1990, point 1.3.34
- **Parliament's opinion (second reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.16

Re-examined proposal adopted by the Commission on 7 December.

COM(90) 606

Adopted by the Council on 13 December. The conformity assessment procedures to be used in the technical harmonization directives concerning the marketing of industrial products will have to be chosen from the modules set out in the Decision and in accordance with the criteria contained in it.

OJ L 380, 31.12.1990

Public procurement

1.3.40. Proposal for a Directive coordinating the laws, regulations and administrative provisions relating to the application of Community rules on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors.

- **Commission proposal:** OJ C 216, 31.8.1990; COM(90) 297; Bull. EC 7/8-1990, point 1.3.35

Endorsed by the Economic and Social Committee on 18 December. The Committee expresses reservations, however, about the equivalence, in terms of value and effectiveness, between the attestation and penalty payment system on the one hand and the suspension of illegal procedures before they have led to the conclusion of invalid contracts on the other. It also considers that the Commission should guarantee the same judicial treatment for all awarding entities, whether public or private.

Common market in services

1.3.41. Commission Directive 91/341/EEC adapting the technical definition of 'multilateral development banks' in Council Directive 89/647/EEC on a solvency ratio for credit institutions.

- **Basic Directive:** Council Directive 89/647/EEC: OJ L 386, 30.12.1989; Bull. EC 12-1989, point 2.1.14

Adopted by the Commission on 19 December. Objective: to include the European Bank for Reconstruction and Development (EBRD) on the list of 'multilateral development banks' in Directive 89/647/EEC.

OJ L 17, 23.1.1991

Removal of tax frontiers

Turnover tax (VAT)

1.3.42. Council Decision 90/640/EEC authorizing the Federal Republic of Germany to grant an exemption from Articles 14 and 15 of the Sixth Directive 77/388/EEC on the harmonization of the laws of the Member States relating to turnover taxes for Soviet armed forces stationed on the territory of the Federal Republic of Germany.

- **Commission proposal:** COM(90) 549; Bull. EC 11-1990, point 1.3.19

Adopted by the Council on 3 December.

OJ L 349, 13.12.1990

Competition

Nineteenth Report on Competition Policy

1.3.43. Economic and Social Committee opinion on the *Nineteenth Report on Competition Policy*.

- **Reference:** Nineteenth Report: Bull. EC 7/8-1990, point 1.3.44

Delivered on 18 December. The Committee asks that the interrelationship between Community and national rules on competition be made clearer and that action be taken to deal with national regulations impeding effective competition in services. On the subject of State aid, it stresses that all such aid should be transparent and should be reduced in volume. The creation of a single market calls more than ever for

an active competition policy. There remain a large number of substantial price differences between comparable products, and work on harmonization in this field should continue.

Special attention should be paid to the problem of dumping. Although the primacy of Community law over national law is assured, the issue of relations between national authorities and the Commission also needs to be addressed. There is clearly a need for closer cooperation between Member States, and between the Commission and Member States. There should also be closer cooperation with the UN, the OECD, the EFTA countries, the United States and Japan.

General rules applying to businesses

Insurance

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

- **Commission proposal:** OJ C 16, 23.1.1990; COM(89) 641; Bull. EC 12-1989, point 2.1.79
- **Economic and Social Committee opinion:** OJ C 182, 23.7.1990; Bull. EC 5-1990, point 1.2.33
- **Council agreement in principle:** Bull. EC 6-1990, point 1.3.36
- **Parliament opinion:** OJ C 260, 15.10.1990; Bull. EC 9-1990, point 1.2.32

Amended proposal adopted by the Commission on 13 December. The amended proposal is intended to take account of Parliament's opinion. It provides, among other things, for the transmission to Parliament and to the Council of a report on the implementation of the Regulation, not later than six years after its entry into force, together with any proposals for amendment of the Regulation which might appear necessary in the light of experience.

OJ C 8, 12.1.1991; COM(90) 650

Air transport

1.3.45. Renewal of three block exemption Regulations in the air transport sector:

Commission Regulation (EEC) No 82/91 on the application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices concerning ground handling services;

Commission Regulation (EEC) No 83/91 on the application of Article 85(3) of the Treaty to certain categories of agreements between undertakings relating to computer reservation systems for air transport services;

Commission Regulation (EEC) No 84/91 on the application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices concerning joint planning and coordination of capacity, consultations on passenger and cargo tariffs on scheduled air services and slot allocation at airports.

• References:

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

Council Regulation (EEC) No 2344/90: OJ L 217, 11.8.1990; Bull. EC 7/8-1990, point 1.3.45

Adopted by the Commission on 5 December. These Regulations, which will be in force from 1 February 1991 until the end of 1992, are intended to encourage airlines to work together in ways which will improve services to the travelling public, while ensuring that there is still competition in fares and quality of service and making sure that new entrants have access to the market. The exemption on slot allocation covers agreements at those airports where the airlines themselves are responsible for allocating landing and take-off slots.

OJ L 10, 15.1.1991

Application of the competition rules: specific cases

Prohibited agreements

Solvay, ICI and CFK

1.3.46. Commission Decision under Articles 85 and 86 of the EEC Treaty.

Adopted by the Commission on 19 December. The Decision finds that a cartel agreement between Europe's two largest producers of soda ash, Solvay and ICI, who divided up the market between them so that neither ever competed with the other, was unlawful. The two companies also operated an illegal rebate system designed to keep out competitors and tie their customers. Solvay had concluded an agreement with Chemische Fabrik Kalk (CFK) aimed at sharing the German market. The Commission fined Solvay ECU 30 million, ICI ECU 17 million and CFK ECU 1 million.

Permissible forms of cooperation

KSB, Lowara, Goulds and ITT

1.3.47. Commission Decision 91/38/EEC relating to a proceeding under Article 85 of the EEC Treaty.

Adopted by the Commission on 12 December. The Decision grants an exemption in respect of two cooperation agreements for the development and production of a new type of centrifugal pump made from chrome nickel steel. The Commission takes the view that the cooperation between these two European and two American firms creates the conditions for a scale of production which is economically justified, and that without it the development of the pump, which could replace conventional pumps, would have been suspended.

OJ L 19, 25.1.1991

Distribution

European Economic Interest Grouping Orphe

1.3.48. Commission Decision under Article 85(3) of the EEC Treaty.

Adopted by the Commission on 5 December. The Decision authorizes the agreement setting up the European Economic Interest Grouping Orphe, a grouping of seven medium-sized European enterprises

specializing in the wholesale distribution of pharmaceutical and parapharmaceutical products in their respective countries. The agreement provides *inter alia* that the members of the grouping are to give each other priority in respect of their commercial transactions. The Commission takes the view that, although it contains a number of restrictions of competition, the agreement qualifies for exemption as it will lead to a diversification of distribution in this sector and increase consumer choice.

Joint ventures

Usinor Sacilor and ASD

1.3.49. Commission Decision under Article 66 of the ECSC Treaty.

Adopted by the Commission on 4 December. The Decision authorizes Usinor Sacilor and ASD to set up a joint venture (steel service centre) in Barking, near London. The Commission considers that the joint venture will promote free competition.

Usinor Sacilor and Mannesmann Röhrenwerke

1.3.50. Commission Decision under Article 66(2) of the ECSC Treaty.

Adopted by the Commission on 17 December. The Decision authorizes the formation, by Usinor Sacilor and Mannesmann Röhrenwerke, of a new joint venture called Europepe, which will take over the large welded tube manufacturing and marketing operations of the two parent companies.

Mergers

Application of the merger control Regulation, Council Regulation No 4064/89

- **Reference:** Council Regulation No 4064/89: OJ L 395, 30.12.1989 (corrected version: OJ L 257, 21.9.1990); Bull. EC 12-1989, point 2.1.78; Supplement 2/90 — Bull. EC

Arjomari and WTA

1.3.51. Commission Decision under the merger control Regulation.

Adopted by the Commission on 10 December. The Decision finds that the proposed merger between paper manufacturers Arjomari-Prioux SA and Wiggins Teape Appleton plc is not caught by the merger control Regulation as the parties' combined turnover is below the ECU 5 billion threshold laid down in the Regulation.

OJ C 321, 21.12.1990

Promodes and Dirsa

1.3.52. Commission Decision under the merger control Regulation.

Adopted by the Commission on 17 December. The Decision clears an agreement between the French food distribution company Promodes and the Spanish company Tabacalera giving the Promodes subsidiary DIA (Distribuidora internacional de alimentación) SA a majority stake in Tabacalera's food subsidiary Dirsa (Distribuciones Reus SA). Under the agreement, which the Commission considers to be compatible with the common market, DIA is to acquire control of 895 Dirsa supermarkets in northern Spain.

Cargill and United Agricultural Merchanting

1.3.53. Commission Decision under the merger control Regulation.

Adopted by the Commission on 20 December. The Decision authorizes the acquisition by Cargill plc, a wholly-owned subsidiary of Cargill Inc., an American company involved in global commodities trading and related sectors, of United Agricultural Merchanting Ltd, Unilever's agricultural inputs marketing arm in the UK. The Commission considers that the merger neither creates nor strengthens a dominant position.

*Application of Article 66(2) of the ECSC Treaty**British Steel and Link 51*

1.3.54. Commission Decision under Article 66(2) of the ECSC Treaty.

Adopted by the Commission on 11 December. The Decision authorizes the acquisition by British Steel plc of certain assets and liabilities of Link 51 Ltd, known as Steel of Staffs.

Stromeyer and Stinnes Intercarbon

1.3.55. Commission Decision under Article 66(2) of the ECSC Treaty.

Adopted by the Commission on 12 December. The Decision authorizes the acquisition of the entire share capital of Stromeyer GmbH by Stinnes Intercarbon AG & Co (Veba Group).

Gwent Steel and Hoesch

1.3.56. Commission Decision under Article 66(2) of the ECSC Treaty.

Adopted by the Commission on 15 December. The Decision authorizes the acquisition of control of Gwent Steel Ltd by Hoesch AG. Hoesch will have, directly and indirectly, a majority holding of 86.5% in Gwent Steel.

Usinor Sacilor and Carimi

1.3.57. Commission Decision under Article 66(2) of the ECSC Treaty.

Adopted by the Commission on 17 December. The Decision authorizes the acquisition by Usinor Sacilor SA of the entire share capital of the Italian company Carimi srl.

Usinor Sacilor and Service Acier Rhénan

1.3.58. Commission Decision under Article 66(2) of the ECSC Treaty.

Adopted by the Commission on 19 December. The Decision authorizes Usinor Sacilor to acquire, through its subsidiary Sollac, 49% of the share capital of Service Acier Rhénan SA, Ottmarsheim.

Riva and Rifinsider

1.3.59. Commission Decision under Article 66(2) of the ECSC Treaty.

Adopted by the Commission on 19 December. The Decision authorizes Riva Prodotti Siderurgici SpA, Milan, to acquire 50% of the share capital of Rifinsider SpA, Genoa, a scrap merchant belonging to Ilva, the Italian State-owned steel company.

State aid

General schemes

France

1.3.60. Commission Decision under Article 93(1) of the EEC Treaty on French regional aid schemes.

Adopted by the Commission on 19 December. The Commission proposes to the French authorities a series of amendments to regional aid schemes in France. The proposals, which form part of the Commission's regular review of Member States' regional aid schemes under Article 93(1) of the Treaty, concern a reduction in the territorial coverage of the regional planning grant ('prime d'aménagement du territoire' — PAT) scheme, the setting of regional aid ceilings for the French regions which remain eligible, a better definition of areas covered by steel industry redevelopment corporations, a limitation of areas in which an exemption from, or reduction in, business tax and transfer duty is possible, and rules on the size of firms eligible for assistance from coal industry redevelopment corporations in areas not eligible for regional aid. The Commission has also begun an inquiry into the redevelopment activities of certain public enterprises, as it is thought that the

activities in question might involve an element of regional aid.

Italy

1.3.61. Commission Decision to terminate proceedings initiated under Article 93(2) of the EEC Treaty in respect of an aid scheme operated by the Sicilian authorities.

Adopted by the Commission on 17 December. The Decision finds that the aid, which is worth ECU 60.5 million, is intended for the stimulation of industrial activity in Sicily, infrastructure work and assistance to local authorities and is in keeping with the Commission's guidelines.

1.3.62. Final negative Commission Decision concerning tax measures to promote the reorganization of industrial production structures.

Adopted by the Commission on 17 December.

Netherlands

1.3.63. Commission Decision to terminate Article 93(2) proceedings in respect of aid amounting to HFL 256 million (ECU 110 million) for the construction of manure processing factories.

- Reference: initiation of proceedings on 6 June 1990 under Article 93(2) of the EEC Treaty: Bull. EC 6-1990, point 1.3.46

Adopted by the Commission on 17 December. The Commission took into consideration the fact that the Dutch Government had amended its original proposal in such a way as to accommodate a number of objections to the scheme, and it adopted a favourable position on the amended proposal.

Industry schemes

Shipbuilding

1.3.64. Seventh Council Directive 90/684/EEC on aid to shipbuilding.

- **Reference:** Sixth Directive 87/167/EEC on aid to shipbuilding: OJ L 69, 12.3.1987; Bull. EC 1-1987, point 2.1.49
- **Commission proposal:** OJ C 223, 7.9.1990; COM(90) 248; Bull. EC 5-1990, point 1.2.38
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.34
- **Parliament opinion:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.29
- **Council agreement in principle:** Bull. EC 11-1990, point 1.3.29

Adopted by the Council on 21 December. The Directive extends the term of validity of the sixth Directive, which expires on 31 December 1990, until 31 December 1993, while limiting the amount of aid for ship conversion to the maximum level allowable for small vessels and strengthening both the rules aimed at preventing heavy concentrations of orders and the provisions laying down the monitoring procedure. It prolongs until 31 December 1991 the transitional period accorded to Spain as regards operating aid and the non-applicability of Article 5 to Greece.

OJ L 380, 31.12.1990

1.3.65. Decision on the shipbuilding aid ceiling.

- **References:**
Previous Decision: Bull. EC 12-1989, point 2.1.94
Council agreement in principle to the proposal for a seventh Directive on aid to shipbuilding: Bull. EC 11-1990, point 1.3.29

Adopted by the Commission on 12 December. For 1991 the Decision sets at 13% the maximum level of production aid for shipbuilding and at 9% the maximum level of aid for building small vessels with a contract value of less than ECU 10 million and for ship conversion.

Motor vehicles

1.3.66. Renewal of the Community framework on State aid to the motor vehicle industry.

- **Reference:** introduction of the framework: OJ C 123, 18.5.1989

Adopted by the Commission on 12 December. The Community framework on State aid to the motor vehicle industry adopted under Article 93(1) of the EEC Treaty is renewed for two years with effect from 1 January 1991. The only change concerns the prior notification obligation on the Federal Republic of Germany, which is extended to include Berlin and the territory of the former German Democratic Republic.

Decisions to raise no objection

Belgium

1.3.67. *Adopted by the Commission on 5 December.* The Walloon authorities propose to refinance the sports equipment manufacturer Donnay. The Commission is of the opinion that the measures in question do not include any aid element.

1.3.68. *Adopted by the Commission on 17 December.* The Walloon authorities propose to extend the application of the Act of 4 August 1978 on aid to businesses with fewer than 250 employees and a turnover of less than ECU 20 million.

Denmark

1.3.69. *Adopted by the Commission on 12 December.* Firms of consultants are to be helped in the transfer to the countries of Eastern Europe of technological know-how in the environment field, including the provision of advice and training and the setting-up of purification and demonstration plants.

1.3.70. *Adopted by the Commission on 17 December.* Under the Trade and Industry Promotion Act 1990, trade and industry are to benefit from advice, training, aid for R&D, and limited support for indirect export promotion and for investment by small businesses.

Germany

1.3.71. *Adopted by the Commission on 12 December.* It is proposed to extend to the territory of the former German Democratic Republic the benefit of the measure previously authorizing the Federal Government to give guarantees to assist small businesses in obtaining bank loans. The Federal Government provides only partial cover for the loans, which are made by a self-help association of firms in each *Land* and by the Berliner Industriebank AG in Berlin.

1.3.72. *Adopted by the Commission on 17 December.* Aid is to be given to the *Förderkonzept Qualitätssicherung*, a body which will support, between 1992 and 1995, basic, and to some extent applied, cooperative research by enterprises, public institutes and universities.

1.3.73. *Adopted by the Commission on 18 December.* Assistance is to be given towards research and development under a scheme known as the 'Wirtschaftspolitisches Aktionsprogramm für Bremen und Bremerhaven bis 1995' (WAP 95), which provides for EC 12 million in aid to small businesses during the period 1990-95.

Spain

1.3.74. *Adopted by the Commission on 5 December.* A total of PTA 73 million in aid is to be paid to steelmaker Acerinox SA to help finance environmental protection measures.

1.3.75. *Adopted by the Commission on 19 December.* Various programmes are to be set up in Catalonia for the award of aid for the prevention of industrial pollution, energy saving and diversification, and the promotion of craft-based businesses.

1.3.76. *Adopted by the Commission on 19 December.* Aid is to be awarded in the Basque Country for board production.

1.3.77. *Adopted by the Commission on 19 December.* The Spanish Government is to give grants to migrant workers who want

to become self-employed or engage in activities in the cooperative sector.

1.3.78. *Adopted by the Commission on 19 December.* Aid is to be awarded by the regional government of Valencia for the vocational training of young unemployed people and of workers in small businesses.

France

1.3.79. *Adopted by the Commission on 12 December.* Aid is to be awarded to Peugeot and Renault for a joint R&D programme in the field of low-pollution, fuel-efficient cars.

1.3.80. *Adopted by the Commission on 17 December.* There is to be a five-year extension of the system of parafiscal charges used to finance various activities of the Technical Centre for Leather, Footwear and Leather Goods and of the Inter-trade Committee for the economic development of those industries, including research, improvement of quality, development of automation and general studies.

1.3.81. *Adopted by the Commission on 17 December.* Aid worth FF 190 million (ECU 27 million) is to be awarded to Saab-Scania to help it set up a new truck manufacturing facility in Angers. This amount represents 9.8% of the total estimated cost of the project, which includes the building in 1992-93 of an assembly plant with a capacity of 12 000 trucks of over 18 tonnes, in 1991-93 of a cabin plant with a capacity of 12 000 units and, in 1993-94, of an engine plant with a capacity of 25 000 units.

Italy

1.3.82. *Adopted by the Commission on 12 December.* Capital grants or interest subsidies are to be awarded to firms investing in energy conservation or the exploitation of renewable energy sources.

1.3.83. *Adopted by the Commission on 19 December.* Act 424/89 is to be applied to tourism in the areas bordering on the Adri-

atic, notably Friuli-Venezia Giulia, Veneto, Emilia-Romagna, Abruzzi and Molise. The Act provides for the award of interest relief grants in respect of investments undertaken before 30 June 1991 in planning and improving tourist facilities in those areas.

1.3.84. *Adopted by the Commission on 19 December.* Craft activities are to be encouraged in the Marche region through the award of aid for the setting-up of new craft-based businesses and associations under that region's Act No 6 of 28 February 1984.

1.3.85. *Adopted by the Commission on 19 December.* Act No 23 of 3 July 1988 of the Lazio region, on the development of small firms through the provision of technical and financial assistance on favourable terms, is to be implemented with a budget of ECU 974 000 for 1991.

Netherlands

1.3.86. *Adopted by the Commission on 17 December.* The guarantee covering the participation of private individuals in business enterprises is to be changed. The change is related to an increase in risk capital for small firms.

1.3.87. *Adopted by the Commission on 19 December.* Energy saving in industry is to be encouraged by means of feasibility, demonstration and dissemination projects.

1.3.88. *Adopted by the Commission on 19 December.* Environmental technology is to be stimulated by the award of aid to universities, research institutes and companies undertaking demonstration projects and feasibility studies.

Portugal

1.3.89. *Adopted by the Commission on 5 December.* The term of validity of an existing aid scheme for the wool textile industry introduced by Act 381/88 of 15 June 1988 is to be extended into 1991 without any increase in budgetary resources.

United Kingdom

1.3.90. *Adopted by the Commission on 5 December.* Two new pilot schemes are to be operated by the Scottish Development Agency (SDA). The first is the Technology Development Fund, which aims to strengthen Scotland's industrial base through the development of new or updated processes or products by catalysing private sector investment in appropriate projects, expected to be mainly in the biotechnology, electronics, oil and gas sectors. The second new scheme is the Scottish Skills Foundation, which will stimulate the provision of additional training for employees to upgrade and enhance their skills. The most important of the existing schemes operated by the SDA are local enterprise grants for urban projects, training and employment grants and the programme for rural initiatives and development.

1.3.91. *Adopted by the Commission on 19 December.* The operation of local enterprise agencies (LEAs) was approved. LEAs provide consultative and advisory, training, collective marketing and general services mainly to small local businesses.

Social dimension

1.3.92. The European Council was anxious that increased efforts should be made to apply the action programme relating to the implementation of the Social Charter, particularly with regard to the proposals on protection of health and safety at work, which were to be adopted without delay. It called for work to be speeded up in respect of other proposals, with priority being given to those areas where rapid progress was possible, and expressed the hope that the various measures taken would, as far as possible, reflect the spirit of the Social Charter (→ point I.7).

I

European Works Council

1.3.93. Proposal for a Council Directive on the establishment of a European Works

Council in Community-scale undertakings or groups of undertakings for the purposes of informing and consulting employees.

• **References:**

Amended proposal for a fifth Directive concerning the structure of public limited companies and employee participation: OJ C 240, 9.9.1983; COM(83) 185; Bull. EC 7/8-1983, point 1.2.1

Council conclusions on the proposal for a Directive on procedures for informing and consulting the employees of undertakings with complex structures: OJ C 203, 12.8.1986; Bull. EC 7/8-1986, point 2.1.102

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

Adopted by the Commission on 5 December. The object of the proposal is to improve the provision of information to and the consultation of employees in Community-scale undertakings or groups of undertakings, i.e. those with at least 1 000 employees and at least two establishments or undertakings in different Member States, each employing at least 100 people. As regards such undertakings or groups of undertakings, the proposal makes provision for employees or their representatives to request that negotiations be opened with the central management of the undertaking and, to that end, they may set up a special negotiating body with a view to concluding an agreement to determine the main constituent elements of the European Works Council (EWC), with particular reference to its composition, functions, powers, financial and material resources and frequency of meetings. The initiative may also come from the management side. In the event of the parties failing to reach agreement, the Commission proposes that the EWC should be set up on the basis of minimum requirements, whereby the EWC would have the right to meet with central management at least once a year in order to be informed of the progress of the undertaking's or group of undertakings' business and prospects. Such information should relate in particular to the structure, economic and financial situation, probable production and sales

trends, the employment situation and investment prospects. The EWC would also have the right to be informed and consulted about any management proposal likely to have serious consequences for the interests of the employees. The management would, however, be entitled to withhold information which, if disclosed, might substantially damage the interests of the undertaking or group of undertakings concerned.

The proposal stipulates that the operating expenses of the EWC are to be borne by the central management of the undertaking or group of undertakings, and that the members of the EWC's special negotiating body should enjoy the same protection and guarantees provided for employees' representatives by the national legislation or practice in force in the country of employment.

COM(90) 581

Atypical work

1.3.94. Proposal for a Council Directive supplementing the measures to encourage improvements in the safety and health at work of temporary workers.

- **Commission proposal:** OJ C 224, 8.9.1990; COM(90) 228; Bull. EC 6-1990, points 1.3.70 and 1.3.73
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.56
- **European Parliament opinion (first reading):** OJ C 295, 26.1.1990; Bull. EC 10-1990, point 1.3.49
- **Amended Commission proposal:** COM(90) 533; Bull. EC 10-1990, point 1.3.49

Political agreement of the Social Affairs Council reached on 18 December. The proposal aims to ensure that employees with a fixed-duration contract and temporary workers are afforded, as regards safety and health at work, the same level of protection as permanent workers in the undertaking making use of their services. The common position stipulates that the proposal is to apply to 'employment relationships governed by a fixed-duration contract, concluded directly between the employer and the employee, where the end of the contract is

established by objective conditions such as: reaching a specific date, completing a specific task or the occurrence of a specific event', and to 'temporary employment relationships between a temporary employment business which is the employer and its employee, where the latter is made available to work for and under the control of an undertaking and/or establishment making use of his or her services'.

II

Financial instruments

European Social Fund

1.3.95. Aid for operational programmes and projects supporting Objectives 3 and 4 of the structural Funds.

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

Commission decisions. Subject: see Table 1.

1.3.96. Aid granted in 1990 to finance projects implemented by the Hellenic Republic in accordance with Council Regulation (EEC) No 815/84 on exceptional financial support in favour of Greece in the social field.

- **Basic Regulation:** Council Regulation (EEC) No 815/84 (OJ L 88, 31.3.1984; Bull. EC 3-1984, point 2.1.71), amended by Council Regulation (EEC) No 4130/88: OJ L 362, 30.12.1988; Bull. EC 12-1988, point 2.1.156

Table 1 — *Funding of programmes and projects (ESF)*

Region/Object (Objective)	Total aid (million ECU)
<i>Germany</i>	
Long-term unemployed (3)	3.8
Long-term unemployed (3)	129.1
Occupational integration of young people (4)	153.7
Long-term unemployed (3 and 4)	19.3
<i>Spain</i>	
Long-term unemployed (3)	0.4
Long-term unemployed (3)	10.4
Long-term unemployed (3)	27.3
Basic vocational training (4)	0.1
Young unemployed persons (4)	44.3
Young unemployed persons (4)	22.5
Training (4)	0.5
Articles 1 & 2 of Regulation (EEC) No 4255/88 (3 and 4)	0.5
<i>Italy</i>	
Marche (3 and 4)	19.7
Articles 1 & 2 of Regulation (EEC) No 4255/88 (3 and 4)	5.0
Vocational training (3 and 4)	7.0

Adopted by the Commission on 18 December. Subject: grant of aid totalling ECU 8.69 million for 11 projects relating to vocational training centres in the Athens region and one project relating to a psychiatric centre in Leros.

OJ L 13, 18.1.1991

Community initiatives

1.3.97. Communication from the Commission laying down guidelines for operational programmes global grants which Member States are invited to establish within the framework of Community initiatives for strengthening human resources — Euroform, NOW, Horizon.

- **Approved by the Commission (first reading):** COM(90) 349; Bull. EC 7/8-1990, points 1.3.75 to 1.3.78
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.45

- **European Parliament resolutions:** OJ C.324, 24.12.1990; Bull. EC 11-1990, point 1.3.46

Formally adopted by the Commission on 18 December. The final text incorporates various suggestions made by the Economic and Social Committee and by European Parliament. The Commission drew attention to the need for measures taken under the Euroform initiative to be coordinated with other initiatives relating to young people (Petra, Eurotecnet, Force, LEDA, ERGO), for the NOW initiative to be incorporated into the third programme on equal opportunities, for assistance to be provided to long-term unemployed women and those wishing to re-enter the labour market after a long absence (in the context of NOW, and for handicapped persons to be integrated into the open economy (in the context of Horizon).

OJ C 327, 29.12.1990

Freedom of movement

1.3.98. Proposal for a Regulation amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71

- **Commission proposal:** OJ C 221, 5.9.1990; COM(90) 335; Bull. EC 7/8-1990, point 1.3.88
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.51

European Parliament opinion adopted on 14 December. Favourable.

OJ C 19, 28.1.1991

Living and working conditions — Social protection

Protection of pregnant women at work

1.3.99. Proposal for a Directive concerning the protection at work of pregnant

women or women who have recently given birth (proposal for an individual Directive within the meaning of the framework Directive 89/391/EEC).

- **Commission proposal:** OJ C 281, 9.11.1990; COM(90) 406; Bull. EC 9-1990, point 1.2.53
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.54

European Parliament opinion (first reading) adopted on 12 December. Favourable, subject to various amendments, covering the following areas in particular: information on the likely effects of substances with which they come into contact at the workplace must be given to all women; the burden of proof is to be reversed in disputes relating to dismissal or maternity leave; pregnant women must have the option of remaining at work in the two weeks preceding the expected date of delivery; women working part time or doing seasonal work are to be expressly included in the scope of the Directive.

OJ C 19, 28.1.1991

Organization of working time

1.3.100. Proposal for a Council Directive on certain aspects of the organization of working time.

- **Commission proposal:** OJ C 254, 9.10.1990; COM(90) 317; Bull. EC 7/8-1990, point 1.3.74

Economic and Social Committee opinion adopted on 18 December. Favourable, subject to some amendments, relating mainly to the definition of night work (the Committee suggested that 'work performed between 10.00 p.m. and 6.00 a.m.' should be regarded as night work), prohibition of night work for young people, recognition of entitlement to a weekly rest period, the level of protection against occupational risks associated with night work and the introduction of specific provisions comparable to those laid down by the ILO for sea-going vessels.

Health and safety at work

European Year

1.3.101. Proposal for a Council Decision on an action programme for the European Year of Safety, Hygiene and Health Protection at Work (1992).

- **Commission proposal:** OJ C 293, 23.11.1990; COM(90) 450; Bull. EC 11-1990, point 1.3.48

Economic and Social Committee opinion, 18 December. Favourable.

Safety signs

1.3.102. Proposal for a Council Directive concerning the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning 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, 29.6.1989; Bull. EC 6-1989, point 2.1.105
- **Directive to be repealed:** Council Directive 77/576/EEC on the provision of safety signs at places of work (OJ L 229, 7.9.1977; Bull. EC 7/8-1977, point 2.1.50), amended by Commission Directive 79/640: OJ L 183, 19.7.1979; Bull. EC 6-1979, point 2.1.49

Adopted by the Commission on 19 December. The proposal, which repeals and replaces Directive 77/576/EEC, incorporates the latter's technical aspects and introduces new signboards and other types of signs, such as for the location and identification of containers, pipes and fire-fighting equipment, markings for traffic routes, luminous and acoustic signs, hand signals and adequate verbal communication. It aims also to strengthen the provisions relating to the information and training of workers in this area and to improve and extend the use of techniques for collective protection and methods or procedures for organizing work in such a way as to ensure greater safety.

COM(90) 664

Minimum requirements

1.3.103. Proposal for a Council Directive concerning minimum requirements for improving the safety and health protection of workers in the extractive industries (individual Directive within the meaning 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, 29.6.1989; Bull. EC 6-1989, point 2.1.105
- **Reference:** Council Directive 89/654/EEC concerning the minimum safety and health requirements for the workplace: OJ L 393, 30.12.1989; Bull. EC 11-1989, point 2.1.99.

Adopted by the Commission on 19 December. The proposal aims to fill the legislative gap resulting from the exclusion of the extractive industries from the scope of Council Directive 89/654/EEC, by harmonizing the minimum requirements for protecting the safety and health of workers in the extractive industries (mines, quarries, and offshore oil rigs); these requirements relate to working methods, equipment, sanitary facilities and rest rooms.

COM(90) 663

Protection of workers against asbestos

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

- **Directive to be amended:** Council Directive 83/477/EEC: OJ L 263, 24.9.1983; Bull. EC 9-1983, point 2.1.55
- **Commission proposal:** OJ C 161, 30.6.1990; COM(90) 184; Bull. EC 5-1990, point 1.2.72
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.58
- **European Parliament opinion (first reading):** OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.51
- **Amended Commission proposal:** COM(90) 539; Bull. EC 11-1990, point 1.3.49

Common position adopted by the Council on 18 December. The common position lays down stricter action levels and limit values

(0.2 and 0.6 fibres per cm³) than the initial proposal; it also provides for the entire Directive 83/477/EEC to be reviewed before 1 January 1996.

Vocational training

1.3.105. Council Resolution on the comparability of vocational training qualifications.

- **Approval by the Council:** Bull. EC 11-1990, point 1.3.43

Formally adopted by the Council on 18 December.

1.3.106. Proposal for a Council Decision amending Decision 89/657/EEC establishing an action programme to promote innovation in the field of vocational training resulting from technological change (Eurotecnet) and Decision 90/267/EEC establishing an action programme for the development of continuing vocational training in the Community (Force) in order to establish the Advisory Committee for continuing education and training embracing Force and Eurotecnet.

- **Decisions to be amended:**
Council Decision 89/657/EEC: OJ L 393, 30.12.1989; Bull. EC 12-1989, point 2.1.128
Council Decision 90/267/EEC: OJ L 156, 21.6.1990; Bull. EC 5-1990, point 1.2.62
- **Reference:** Memorandum from the Commission on the rationalization and coordination of vocational training programmes at Community level: COM(90) 334; Bull. EC 7/8-1990, point 1.3.51

Adopted by the Commission on 18 December. The proposal aims to improve interaction between the Force and Eurotecnet programmes by creating a joint advisory committee to replace the two existing committees.

COM(90) 648

Regional policies

Report on the regions of the Community

1.3.107. Fourth periodic report on the social and economic situation and development of the regions of the Community.

- **Basic Regulation:** Council Regulation (EEC) No 4254/88 on the reform of the European Regional Development Fund: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200
- **Previous report:** COM(87) 230; Bull. EC 5-1987, point 2.1.127

Adopted by the Commission on 12 December. This report, which was provided for in Article 8 of Regulation (EEC) No 4254/88, describes the major economic trends and regional differences in the Community, examines the impact of Community measures implemented as part of the reform of the structural Funds and analyses the likely effects on the regions and regional policy of the moves towards greater integration and particularly the completion of the internal market and the recent developments in Eastern Europe, including German unification. Major disparities between the regions continue to exist (and in the case of employment are even becoming more acute) and these can only be eliminated gradually, since the immediate impact of the intervention of the Funds is limited and regional policy must accordingly be framed in a long-term perspective. The report also states that the structural Funds will have to be increased substantially in order to meet the needs of the former German Democratic Republic.

COM(90) 609

Most remote regions

1.3.108. Proposal for a Council Regulation on the application of the provisions of Community law to the Canary Islands; proposals for Council decisions setting up a programme of options specific to the remote and insular nature of the Canary Islands (Poseican), and a programme of options specific to the remote and insular nature of Madeira and the Azores (Poseima).

- **References:**
Council Decision 89/687/EEC establishing a programme of options specific to the remote and insular nature of the French overseas departments (Poseidom): OJ L 399, 30.12.1989; Bull. EC 12-1989, point 2.1.142

Reports on the situation of the Azores and Madeira and on the Canary Islands: Bull. EC 1/2-1990, point 1.1.101

Adopted by the Commission on 17 December. These proposals, recognizing the reality of the situation of the regions concerned, seek to ensure that such regions, in spite of their remoteness and the fact that they are island territories, draw maximum benefit from the change or growth that is taking place on the internal market. The proposal for a Regulation is concerned with a change in the Canary Islands' status within the Community, with a view to ensuring their greater integration in the Community; it lays down the conditions of application of the common agricultural policy, the common fisheries policy, the customs union and tax adjustments. The proposals for Decisions aim to establish programmes of measures specific to the remote and insular nature of the Canary Islands (Poseican) and the Azores and Madeira (Poseima), similar to the Poseidom programme. These programmes accordingly set out the principles for the progressive application of the common policies, in the case

of Poseima, in the agricultural, transport, energy and crafts sectors and in the agricultural, fisheries and customs sectors in the case of Poseican.

COM(90) 686 and 687

II

Structural assistance in regions whose development is lagging behind

Assistance granted

1.3.109. Financing of operational programmes.

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

Commission Decisions: See Table 2.

Table 2 — *Financing of operational programmes (Objective 1)*

Country/Purpose	Funds	Total assistance (million ECU)
<i>Spain</i>		
20 major projects	ERDF	400.0
Asturias	ERDF	64.7
Canary Islands	ERDF	290.0
Castile-La Mancha	ERDF	98.0
Ceuta	ERDF	24.0
Extremadura	ERDF	229.0
Melilla	ERDF	55.0
Murcia	ERDF	100.0
Valencia	ERDF	352.0
Andalusia: stockfarming	EAGGF	14.4
Asturias: environment	EAGGF	4.0
Asturias: stockfarming	EAGGF	3.0
Canary Islands: irrigation	EAGGF	9.0
Castile-Leon: environment	EAGGF	7.7
Extremadura: agricultural production	EAGGF	7.7
Galicia: environment	EAGGF	16.7
Murcia: agricultural production	EAGGF	7.0

Regional policies

Country/Purpose	Funds	Total assistance (million ECU)
Murcia: soil erosion	EAGGF	2.7
Andalusia: agricultural production (integrated programme)	EAGGF/ERDF	64.0
Andalusia: (integrated) forestry programme	EAGGF/ERDF	35.4
Castile-La Mancha: integrated programme	ERDF/EAGGF/ESF	207.0
Castile-Leon: integrated programme (Salamanca, Zamora)	ERDF/EAGGF/ESF	327.0
Galicia: agricultural production (integrated programme)	EAGGF/ERDF	45.4
Training	ESF	4.7
Technical assistance	ESF	0.3
Labour market studies	ESF	0.1
Long-term unemployed	ESF	11.3
Innovatory schemes	ESF	0.3
<i>France</i>		
Corsica	ERDF/EAGGF/ESF	64.0
Guadeloupe	ERDF	58.0
Guadeloupe	EAGGF	17.2
French Guiana	ERDF/EAGGF/ESF	62.0
Martinique	ERDF	76.0
Martinique	EAGGF	15.5
Réunion	ERDF/EAGGF/ESF	268.0
<i>Greece</i>		
Motorways	ERDF	209.0
Electricity	ERDF	41.0
Natural gas	ERDF	198.0
Agricultural structures	EAGGF	179.4
Processing and marketing of agricultural products (Reg. 866/90)	EAGGF	11.6
Innovative measures	ESF	7.0
Cross-border measures	ESF	6.4
<i>Ireland</i>		
Technical assistance	ERDF	2.3
Training	ERDF/ESF	76.5
Rural development	ERDF/EAGGF/ESF	75.3
Processing and marketing of agricultural products (Reg. 866/90)	EAGGF	7.5
Training for instructors	ESF	4.3
Unemployed persons	ESF	3.2
Vocational training for young people	ESF	171.0
Human resources	ESF	0.4
<i>Italy</i>		
Two major projects	ERDF	43.0
Abruzzi	ERDF/EAGGF/ESF	182.0
Basilicata	ERDF/EAGGF/ESF	147.0
Calabria	ERDF/EAGGF/ESF	258.0
Compania	ERDF/EAGGF/ESF	647.0
Molise	ERDF/EAGGF/ESF	89.0
Sardina	ERDF	63.0

Country/Purpose	Funds	Total assistance (million ECU)
Sicily	ERDF/EAGGF/ESF	470.0
Research	ERDF/ESF	150.0
Tourism	ERDF	180.0
Parapublic sector	ESF	160.0
Mezzogiorno (parapublic sector)	ESF	191.6
Telos 2	ESF	16.5
Articles 1 and 2 of Regulation (EEC) No 4255	ESF	4.7
<i>Portugal</i>		
Protede programme (energy)	ERDF	116.0
Proter programme (telecommunications)	ERDF	45.8
Trade	ERDF	24.0
Lisbon motorway	ERDF	11.1
Processing and marketing of agricultural products (Regulation (EEC) No 866/90)	EAGGF	16.1
<i>United Kingdom</i>		
Industry in Northern Ireland	ERDF/ESF	121.1

Community support frameworks

1.3.110. Resolutions of the European Parliament on the Community regional development measures to assist the Republic of Ireland and Northern Ireland in the United Kingdom.

- **Reference:** Community support frameworks for the regions whose development is lagging behind: Bull. EC 9-1989, point 2.1.72

Adopted by the European Parliament on 14 December. Parliament approved the CSF for the Republic of Ireland and insisted on the need to involve the local and regional authorities in the implementation of the programme. As regards the CSF for Northern Ireland, Parliament requested the Commission to avoid an excessive dispersal of aid, and to step up aid for education and training; it also insisted on the need for coordination between Northern Ireland and the Republic of Ireland.

OJ C 19, 28.1.1991

Structural assistance in declining industrial regions

Assistance granted

1.3.111. Financing of operational programmes and projects.

- **Reference:** Council Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards coordination of the activities of the different structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments: OJ L 372, 31.12.1988; Bull. EC 12-1988, point 2.1.200.

Commission Decisions: See Table 3.

Community support frameworks

1.3.112. Commission Decision amending the Community support framework for Berlin.

- **Amended programme:** Community support framework for Berlin (Objective 2): OJ L 155, 21.6.1990; Bull. EC 12-1989, point 2.1.131

Table 3 — Financing of operational programmes (Objective 2)

Country/Purpose	Funds	Total assistance (million ECU)
<i>Denmark</i>		
North Jutland	ERDF/ESF	14.7
West Lolland	ERDF/ESF	2.7
<i>Spain</i>		
Three major projects	ERDF	29.0
Aragon	ERDF	27.0
Catalonia	ERDF	123.0
Rioja	ERDF	9.5
Madrid	ERDF	54.0
Navarre	ERDF	17.0
Vocational training	ESF	16.0
Retraining	ESF	13.0
Small businesses	ESF	0.4
<i>France</i>		
Champagne-Ardenne	ESF	2.7
Midi-Pyrénées	ESF	3.2
Picardy	ESF	7.3
Poitou-Charentes	ESF	2.2
Rhône-Alpes	ESF	4.0
<i>Italy</i>		
Lazio	ERDF	6.4
Marche	ERDF	6.0
Rovigo	ESF	1.7
Valtellina	ESF	1.5

Adopted by the Commission on 13 December. This modifies, at the request of the German Government, the use of ERDF resources for the various priorities of the Community support framework, in order to take account of the shift in priorities brought about by recent developments in the political, social and economic situation of Berlin; the total ERDF contribution remains unchanged.

Financial instruments

ERDF

1.3.113. Notice from the Commission concerning information and publicity relating to assistance from the ERDF.

- **Basic regulation:** Council Regulation (EEC) No 4254/88 on the reform of the ERDF: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Adopted by the Commission on 19 December. The notice lays down the respective responsibilities of the Member States and the Commission and operating rules for information and publicity relating to assistance from the ERDF (with particular reference to operational programmes). The Commission thereby hopes to increase the transparency of Community action and to give a uniform image to ERDF assistance in all the Member States.

OJ C 6, 10.1.1991

1.3.114. Resolution of the European Parliament on the 14th annual report on activities of the ERDF in 1988.

- **Reference:** 14th annual report on the ERDF: COM(90) 136; Bull. EC 5-1990, point 1.2.75

Adopted by the European Parliament on 14 December. Parliament welcomed the rate of utilization of the appropriations available (99.9%) but regretted the fact that industrial projects accounted for only 5% of these.

JO C 19, 28.1.1991

1.3.115. Decision to finance 18 pilot projects.

- **Basic Regulation:** Council Regulation (EEC) No 4254/88 on the reform of the ERDF: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Adopted by the Commission on 20 and 21 December. This grants assistance totalling ECU 35 million to cover 12 projects concerned with urban networks and six urban renewal pilot projects for Athens, Brussels, Dublin, Gibraltar and Neunkirchen, and also a study.

Commission initiatives

Regen

1.3.116. Community initiative concerning transmission and distribution networks for energy (Regen).

- **Approval by the Commission (first reading):** Bull. EC 5-1990, point 1.2.74
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.65
- **Resolution of the European Parliament:** OJ C 295, 26.11.1990; Bull. EC 10-1990, point 1.3.61

Formally adopted by the Commission on 12 December.

OJ C 326, 28.12.1990

Prisma

1.3.117. Resolution of the European Parliament on the draft Notice from the Commission to Member States laying down guidelines for operational programmes which Member States are invited to establish in the framework of a Community

initiative concerning the preparation of businesses for the single market (Prisma).

- **Reference:** Prisma draft initiative: Bull. EC 7/8-1990, point 1.3.101

Adopted by the European Parliament on 14 December. Favourable opinion, subject to certain amendments with particular reference to the stepping up of the total appropriation for Prisma and the restriction of eligibility for aid to small businesses; Parliament specifically proposed introducing a clause for repayment of assistance given to SMEs in the event of their being bought up by a larger firm.

OJ C 19, 28.1.1991

Télématique

1.3.118. Resolution of the European Parliament on the draft Notice from the Commission to Member States laying down guidelines for operational programmes which Member States are invited to establish in the framework of a Community initiative for regional development concerning services and networks related to data communication — *Télématique*.

- **Reference:** *Télématique* draft initiative: Bull. 7/8-1990, point 1.3.102

Adopted by the European Parliament on 14 December. Favourable opinion, subject to a number of amendments with particular reference to the stepping up of the total appropriation for *Télématique* and to preferential treatment for the smallest firms and local government.

OJ C 19, 28.1.1991

Renaval

1.3.119. Financial decisions by the Commission on a British programme (Plymouth) and a French programme (Dunkerque).

- **Basic Regulation:** Council Regulation (EEC) No 2506/88: OJ L 225, 15.8.1988; Bull. EC 7/8-1988, point 2.1.98

Adopted by the Commission on 14 December. Grants ERDF aid of ECU 20.3

million (Plymouth) and ECU 15 million (Dunkerque).

Rechar

1.3.120. Financial decision by the Commission concerning a French programme (Nord/Pas-de-Calais).

- **Basic Regulation:** Council Decision (EEC) No 4253/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Adopted by the Commission on 14 December. Grants ERDF aid totalling ECU 21 million.

Transitional measures

Integrated Mediterranean programmes (IMPs)

1.3.121. Resolution by the European Parliament on the second progress report by the Commission of the European Communities on the IMPs in 1988.

- **Reference:** Second progress report by the Commission on the implementation of the IMPs: Bull. EC 11-1989, point 2.1.113

Adopted by the European Parliament on 14 December. Parliament considered the implementation of the French and Greek programmes relatively satisfactory in 1988 but deplored the slowness with which the IMPs had been implemented in southern Italy. It also expressed concern at the lack of additionality in the contribution of the structural Funds to the IMPs.

OJ C 19, 28.1.1991

Research and technology

I

Dissemination and exploitation of knowledge

1.3.122. Proposal for a Decision on the dissemination and exploitation of know-

ledge resulting from the specific programmes.

- **Reference:** 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

Adopted by the Commission on 17 December. The proposal is based on Council Decision 90/221/Euratom concerning the third framework programme which stipulates that the detailed arrangements for the dissemination and exploitation of the knowledge gained, in particular the definition and implementation of the 'centralized action', shall be the subject of a Council decision.

The general aim of the 'centralized action' is to give a specific added value to the research and technological development activities which are the subject of the third framework programme. The action provides the necessary continuity for some of the measures carried out under the Value programme and also introduces a new component relating in particular to the impact of R&TD activities and their results on the social fabric. It is therefore designed not only to intensify activities relating to the research/industry interface but also to develop the research/scientific community and research/society interfaces. Implementation should be based on three principles: (i) horizontality, which is inherent in the content of the action and places it amongst the activities designed to come up with scenarios and strategies for future research, (ii) internal complementarity in relation to the knowledge dissemination measures taken under each specific programme, and (iii) subsidiarity based on cooperation both with other Community programmes (regional development programmes, Sprint) and with the national and regional authorities responsible.

The proposal is in two parts, the first relating to the definition and implementation of the centralized action and the second to the general arrangements for dissemination and exploitation of knowledge resulting from

the specific programmes. These rules, supplemented by a Commission Regulation, should make it possible to ensure the cohesion of the arrangements for disseminating knowledge and guarantee the protection of the legitimate interests of the contracting parties and the rights linked to obtaining and exploiting the results.

This action, the total cost of which is estimated at ECU 57 million, would be implemented for the period between the date of publication in the Official Journal of the first Decision adopting a specific programme under the framework programme (1990-94) and 31 December 1994.

COM(90) 611

Radioactive waste disposal

1.3.123. Council conclusions on the Commission communication on objectives, standards and criteria for radioactive waste disposal in the European Community.

- **Commission proposal:** Bull. EC 11-1990, point 1.3.80

Adopted by the Council on 18 December.

'The Council

- (1) recognizes the close cooperation that exists in this area among the Member States and the constructive role of the Commission which has done much to get that cooperation established, and stresses the importance of intensifying and extending that cooperation;
- (2) confirms that achieving an equivalent and satisfactory degree of protection at the highest practical safety levels for workers, members of the public and the environment is one of the Community's central objectives in the area of radioactive waste;
- (3) reaffirms the important role which the Community's research programmes on radioactive waste play in providing a better understanding and contributing to a wider dissemination of knowledge, leading to safer and more efficient management, storage and disposal of radioactive waste with regard to industrial safety and the protection of the public and the environment;
- (4) recognizes that the report is a good assessment of the current situation and an important

contribution to determining the direction of future work in this area;

- (5) takes note of the report's recommendation that further consideration should be given at appropriate national and Community levels to issues linked with the safety of radioactive waste disposal and notably to the development of common general site selection criteria with associated waste categories, additional measures to be taken on a technological and administrative level concerning very low level radioactive waste and the setting up of guiding principles for waste equivalence;
- (6) recommends that due consideration be given by the Commission to all types of radioactive waste including those produced outside the nuclear industry;
- (7) underlines the importance of developing a common approach and efforts towards harmonization at Community level on radioactive waste management strategies and practices wherever possible;
- (8) also underlines the important contribution that a Community approach can make to the development of an international consensus on these matters, in particular at the International Atomic Energy Agency and the OECD Nuclear Energy Agency;
- (9) recommends that the Commission put forward in good time appropriate proposals to maintain in the future and develop the appropriate measures; such measures come within the framework of the Community plan of action 1980-92 in the field of radioactive waste in order to deal in one and the same context with problems involving the improvement of existing techniques for the disposal of such waste by developing technologies and with questions of a legal, administrative and social nature which need to be resolved.'

II

Framework programme for R&TD (1987-91)

- **Basic Decision:** Council Decision 87/516/Euratom/EEC concerning the framework programme for Community activities in the field of research and technological development (1987-91): OJ L 302, 24.10.1987; Bull. EC 9-1987, point 2.1.32

Transport

1.3.124. Council Decision 91/11/EEC 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
- **European Parliament opinion (first reading):** OJ C 175, 16.7.1990; Bull. EC 6-1990, point 1.3.99
- **Council common position:** Bull. EC 6-1990, point 1.3.99
- **European Parliament opinion (second reading):** OJ C 195, 26.11.1990; Bull. EC 10-1990, point 1.3.64
- **Re-examined Commission proposal:** COM(90) 568; Bull. EC 11-1990, point 1.3.67

Adopted by the Council on 21 December. This programme, which has an ECU 25 million budget for three years, is designed to improve the competitiveness of transport systems and of the corresponding industries, and improve the safety of modes of transport and reduce their harmful effects on the environment. Given the complexity and the size of the transport sector, the Euret programme embraces a small number of priority research projects:

- (i) optimum transport network exploitation (ECU 16.5 million);
- (ii) logistics (ECU 7.5 million);
- (iii) reduction of harmful external effects (ECU 1 million).

OJ L 8, 11.1.1991

Framework programme for R&TD 1990-94

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

Information

1.3.125. Proposal for a Decision adopting a specific research and technological devel-

opment programme in the field of information technology (1990-94).

- **Approval by the Commission:** Bull. EC 4-1990, point 1.1.56
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 153; Bull. EC 5-1990, point 1.2.93
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.68

Endorsed by the European Parliament (first reading) on 12 December, subject to certain amendments. Parliament emphasized in particular the training of research workers, the assessment of the social and human impact of the new technologies, the possibility for the Commission to delegate programme management to outside bodies and the undertaking to make access to Community research and development programmes for third-country companies subject to the existence of reciprocity agreements with the third countries in question.

OJ C 19, 28.1.1991

Amended proposal adopted by the Commission on 14 December. Purpose: to take account of certain European Parliament amendments.

COM(90) 679

Communications

1.3.126. Proposal for a Decision adopting a specific research and technological development programme in the field of communications technology (1990-94).

- **Approval by the Commission:** Bull. EC 4-1990, point 1.1.57
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 154; Bull. EC 5-1990, point 1.2.94
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.69

Endorsed by the European Parliament (first reading) on 12 December, subject to certain amendments relating to the same points as above.

OJ C 19, 28.1.1991

Amended proposal adopted by the Commission on 14 December. Purpose: to take

account of certain European Parliament amendments.

OJ C 10, 16.1.1991; COM(90) 675

Information technology and telecommunications

1.3.127. Proposal for a Decision adopting a specific research and technological programme in the field of telematic systems in areas of general interest (1990-94).

- **Approval by the Commission:** Bull. EC 4-1990, point 1.1.58
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 155; Bull. EC 5-1990, point 1.2.95
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.70
- **European Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.70
- **Amended Commission proposal:** COM(90) 594; Bull. EC 11-1990, point 1.3.70

Common position adopted by the Council on 21 December. The amount deemed necessary to implement the programme is ECU 376.2 million, including ECU 41 million for administrative and staff expenditure.

Industrial and materials technologies

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

- **Approval by the Commission:** Bull. EC 4-1990, point 1.1.59
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 156; Bull. EC 5-1990, point 1.2.96
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.71

Endorsed by the European Parliament on 12 December, subject to amendments aimed in particular at clarifying the technical annex to the proposal and altering the breakdown of funds between the various areas (increase in the funds for design and

manufacture and reduction in the funds for materials).

OJ C 19, 28.1.1991

Amended proposal adopted by the Commission on 14 December. Purpose: to take account of certain European Parliament amendments.

OJ C 14, 22.1.1991; COM(90) 673

Environment

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

- **Approval by the Commission:** Bull. EC 4-1990, point 1.1.61
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 158; Bull. EC 5-1990, point 1.2.98
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.70
- **European Parliament opinion:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.73
- **Amended Commission proposal:** COM(90) 592; Bull. EC 11-1990, point 1.3.73

Agreement in principle on a common position reached by the Council on 21 December. The amount deemed necessary to implement the programme is ECU 261.4 million, including ECU 15 million to cover administrative and staff expenditure.

Life sciences and technologies

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

- **Approval by the Commission:** Bull. EC 4-1990, point 1.1.62
- **Formal adoption by the Commission:** OJ C 174, 16.7.1990; COM(90) 159; Bull. EC 5-1990, point 1.2.99
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.71
- **European Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.74
- **Amended Commission proposal:** COM(90) 574; Bull. EC 11-1990, point 1.3.74

Common position adopted by the Council on 21 December. The amount deemed necessary to implement the programme is ECU 102.96 million, including ECU 10 million for administrative and staff expenditure.

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

- Approval by the Commission: Bull. EC 4-1990, point 1.1.66
- Formal adoption by the Commission: OJ C 174, 16.7.1990; COM(90) 163; Bull. EC 5-1990, point 1.2.103
- Economic and Social Committee opinion: Bull. EC 9-1990, point 1.2.74

Endorsed by the European Parliament (first reading) on 12 December, subject to certain amendments aimed in particular at amending the technical annex to the proposal and proposing an interface between the two areas, namely improvement of living conditions and improvements in health.

OJ C 19, 28.1.1991

Amended proposal adopted by the Commission on 14 December. Purpose: to take account of certain European Parliament amendments.

OJ C 15, 23.1.1991; COM(90) 678

Biomedicine and health

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

- Approval by the Commission: Bull. EC 4-1990, point 1.1.65
- Formal adoption by the Commission: OJ C 174, 16.7.1990; COM(90) 162; Bull. EC 5-1990, point 1.2.102
- Economic and Social Committee opinion: Bull. EC 11-1990, point 1.3.75

Endorsed by the European Parliament (first reading) on 12 December, subject to certain amendments aimed in particular at adding to the technical annex to the proposal a

new area relating to biomedical ethics and placing the emphasis on diseases with great socio-economic impact, and in particular AIDS.

OJ C 19, 28.1.1991

Amended proposal adopted by the Commission on 14 December. Purpose: to take account of certain European Parliament amendments.

OJ C 11, 17.1.1991; COM(90) 676

Telecommunications and information services

Telecommunications

Coordinated introduction of DECT

1.3.133. Proposal for a recommendation on the coordinated introduction of digital European cordless telecommunications (DECT) in the Community.

- Commission proposal: OJ C 187, 27.7.1990; COM(90) 139; Bull. EC 5-1990, point 1.2.85
- Economic and Social Committee opinion: Bull. EC 9-1990, point 1.2.76

Endorsed by the European Parliament on 12 December, subject to two amendments calling for the adoption of a tariff strategy to encourage the spread of this service in the Community and broad consultation of the social partners.

OJ C 19, 28.1.1991

Amended proposal adopted by the Commission on 13 December. Purpose: to take account of certain European Parliament amendments.

OJ C 9, 15.1.1991; COM(90) 677

Approved by the Council on 14 December. Purpose: to direct and accelerate the efforts of the Member States, telecommunications organizations and industry to identify a common solution, based on work carried out by the European Telecommunications Standards Institute (ETSI) which has undertaken to formulate a DECT standard by the end of 1991. The recommendation will be

formally adopted later at the same time as the directive.

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

- **Commission proposal:** OJ C 187, 27.7.1990; COM(90) 139; Bull. EC 5-1990, point 1.2.85
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.76

Endorsed by the European Parliament (first reading) on 12 December.

OJ C 19, 28.1.1991

Common position adopted by the Council on 14 December.

Satellite communications

1.3.135. Council conclusions on the Green Paper on a common approach in the field of satellite communications in the European Community.

- **Reference:** Commission communication — Green Paper — COM(90) 490; Bull. EC 11-1990, point 1.3.64

Adopted by the Council on 14 December. The Council held a first debate on the Green Paper on a common approach in the field of satellite communications in the European Community, and invited the Commission to submit as soon as possible conclusions based on the comments it receives, as well as a detailed draft of the measures to be adopted.

Pan-European land-based public digital mobile cellular communications

1.3.136. Council resolution of the final stage of the coordinated introduction of pan-European land-based public digital mobile cellular communications in the Community (GSM).

- **Basic recommendation:** Council recommendation 87/371/EEC on the coordinated introduction of public pan-European cellular digital land-based mobile communications in the

Community: OJ L 196, 17.7.1987; Bull. EC 6-1987, point 2.1.53

- **Basic Directive:** Council Directive 87/372/EEC on the frequency bands to be reserved for the coordinated introduction of public pan-European cellular digital land-based mobile communications in the Community: OJ L 196, 17.7.1987; Bull. EC 6-1987, point 2.1.53

Adopted by the Council on 14 December. The Council noted with satisfaction that substantial progress has been made on the basis of Recommendation 87/371/EEC and Directive 87/372/EEC with the implementation of the pan-European digital mobile cellular GSM system.

It emphasized, however, that Community action is required in a number of critical areas:

- (i) establishment of an interim scheme for the mutual recognition of approval of GSM terminals;
- (ii) implementation of mutual recognition of licences for the operation of GSM terminals in all Member States;
- (iii) examination of the possibilities of rapid extension of technological potential and progressive development of the use of higher frequency bands;
- (iv) promotion and encouragement of appropriate measures.

The Council was pleased to note that the Commission intends to address the overall future development of mobile communications in a Green Paper to be published before the end of 1991.

OJ C 329, 31.12.1990

Common market in telecommunications

1.3.137. Proposal for a Directive on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including mutual recognition of 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 Commission proposal:** COM(90) 263; Bull. EC 6-1990, point 1.3.102
- **Council common position:** Bull. EC 7/8-1990, point 1.3.122

Endorsed by the European Parliament (second reading) on 12 December, subject to certain technical amendments.

OJ C 19, 28.1.1981

Other areas of Community R&TD

ECSC research

1.3.138. Commission memorandum on a sixth research programme on industrial hygiene in mines.

- **Reference:** fifth research programme on industrial hygiene in mines: OJ C 332, 8.12.1983; Bull. EC 11-1983, point 2.1.199
- **Approval by the Commission (first reading):** Bull. EC 7/8-1990, point 1.3.126
- **Consultation of the ECSC Consultative Committee:** Bull. EC 9-1990, point 1.2.80
- **Council assent:** Bull. EC 10-1990, point 1.3.70

Approved by the Commission (second reading) on 18 December.

OJ C 14, 22.1.1991

1.3.139. Commission memorandum on a sixth ECSC programme of ergonomics research for the coal and steel industries.

- **Reference:** fifth ergonomics programme for the coal and steel industries: OJ C 270, 22.10.1985; Bull. EC 5-1985, point 2.1.117
- **Approval by the Commission (first reading):** Bull. EC 7/8-1990, point 1.3.127
- **Consultation of the ECSC Consultative Committee:** Bull. EC 9-1990, point 1.2.81
- **Council assent:** Bull. EC 10-1990, point 1.3.71

Approved by the Commission (second reading) on 18 December.

International cooperation

'Science' programme plan

1.3.140. Proposal for a Decision concerning the conclusion of a Cooperation Agree-

ment between the European Economic Community and the Republic of Iceland on a programme plan to stimulate the international cooperation and interchange needed by 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
- **Commission proposal:** OJ C 181, 27.1.1990; COM(90) 241; Bull. EC 6-1990, point 1.3.110
- **Economic and Social Committee opinion:** Bull. EC 10-1990, point 1.3.76
- **European Parliament opinion (first reading):** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.84

Common position adopted by the Council on 21 December.

Central and Eastern Europe

1.3.141. Council conclusions on relations with the countries of Central and Eastern Europe.

Adopted by the Council on 14 December. The Council considered that in the longer term the Association Agreements to be concluded with these countries will provide a basis for coherent Community action.

Meanwhile, there is a place for telecommunications activities in the coordinated assistance for economic restructuring provided by the Group of 24. In order to synchronize those activities with the activities of major investors and maximize the effectiveness of the combination of grant and loan funding, close contacts with the World Bank and the EIB, and later the EBRD, are essential.

In conclusion, the Council considered that, at the request of the countries concerned, the Community will be able to play an important role, in conjunction with other relevant bodies, in particular by means of transfers of expertise and training, in the introduction by those countries of the fol-

lowing measures in the area of telecommunications:

- (i) creation of the new legal framework and of the implementing regulations; introduction of new organizational structures more open to competition, based on the principles of the European model;
- (ii) setting up strategic planning offices in the operating companies;
- (iii) mastering the management of telecommunications in a new economic environment; business plans, procurement, etc.;
- (iv) active participation in the European standardization mechanisms and implementation of international standards;
- (v) planning and improvement of telecommunications networks, making use of, *inter alia*, EIB funding in the countries, subject to the conditions and limits approved by the Council, EBRD funding and the rapid introduction of advanced services.

Environment

Prevention and reduction of pollution and nuisance

Air pollution

Economic and fiscal instruments

1.3.142. Commission working paper on policy options with a view to a Community target for the stabilization of carbon dioxide emissions.

- **References:**
Council conclusions on the use of economic and fiscal instruments in environment policy: Bull. EC 10-1990, point 1.3.78
Council conclusions on climate protection policy: Bull. EC 10-1990, point 1.3.77

Approved by the Commission on 17 December. The working paper, which sets out possible Commission guidelines for limiting carbon dioxide emissions, indicates

economic and fiscal measures which might limit the consumption of energy sources which produce carbon dioxide. It mentions in particular the possibility of a fiscally neutral tax which would not apply to renewable sources and could be varied on the basis of a purely energy component and a component taking into account carbon dioxide emissions.

Motor vehicle emissions

1.3.143. Proposal for a Directive amending Council 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.

- **Directive to be amended:** Council Directive 70/220/EEC: OJ L 81, 14.4.1970
- **Commission proposal:** OJ C 81, 30.3.1990; COM(89) 662; Bull. EC 12-1989, point 2.1.146
- **Economic and Social Committee opinion:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.146
- **European Parliament opinion (first reading):** OJ C 260, 15.10.1990; Bull. EC 9-1990, point 1.2.89

Common position on the substance agreed to by the Council on 20 December. The limit values adopted are those proposed by the Commission; they will be applied as from 1 July 1992 for new types of cars and as from 31 December 1992 for all new cars; new, more stringent limit values are to be proposed before 31 December 1992 and adopted before 31 December 1993; they will not apply before 1 January 1996 but may serve as a basis for tax incentives once they are adopted.

Chemicals, industrial hazards and biotechnology

Chlorofluocarbons

1.3.144. Proposal for a Council Decision concerning the conclusion of the amendment to the Montreal Protocol on substances that deplete that ozone layer as

adopted in June 1990 in London by the parties to the Protocol.

• **References:**

Council conclusions on the revision of the Montreal Protocol: Bull. EC 6-1990, point 1.3.120

London Conference on the revision of the Montreal Protocol: Bull. EC 6-1990, point 1.3.121

Adopted by the Commission on 12 December. Purpose: approval, on behalf of the Community, of the amendment to the Montreal Protocol, as adopted at the London Conference, providing for the total elimination of CFCs, halons and carbon tetrachloride by the year 2000 and methyl chloroform by the year 2005.

OJ C 11, 17.1.1991; COM(90) 589

1.3.145. Proposal for a Council Regulation on substances that deplete the ozone layer.

- **Commission proposal:** COM(90) 3; Bull. EC 1/2-1990, point 1.1.120
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.90

Endorsed by the European Parliament on 14 December, subject to certain amendments relating in particular to the inclusion of hydrochlorofluorocarbons (HFCFs) within the scope of the Regulation.

OJ C 19, 28.1.1991

Amended proposal adopted by the Commission on 21 December. Purpose: to take account of Parliament's amendments.

COM(90) 689

Agreement on the substance reached by the Council on 21 December. The dates scheduled for the 85% reduction (1 July 1995 instead of 1 January 1996) and total elimination (1 July 1997 instead of 31 December 1997) of CFCs are six months earlier than the dates proposed by the Commission. They apply to both production and consumption of CFCs. The schedule adopted is generally more stringent than that provided for by the Montreal Protocol.

Dangerous substances

1.3.146. Proposal to amend Council Regulation (EEC) No 1734/88 concerning exports from and imports into the Community of certain dangerous chemicals, in order to include the principle of 'prior informed consent'.

- **Regulation to be amended:** Council Regulation (EEC) No 1734/88: OJ L 155, 22.6.1988; Bull. EC 6-1988, point 2.1.187
- **Reference:** Council resolution concerning exports from and imports into the Community of certain dangerous chemicals: OJ C 170, 29.6.1988; Bull. EC 6-1988, point 2.1.187

Adopted by the Commission on 17 December. The purpose of the proposal is to include in Regulation (EEC) No 1734/88 the principle of 'prior informed consent' whereby dangerous substances can only be exported with the consent of the importing country, and to add to the list of chemicals covered. It was submitted at the request of the Council which, when adopting the abovementioned Regulation, also adopted a resolution calling on the Commission to examine the question of prior informed consent. It will also make it possible to guarantee Community participation in the international notification and prior informed consent procedure established by UNEP and FAO, since the proposed scheme is compatible with the scheme operated by those bodies.

COM(90) 591

1.3.147. 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) 545; Bull. EC 11-1989, point 2.1.124
- **Council agreement on the substance:** Bull. EC 6-1990, point 1.3.119

- Council common position: Bull. EC 9-1990, point 1.2.91

Endorsed by the European Parliament (second reading) on 12 December, subject to certain technical amendments.

OJ C 19, 28.1.1991

Waste disposal

1.3.148. Commission communication to the Council concerning the adoption of a Decision authorizing the Commission to negotiate a draft OECD decision-recommendation on the reduction of trans-frontier movements of waste.

- **References:**

Basle Convention of 22 March 1989 on the control of transboundary movements of hazardous wastes and their disposal: Bull. EC 3-1989, point 2.1.113

Proposal for a Council Regulation on the supervision and control of shipments of waste within, into and out of the Community: COM(90) 415; Bull. EC 9-1990, point 1.2.85

Adopted by the Commission on 4 December. Purpose: to authorize the Commission to negotiate a draft OECD decision-recommendation on the reduction of trans-frontier movements of waste. The aim of the draft is to reduce transfrontier movements of waste as much as possible by providing, in accordance with the Basle Convention, that OECD member countries should encourage the establishment of suitable waste-management infrastructures and guarantee that waste is disposed of in an environmentally responsible way. The draft also provides for a ban on exporting waste to countries which have prohibited imports of waste for disposal purposes.

1.3.149. Proposal for a Council Directive on hazardous waste.

- 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

Agreement in principle reached by the Council on 21 December. The Council adopted Article 130s as the legal basis for the proposal instead of Article 100a as proposed by the Commission.

1.3.150. Proposal for a Directive on the disposal of polychlorinated biphenyls (PCBs); and polychlorinated terphenyls (PCTs).

- Commission proposal: OJ C 319, 12.12.1988; COM(88) 559; Bull. EC 10-1988, point 2.1.111
- Economic and Social Committee opinion: OJ C 139, 5.6.1989; Bull. EC 3-1989, point 2.1.112

Endorsed by the European Parliament (first reading) on 12 December, subject to various amendments concerning in particular the reduction of certain limit values, the discontinuation of the burning of waste at sea and the operation of disposal firms.

OJ C 19, 28.1.1991

Management of environmental resources

Acnat

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

- Commission proposal: OJ C 137, 6.6.1990; COM(90) 125; Bull. EC 5-1990, point 1.2.114
- Economic and Social Committee opinion: Bull. EC 10-1990, point 1.3.86

Endorsed by the European Parliament on 13 December, subject to various amendments concerning in particular a revision of the budget for this action.

OJ C 19, 28.1.1991

Urban environment

1.3.152. Council resolution on the Green Paper on the urban environment.

- **Reference:** Commission communication: Green Paper on the urban environment: COM(90) 218; Bull. EC 6-1990, point 1.3.113

Approved by the Council on 21 December. The Council recognized the value of the overall analysis carried out by the Commission; it considered that, while the primary responsibility for the urban environment lies with local authorities, there is a Community dimension to the definition of future policy in this area. It called upon the Commission to set up an expert group to consider how town and land-use planning strategies can incorporate environmental objectives and, more generally, advise the Commission on the ways in which the urban environment dimension can be further developed within Community environment policy, and consider how the Community could, through funding, further contribute to the improvement of the urban environment.

Flora and fauna

1.3.153. Council Decision on participation by the Community in the negotiations on an Agreement for the conservation of the white stork.

- **Commission recommendation for a Decision:** Bull. EC 7/8-1990, point 1.3.140

Adopted by the Council on 21 December.

Natural resources

Protection of forests

- **Reference:** Council Decision on participation by the Community in the pan-European conference on the protection of forests in Europe: Bull. EC 9-1990, point 1.2.96

1.3.154. European Community forest health report.

Adopted by the Commission on 12 December. The report gives the results of the 1989 Community survey of forest damage and a summary of the national reports on forest health in 1989.

1.3.155. European Parliament resolution on the pan-European conference on the protection of forests.

Adopted by the Commission on 13 December. Parliament welcomed the Commission's participation in the pan-European conference on the protection of forests, and called upon the Commission to propose the establishment of a European forest monitoring network, the setting-up of a databank on damaged forests, studies on the interaction between soil, climate and vegetation, and the strengthening of cooperation and mutual assistance between all the countries of Europe.

OJ C 19, 28.1.1991

1.3.156. Pan-European conference on the protection of forests in Europe.

Meeting held in Strasbourg on 18 and 19 December. Thirty-one European States and the Commission undertook to give expression to their desire to ensure that forests can continue to perform their ecological, economic and social functions to the full, adopting a general declaration and seven resolutions specifying this objective.

Medspa

1.3.157. Proposal for a Council Regulation on action by the Community for the protection of the environment in the Mediterranean region (Medspa).

- **Commission proposal:** OJ C 80, 30.3.1990; COM(89) 598; Bull. EC 11-1989, point 2.1.127
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.97

Endorsed by the European Parliament on 14 December, subject to various amendments concerning in particular the rate of aid for private investment.

OJ C 19, 28.1.1991

Amended proposal adopted by the Commission on 19 December. Purpose: to take account of certain European Parliament amendments.

COM(90) 683

Political agreement reached by the Council on 21 December. The text approved by the Council provides for financing totalling ECU 25 million for the first two years of the action; the maximum Community contribution is set at 50% for public investment and 30% for private investment.

1.3.158. Commission Decision on the granting of financial support from the Community for certain demonstration projects, projects to raise public awareness and projects to provide technical assistance in the field of protection of the Mediterranean environment.

- **Reference:** Proposal for a Council Regulation on action by the Community for the protection of the environment in the Mediterranean region: → point 1.3.157 of this Bulletin

Adopted by the Commission on 17 December. Purpose: to grant assistance totalling ECU 2 223 995 to 19 projects as part of the preparatory phase of the Medspa programme.

Norspa

1.3.159. Proposal for a Council Regulation on specific action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean (Norspa).

- **Reference:** Proposal for a Regulation on action by the Community for the protection of the environment in the Mediterranean region: → point 1.3.157 of this Bulletin

Adopted by the Commission on 17 December. The Commission is proposing to implement a specific environmental protection programme for the coastal areas and coastal waters in the north of the Community. Under the programme financial support would be granted for demonstration projects designed to reduce, and if possible eliminate, pollution in the areas concerned, and promote schemes encouraging the use of environment-friendly technologies in these areas.

Norspa is intended to supplement Medspa, thus ensuring that the whole of the Community's marine and coastal environment is covered.

The proposed duration is 10 years, in two five-year phases; the budget deemed necessary for 1991/92 is ECU 10 million.

COM(90) 498

General measures

Action by the Community relating to the environment

1.3.160. Amendment to the financial support granted to projects providing an incentive and aimed at contributing towards the maintenance or re-establishment of seriously threatened biotopes.

- **Basic Regulation:** Regulation (EEC) No 2242/87: OJ L 207, 29.7.1987; Bull. EC 7/8-1987, point 2.1.164
- **Decision amended:** Commission Decision on the granting of financial support for five projects: Bull. EC 11-1989, point 2.1.119

Adopted by the Commission on 11 December: Purpose: to raise from ECU 400 000 to ECU 900 000 the support granted to the project for the safeguarding and management of the Crau plain, first phase.

Information

1.3.161. Proposal for a Council Directive harmonizing and rationalizing reports on the implementation of certain directives relating to the environment.

- **Commission proposal:** OJ C 214, 29.8.1990; COM(90) 287; Bull. EC 7/8-1990, point 1.3.147

Endorsed by the European Parliament on 14 December.

OJ C 19, 28.1.1991

Endorsed by the Economic and Social Committee on 18 December. The Committee asked the Commission to clarify the link between the proposal and freedom of access to information on the environment.

Nuclear safety

Radiation protection

Basic standards

1.3.162. Council Directive on the operational protection of outside workers exposed to the risk of ionizing radiation during their activities in controlled areas.

- **Draft Commission proposal:** COM(89) 376; Bull. EC 7/8-1989, point 2.1.112
- **Economic and Social Committee opinion:** OJ C 56, 7.3.1990; Bull. EC 11-1989, point 2.1.113
- **Commission proposal:** COM(89) 376; Bull. EC 1/2-1990, point 1.1.134
- **European Parliament opinion:** OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.94
- **Amended Commission proposal:** COM(90) 557; Bull. EC 11-1990, point 1.3.99

Adopted by the Council on 4 December. The purpose of the Directive is to afford outside workers equivalent protection to that enjoyed by established workers at installations where there is a risk of exposure to ionizing radiation.

OJ L 349, 13.12.1990

Radioactive waste disposal

1.3.163. Commission recommendation on the application of Article 37 of the Euratom Treaty.

- **Recommendation replaced:** recommendation of 16 November 1960 on the application of Article 37 of the Euratom Treaty (OJ 81, 21.12.1960) as amended by the recommendation of 3 February 1982 (OJ L 83, 29.3.1982; Bull. EC 2-1982, point 2.1.105)

Adopted by the Commission on 7 December. This recommendation, which replaces earlier recommendations on the application of Article 37 of the Euratom Treaty, amends in particular the deadlines for the submission to the Commission by the Member States of data concerning plans for the disposal of radioactive waste (six months before disposal is authorized by the Member State rather than six months before the date scheduled for the commencement

of disposal), to take account of a ruling by the Court of Justice. It also provides for better information for the Commission on the action taken by the Member States on its opinions.

OJ L 6, 9.1.1991

Plant safety

1.3.164. Council conclusions on the operation of Euratom safeguards.

Adopted by the Council on 21 December. The Council appreciated the effectiveness of the safeguards, no evidence of diversion having been noted, and stressed the importance of cooperation with the International Atomic Energy Agency (IAEA).

Radioactive waste

1.3.165. Council conclusions on radioactive waste disposal (→ point 1.3.123).

Consumers

Quality and protection of agricultural products

1.3.166. Commission communication on the quality of, and the protection of geographical indications for, agricultural products:

- (i) proposal for a Regulation on certificates of specific character for foodstuffs;
- (ii) proposal for a Regulation on the protection of geographical indications and designations of origin for agricultural products and foodstuffs.

- **References:**

Commission communication on the future of rural society: COM(88) 501; Bull. EC 7/8-1988, point 1.2.1 *et seq*; Suppl. 4/88 — Bull. EC

Council Directive 89/395/EEC (OJ L 33, 8.2.1979) amending Council Directive 79/112/EEC relating to the labelling, presentation and advertising of foodstuffs: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20

Council resolution on future priorities for relaunching consumer protection policy: OJ C 294, 22.11.1989; Bull. EC 11-1989, point 2.1.137

Adopted by the Commission on 5 December. The proposal on certificates of specific character advocates the creation of a Community instrument enabling producers to have the specific character of their products recognized at Community level. 'Specific character' is defined as the specific characteristics of a foodstuff due to its raw materials or production methods which distinguish it from similar foodstuffs in the same category. Member States would set up inspection arrangements to ensure that this specific character is constantly maintained.

The proposal on the protection of geographical indications is aimed at establishing a system of protection for agricultural products and foodstuffs the quality and characteristics of which are due to their geographical origin. The proposal is based to a large extent on work on intellectual property within GATT as part of the Uruguay Round, particularly as regards the definition and protection of geographical indications. It distinguishes between two separate categories, the geographical indication and the designation of origin, depending on the extent of the connection between the product and the geographical place whose name it bears.

The proposed procedures in both cases are very similar; what is involved is Community registration on the basis of an application made at the initiative of those in the trade. Applications would be examined at national level, with the Commission simply making an entry in a register and settling disputes in cases where objections are raised.

In both cases the name of the registered product would enjoy legal protection in all Member States. Any producer would be able to use the certificate of specific character provided he complies with the published information and agrees to appropriate inspection, while the use of a geographical indication or designation of origin would be reserved for producers in the relevant geographical area.

Physical protection and product safety

Toy safety

1.3.167. Commission report to the Council on the risk of damage to hearing resulting from noise emitted by toys.

- **References:**

Council Directive 86/188/EEC on the protection of workers from the risks related to exposure to noise at work: OJ L 137, 24.5.1986; Bull. EC 5-1986, point 2.1.92

Council Directive 88/378/EEC relating to the safety of toys: OJ L 187, 16.7.1988; Bull. EC 5-1988, point 2.1.115

Adopted by the Commission on 19 December. This report was submitted following the undertaking given by the Commission to submit to the Council, on the basis of available scientific evidence, proposals to add to the toy safety Directive an 'essential safety requirement' concerning noise. After examining the available literature on the subject, the Commission comes to the conclusion that, in view of the generally moderate nature of exposure to noise from toys and in the absence of scientific evidence concerning the possible danger resulting from such exposure, there is no justification for adding a new safety requirement to the abovementioned Directive. However, as a precaution, the Commission will ask the European Committee for Standardization to include test methods and specifications in this respect in its standard concerning the mechanical and physical risks of toys. The restrictions concerning noise peaks exceeding 200 pascals (140 decibels), as set out in the Directive concerning exposure to noise at work, should be respected by that standard.

Enterprise policy and industrial strategies

I

Copyright and neighbouring rights

- **References:**

Commission communication 'Green Paper on copyright and the challenge of technology':

COM(88) 172; Bull. EC 6-1988, points 1.2.1 to 1.2.6

Commission communication 'Books and reading: a cultural challenge for Europe': COM(89) 258; Bull. EC 4-1989, point 2.1.102

Commission communication on audiovisual policy: COM(90) 78; Bull. EC 1/2-190, point 1.1.270

1.3.168. Commission communication 'Follow-up to the Green Paper: Working programme of the Commission in the field of copyright and neighbouring rights'.

Adopted by the Commission on 5 December. The communication sets out to define a general policy programme outlining the steps the Commission will be taking in the period up to 31 December 1992 in respect of copyright and neighbouring rights, following publication of the Green Paper on copyright and the reactions it elicited. The Commission feels that the new technologies have brought about an internationalization of questions relating to copyright and neighbouring rights (rights of performers, producers of phonograms and broadcasting organizations) and that copyright provides a basis for intellectual creation. It is urgently necessary, therefore, to strengthen the protection of those rights.

To that end, the Commission proposes to take measures relating to:

(i) accession by the Member States to the Berne Convention (Paris Act) and the Rome Convention (→ point 1.3.169);

(ii) rental right, lending right and certain neighbouring rights (→ point 1.3.170).

It will also present before the end of 1991 proposals concerning:

(i) home copying of sound and audiovisual recordings;

(ii) legal protection of databases;

(iii) broadcasting: satellite broadcasting and cable retransmission;

(iv) duration of copyright and neighbouring rights.

It is also planning to examine the following:

(i) moral rights of authors;

(ii) reprography;

(iii) resale right;

(iv) collective management of copyright and neighbouring rights.

In the Commission's view, there is also a need for a minimum level of substantive protection for copyright world-wide in order to prevent plagiarism in certain non-member countries of the efforts of creative artists in the Community. It would, therefore, like to consolidate the Community's role in multilateral external relations (GATT, World Intellectual Property Organization) and bilateral external relations (countries of Central and Eastern Europe, member countries of EFTA and the Council of Europe) and to establish an inventory of the intellectual property situation in certain non-member countries.

COM(90) 584

1.3.169. Proposal for a Council Decision concerning the accession of the Member States to the Berne Convention for the Protection of Literary and Artistic Works, as revised by the Paris Act of 24 July 1971, and the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) of 26 October 1961.

Adopted by the Commission on 5 December. The purpose is to ensure that by 31 December 1992 all Member States ratify or adhere to, and comply with, the Berne Convention (as revised by the Paris Act) and the Rome Convention. The Commission feels that the accession of all the Member States will provide the Community with a common basis for harmonization. It will be easier to reinforce, through subsequent Community measures, the protection of certain special aspects of copyright and neighbouring rights. Moreover, such harmonization can, in the Commission's view, contribute to more effective action against piracy, notably of audiovisual works.

COM(90) 582

1.3.170. Proposal for a Council Directive on rental right, lending right and certain rights related to copyright.

Adopted by the Commission on 5 December. The purpose is to harmonize at Community level the protection of authors, performing artists, phonogram producers, film producers and broadcasting organizations as regards rental and lending rights and certain other neighbouring rights. It provides for an exclusive rental and lending right in respect of works protected by copyright and neighbouring rights, and hence for the possibility of a prohibition and for adequate distribution of payment in the event of authorization. Member States may derogate from the exclusive lending right for cultural reasons, the obligation to remunerate authors equitably being unaffected, but not from the commercial rental right. Where neighbouring rights are concerned, the Commission proposes granting to authors, performing artists, producers and broadcasting organizations rights of fixation, reproduction and exclusive distribution, subject to the limits laid down in the Rome Convention.

COM(90) 586

1.3.171. Proposal for a Directive on the legal protection of computer programs.

- **Commission proposal:** OJ C 91, 12.4.1989; COM(90) 816; Bull. EC 12-1988, point 2.1.36
- **Economic and Social Committee opinion:** OJ C 329, 30.12.1989; Bull. EC 10-1989, point 2.1.41
- **Parliament opinion (first reading):** OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.3.158
- **Amended Commission proposal:** OJ C 320, 20.12.1990; COM(90) 509; Bull. EC 10-1990, point 1.3.104
- **Council endorsement:** Bull. EC 11-1990, point 1.3.107

Common position adopted by the Council on 13 December. The common position is directed towards ensuring that Member States protect computer programs by means of copyright as literary works within the meaning of the Berne Convention. It thus stipulates that the exclusive rights of the rightholder will include the right to effect or to authorize the reproduction, in part or in whole and by any means or in any form, and the distribution to the public, including the rental, of the original computer program

or of copies of the program, such protection being guaranteed for the author's life and for 50 years after his death. The Council confirmed, however, that 'the authorization of the rightholder will not be required where reproduction of the code and translation of its form are indispensable to obtain the information necessary to achieve the interoperability of an independently created computer program with other programs, provided that certain conditions are met'.

II

A propitious legal and tax environment for businesses

Company law

Takeover bids

- **Reference:** Commission communication on obstacles to takeover and other general bids: Bull. EC 5-1990, point 1.2.28

1.3.172. Proposal for a Council Directive amending Directive 77/91/EEC on the formation of public limited liability companies and the maintenance and alteration of their capital.

- **Directive to be amended:** Council Directive 77/91/EEC: OJ L 26, 31.1.1977; Bull. EC 12-1976, point 2119

Adopted by the Commission on 13 December. The proposal is one of the measures for removing obstacles to takeover bids. It provides for extension of the rules on the acquisition of a company's own shares (Articles 19 to 24 of Directive 77/91/EEC) to cover acquisitions of a company's shares by its subsidiaries. The Commission is proposing that the acquisition of the parent company's shares by a subsidiary should be treated in the light of Directive 77/91/EEC as if it had been carried out by the parent company itself. In this way, it intends to avoid a situation in which companies use

their own subsidiaries to acquire their own shares so as to fight off hostile bids.

OJ C 8, 12.1.1991; COM(90) 631

1.3.173. Proposal for a fifth Council Directive based on Article 54 of the EEC Treaty concerning the structure of public limited companies and the powers and obligations of their organs.

- Commission proposal: OJ C 131, 13.12.1972; COM(72) 887; Supplement 10/72 to Bull. EC
- Economic and Social Committee opinion: OJ C 109, 19.9.1974; Bull. EC 5-1974, point 2436
- Parliament opinion (first reading): OJ C 149, 14.6.1982; Bull. EC 5-1982, point 2.1.8
- First amended Commission proposal: OJ C 240, 9.9.1983; COM(83) 185; Bull. EC 7/8-1983, points 1.2.1 to 1.2.4; Supplement 6/83 — Bull. EC

Second amended proposal adopted by the Commission on 13 December. The proposed amendments, which form part of the measures for removing obstacles to takeover bids, are aimed at strengthening the position of shareholders in exercising their voting rights. The Commission is proposing:

(i) that the issue of non-voting preference shares should be limited to 50% of total shares and that such shares should be automatically assigned voting rights where the obligations arising from the granting of special advantages have not been fulfilled;

(ii) that the possibility of restricting the number of votes allocated to a particular shareholder should be abolished;

(iii) that neither the law nor the memorandum or articles of association may require a majority greater than the absolute majority of votes cast by all the shareholders present or represented in the case of resolutions concerning changes in the membership of a company's organs;

(iv) that clauses in the memorandum of articles of association conferring on holders of a particular category of shares an exclusive right to nominate a majority of the membership should be prohibited.

OJ C 7, 11.1.1991; COM(90) 629

Intellectual property

1.3.174. Proposal for a Council Regulation concerning the creation of a supplementary protection certificate for medicinal products.

- Commission proposal: OJ C 114, 8.5.1990; COM(90) 101; Bull. EC 3-1990, point 1.1.95

Endorsed by Parliament (first reading) on 12 December, subject to certain amendments concerning transitional arrangements in particular.

OJ C 19, 28.1.1991

Sectoral strategies

Industry

Steel

1.3.175. Commission forward programme for the first quarter of 1991 and outlook for 1991.

- Previous forward programme: OJ C 264, 19.10.1990; Bull. EC 10-1990, point 1.3.107

Approved by the Commission (first reading) on 13 December. For the first time, the forward programme includes, in addition to estimates for the first quarter of 1991, projections for the year as a whole.

The Commission expects a levelling-off and even a decline in activity in various steel-consuming sectors, and especially the construction and motor vehicle industries, that will adversely affect the steel industry. In addition, it takes the view that the fall in the dollar and the liquidity crisis in the USSR and China will discourage steel exports (although these may pick up in the second half of the year) while imports are set to increase as a result of the gradual liberalization of import arrangements with the countries of Central and Eastern Europe in particular. In the light of these factors and given the relatively high level and foreseeable rundown of stocks, the Commission expects steel production to amount to some

33.15 million tonnes in the first half of 1991 and some 133 million for 1991 as a whole.

Endorsed by the ECSC Consultative Committee on 18 December, although the Commission is concerned that the Commission's forecasts are over-optimistic, notably in view of the pronounced deterioration on the steel market in recent weeks.

Pedip

1.3.176. General guidelines for the implementation of Pedip in 1991.

- **Basic Regulation:** Council Regulation (EEC) No 2053/88; OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.1.166
- **Reference:** interim report on the implementation of Pedip: COM(90) 205; Bull. EC 5-1990, point 1.2.136

Adopted by the Commission on 14 December. Purpose: to lay down the general guidelines for 1991 for the implementation of measures concerning the priorities for the development of Portuguese industry.

OJ C 326, 28.12.1990

Services

Tourism

1.3.177. Parliament resolution on European Tourism Year (1990).

- **References:**
Parliament resolution on facilitation, promotion and funding of tourism in the European Community: OJ C 49, 22.2.1988; Bull. EC 1-1988, point 2.1.5
Council Decision designating 1990 as European Tourism Year: OJ L 17, 21.1.1989; Bull. EC 12-1988, point 2.1.8

Adopted by Parliament on 13 December. Parliament recalls the importance of tourism in the Community and reaffirms its support for the development of Community tourism policy. It thus welcomes the organization of a European Tourism Year in 1990 but regrets the inadequate level of resources and staffing, the delays that have occurred and the lack of studies. It calls for the activi-

ties associated with European Tourism Year to be continued in 1991, with increased resources.

OJ C 19, 28.1.1991

Agriculture

I

Veterinary control at external frontiers

1.3.178. Council Directive 90/675/EEC laying down the principles governing the organization of veterinary checks on products entering the Community from third countries.

- **Basic Directive:** Council Directive 89/662/EEC concerning veterinary checks in intra-Community trade with a view to the completion of the internal market: OJ L 395, 30.12.1989; Bull. EC 12-1989, point 2.1.196
- **Commission proposal:** COM(90) 385; Bull. EC 7/8-1990, point 1.3.125
- **European Parliament opinion:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.148

Economic and Social Committee opinion adopted on 18 December. Favourable. The Committee called for vigilance in regard to the number of inspection posts and their staffing and equipment.

Adopted by the Council on 10 December. The Directive sets common principles for inspection and movement of imports from outside the Community. Their adoption had become particularly important with the impending abolition of internal border controls. Under the Directive:

- every consignment from a non-member country must undergo veterinary control before release for consumption in the Community;
- on presentation at the external frontier a check will be made that the accompanying documents are in order and that the products and documents correspond;

(iii) a physical check must then be made at a border inspection post even if entry into the Community was at a different crossing point;

(iv) a list of recognized border inspection posts will be drawn up following short-listing by the Member States in conjunction with the Commission; Community aid will be available to enable posts to be brought up to the required standard;

(v) special rules will cover consignments entering free ports, free zones and customs warehouses; for subsequent entry for consumption in the Community the standard inspection requirements must be complied with;

(vi) specific provisions in regard to fishery products may be adopted following reference to the Standing Veterinary Committee;

(vii) procedures for exchanging information between border posts, veterinary authorities and the Commission (Shift) are to be set up before 1 January 1992.

The Directive also includes:

(i) general rules for checks on inspection posts, follow-up procedures, settlement of disputes, exchange programmes for officials and special cases;

(ii) general safeguard provisions.

OJ L 373, 31.12.1990

II

General

1.3.179. Council Regulations (EEC) Nos 3638/90 to 3660/90 relating to the second stage of Portuguese accession as regards the products referred to in Article 259(1) of the Act of Accession.

- **Reference:** Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community: OJ L 302, 15.11.1985; Bull. EC 11-1985, points 2.2.1 to 2.2.4

- **Commission proposals:** OJ C 297, 27.11.1990; COM(90) 407; Bull. EC 9-1990, point 1.2.107
- **European Parliament opinion:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.112
- **Approval by the Council:** Bull. EC 11-1990, point 1.3.112

Formally adopted by the Council on 11 December.

OJ L 362, 27.12.1990

1.3.180. Council Regulation (EEC) No 3836/90 amending Regulation (EEC) No 4007/87 extending the period referred to in Articles 90(1) and 257(1) of the Act of Accession of Spain and Portugal.

- **Regulation amended:** Council Regulation (EEC) No 4007/87: OJ L 378, 31.12.1987
- **Commission proposal:** OJ C 293, 23.11.1990; COM(90) 523; Bull. EC 10-1990, point 1.3.112

European Parliament opinion adopted on 14 December. Favourable.

OJ C 19, 28.1.1991

Adopted by the Council on 20 December.

OJ L 367, 29.12.1990

1.3.181. Commission communication on agricultural product quality and protection of geographical indications (→ point 1.3.166).

1.3.182. Commission Decision on the annual payment of the Community's contribution to expenditure incurred by Greece in increasing the staff of the departments responsible for quality control of agricultural products.

- **Basic Regulation:** Council Regulation (EEC) No 765/85 on increasing the staff of the departments responsible for quality control of agricultural products in Greece: OJ L 86, 27.3.1985

Adopted by the Commission on 3 December. Under Regulation (EEC) No 765/85 the Community contribution is 20% of total expenditure incurred by Greece in remunerating and training inspectors recruited between 15 March 1989 and 14 March 1990.

1.3.183. Proposal for a Regulation on Community plant variety rights.

- **Commission proposal:** OJ C 244, 28.9.1990; COM(90) 347; Bull. EC 7/8-1990, point 1.3.166

Economic and Social Committee opinion adopted on 18 December. Favourable, but the Committee wished rights to receive protection more quickly than the Commission proposed.

Agricultural structures and rural development

Farm accounts

1.3.184. Commission Regulation (EEC) No 3665/90 amending Regulation (EEC) No 1859/82 concerning the selection of returning holdings for the purpose of determining incomes of agricultural holdings.

- **Regulation amended:** Commission Regulation (EEC) No 1859/82 (OJ L 205, 13.7.1982), as last amended by Commission Regulation (EEC) No 1753/87: OJ L 166, 25.6.1987

Adopted by the Commission on 18 December. At Denmark's request the economic size threshold for Danish returning holdings is altered to 4 European size units in order to enhance the field of observation.

OJ L 356, 19.12.1990

1.3.185. Commission Regulation (EEC) No 3666/90 fixing the standard fee per farm return for the 1991 accounting year of the farm accountancy data network.

- **References:**
Council Regulation (EEC) No 79/65/EEC setting up a network for the collection of accountancy data on the incomes and business operations of agricultural holdings in the European Economic Community: OJ 109, 23.6.1965
Commission Regulation (EEC) No 1915/83 on certain detailed implementing rules concerning the keeping of accounts for the purpose of determining the incomes of agricultural holdings: OJ L 190, 14.7.1983

Adopted by the Commission on 18 December. Sets the standard fee for each duly completed farm return.

OJ L 356, 19.12.1990

Less favoured areas

1.3.186. Commission Decision 91/25/EEC altering the limits of the less favoured areas

in the United Kingdom within the meaning of Council Directive 75/268/EEC.

- **Basic Directive:** Council Directive 75/268/EEC on mountain and hill farming and farming in certain less favoured areas (OJ L 128, 19.5.1975), as last amended by Regulation (EEC) No 2176/90: OJ L 198, 28.7.1990

Adopted by the Commission on 18 December. Modifies the list of less favoured areas in the United Kingdom.

OJ L 16, 22.1.1991

1.3.187. Commission Decision 91/26/EEC amending the limits of the less favoured areas in the Federal Republic of Germany within the meaning of Council Directive 75/268/EEC.

- **Basic Directive:** Council Directive 75/268/EEC on mountain and hill farming and farming in certain less favoured areas (OJ L 128, 19.5.1975), as last amended by Regulation (EEC) No 2176/90: OJ L 198, 28.7.1990

Adopted by the Commission on 18 December. Modifies the list of less favoured areas in the Federal Republic of Germany.

OJ L 16, 22.1.1991

EAGGF Guidance Section

1.3.188. Commission Decision 91/12/EEC on applications for advance payments of aids granted by Member States for the measures referred to under Article 21(6) of Regulation (EEC) No 4253/88.

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

Adopted by the Commission on 17 December. This specifies how applications for advance payments are to be made. They may amount to a maximum of 80% of the Community contribution to the financing of anticipated expenditure during the reference year. Amounts not spent during the year for

which they were paid will be deducted from the following year's advance.

OJ L 8, 11.1.1991

1.3.189. Financial assistance for specific projects.

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

Commission Decision of 20 December. This grants a total of ECU 160 million for 417 projects concerned with processing and marketing of agricultural products. The breakdown by country is given in Table 4.

Table 4 — *Breakdown by Member State of aid under Regulation (EEC) No 355/77*

Member State	Number of projects	Aid granted (million ECU)
Belgium	12	2.214
Denmark	24	4.232
FR of Germany	20	9.429
Greece	34	24.692
Spain	148	35.464
France	58	16.663
Ireland	—	—
Italy	47	43.529
Luxembourg	—	—
Netherlands	16	1.351
Portugal	37	15.294
United Kingdom	21	6.655
Total	417	159.523

1.3.190. Financial assistance for operational programmes under Objective 5b.

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

Commission Decisions of 4 and 10 December. These allocated aid as shown in Table 5.

Table 5 — *Financing of operational programmes*

Member State/Region	Contribution (million ECU)
<i>Germany</i>	
Nordrhein-Westfalen	4.2
Bayern	88.8
<i>Denmark</i>	4.5
<i>France</i>	
Auvergne	32.3
Lozère	20.4

Prices and related measures

1.3.191. Council Regulation (EEC) No 3578/90 amending Regulation (EEC) No 1678/85 fixing the conversion rates to be applied in agriculture.

- **Basic Regulation:** Council Regulation (EEC) No 1676/85 on the value of the unit of account and the conversion rates to be applied for the purposes of the common agricultural policy (OJ L 164, 24.6.1985; Bull. EC 6-1985, point 2.1.115), as last amended by Regulation (EEC) No 2205/90: OJ L 201, 31.7.1990; Bull. EC 7/8-1990, point 1.3.173
- **Regulation amended:** Council Regulation (EEC) No 1678/85 (OJ L 164, 24.6.1985; Bull. EC 6-1985, point 2.1.115), as last amended by Regulation (EEC) No 3136/90: OJ L 299, 30.10.1990; Bull. EC 10-1990, point 1.3.115
- **Commission proposal:** COM(90) 546; Bull. EC 11-1990, point 1.3.118

Adopted by the Council on 11 December.

OJ L 349, 13.12.1990

1.3.192. Commission Regulation (EEC) No 3684/90 amending Regulation (EEC) No 623/86 determining the accession compensatory amounts applicable from 1 March 1986 to trade in goods covered by Regulations (EEC) Nos 3033/80 and 3035/80.

- **Basic Regulations:**

Council Regulation (EEC) No 3033/80 laying down the trade arrangements applicable to certain goods resulting from the processing of agricultural products (OJ L 323, 29.11.1980), as last amended by Regulation (EEC) No 1436/90: OJ L 138, 31.5.1990

Council Regulation (EEC) No 3035/80 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds (OJ L 323, 29.11.1980), as last amended by Council Regulation (EEC) No 3381/90: OJ L 327, 27.11.1990

- **Regulation amended:** Commission Regulation (EEC) No 623/86 (OJ L 59, 1.3.1986), as last amended by Regulation (EEC) No 2376/90: OJ L 221, 16.8.1990

Adopted by the Commission on 19 December. Adjusts the rules and criteria for altering the accession compensatory amounts on trade in goods to which Regulations (EEC) Nos 3033/80 and 3035/80 apply.

OJ L 357, 20.12.1990

Market organizations

Cereals and rice

1.3.193. Council Regulation (EEC) No 3918/90 on the transfer to Greece of 150 000 tonnes of feed grain held by the German intervention agency.

Commission proposal adopted on 17 December.

COM(90) 665

Adopted by the Council on 21 December. Purpose: following severe drought in the first half of 1990, to make 150 000 tonnes of feed grain available to Greek farmers.

OJ L 375, 31.12.1990

1.3.194. The Commission adopted:

- Regulation (EEC) No 3633/90, 17.12.1990: OJ L 355, 18.12.1990;
- Regulation (EEC) No 3667/90, 18.12.1990: OJ L 356, 19.12.1990;
- Regulation (EEC) No 3668/90, 18.12.1990: OJ L 356, 19.12.1990;

- Regulation (EEC) No 3670/90, 18.12.1990: OJ L 356, 19.12.1990;

- Regulation (EEC) No 3671/90, 18.12.1990: OJ L 356, 19.12.1990;

- Regulation (EEC) No 3683/90, 19.12.1990: OJ L 357, 20.12.1990;

- Regulation (EEC) No 3689/90, 19.12.1990: OJ L 357, 20.12.1990;

- Regulation (EEC) No 3691/90, 19.12.1990: OJ L 357, 20.12.1990;

- Regulation (EEC) No 3808/90, 19.12.1990: OJ L 366, 29.12.1990;

- Regulation (EEC) No 3809/90, 19.12.1990: OJ L 366, 29.12.1990;

- Regulation (EEC) No 3810/90, 19.12.1990: OJ L 366, 29.12.1990;

- Regulation (EEC) No 3811/90, 19.12.1990: OJ L 366, 29.12.1990;

- Regulation (EEC) No 3879/90, 21.12.1990: OJ L 367, 29.12.1990.

Pigmeat

1.3.195. The Commission adopted:

- Decision 90/668/EEC, 19.12.1990: OJ L 364, 28.12.1990;

- Decision 90/671/EEC, 19.12.1990: OJ L 366, 29.12.1990;

- Regulation (EEC) No 3692/90, 19.12.1990: OJ L 357, 20.12.1990;

- Regulation (EEC) No 3786/90, 19.12.1990: OJ L 364, 28.12.1990;

- Regulation (EEC) No 3787/90, 19.12.1990: OJ L 364, 28.12.1990;

- Regulation (EEC) No 3792/90, 19.12.1990: OJ L 365, 28.12.1990;

- Regulation (EEC) No 3816/90, 19.12.1990: OJ L 366, 29.12.1990.

Eggs and poultry

1.3.196. The Commission adopted:

- Decision 90/671/EEC, 19.12.1990: OJ L 366, 29.12.1990;

- Regulation (EEC) No 3508/90, 4.12.1990: OJ L 338, 5.12.1990;

- Regulation (EEC) No 3778/90, 19.12.1990: OJ L 364, 28.12.1990;
- Regulation (EEC) No 3817/90, 19.12.1990: OJ L 366, 29.12.1990.

Fruit and vegetables

1.3.197. Council Regulation (EEC) No 3919/90 laying down general rules for the application of Regulation (EEC) No 1198/90 establishing a Community register of citrus cultivation.

- **Basic Regulation:** Council Regulation (EEC) No 1198/90: OJ L 119, 11.5.1990
- **Commission proposal:** COM(90) 427; Bull. EC 9-1990, point 1.2.118

Adopted by the Council on 21 December.

OJ L 375, 31.12.1990

1.3.198. Council Regulation (EEC) No 3920/90 amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables.

- **Regulation amended:** Council Regulation (EEC) No 1035/72, OJ L 118, 20.5.1972
- **Commission proposal:** COM(90) 536; Bull. EC 11-1990, point 1.3.123

Adopted by the Council on 21 December.

OJ L 375, 31.12.1990

1.3.199. The Commission adopted:

- Regulation (EEC) No 3541/90, 7.12.1990: OJ L 344, 8.12.1990;
- Regulation (EEC) No 3542/90, 7.12.1990: OJ L 344, 8.12.1990;
- Regulation (EEC) No 3543/90, 7.12.1990: OJ L 344, 8.12.1990;
- Regulation (EEC) No 3544/90, 7.12.1990: OJ L 344, 8.12.1990;
- Regulation (EEC) No 3545/90, 7.12.1990: OJ L 344, 8.12.1990;
- Regulation (EEC) No 3564/90, 11.12.1990: OJ L 347, 12.12.1990;
- Regulation (EEC) No 3596/90, 12.12.1990: OJ L 350, 14.12.1990;
- Regulation (EEC) No 3598/90, 13.12.1990: OJ L 350, 14.12.1990;
- Regulation (EEC) No 3685/90, 19.12.1990: OJ L 357, 20.12.1990;

● Regulation (EEC) No 3780/90, 19.12.1990: OJ L 364, 28.12.1990;

● Regulation (EEC) No 3758/90, 21.12.1990: OJ L 360, 22.12.1990;

● Regulation (EEC) No 3818/90, 19.12.1990: OJ L 366, 29.12.1990;

● Regulation (EEC) No 3819/90, 19.12.1990: OJ L 366, 29.12.1990;

● Regulation (EEC) No 3820/90, 19.12.1990: OJ L 366, 29.12.1990;

● Regulation (EEC) No 3821/90, 19.12.1990: OJ L 366, 29.12.1990;

● Regulation (EEC) No 3822/90, 19.12.1990: OJ L 366, 29.12.1990;

● Regulation (EEC) No 3823/90, 19.12.1990: OJ L 366, 29.12.1990.

Wine

1.3.200. Proposal for a Regulation laying down general rules on the definition, description and presentation of vermouths and other wines of fresh grapes flavoured with plants or other aromatic substances.

- **Reference:** Council Regulation (EEC) No 1576/89 laying down general rules on the definition, description and presentation of spirituous beverages: OJ L 160, 12.6.1989; Bull. EC 5 1989, point 2.1.185
- **Commission proposal:** OJ C 189, 23.7.1982; COM(82) 328
- **European Parliament opinion:** OJ C 127, 14.5.1984; Bull. EC 4-1984, point 2.1.95
- **Amended Commission proposal:** OJ C 269, 25.10.1986; COM(86) 159; Bull. EC 9-1986, point 2.1.114

Common position adopted by the Council on 20 December. In 1982 the Commission referred to the Council a proposal for a Regulation laying down general rules on the definition, description and presentation of spirituous beverages and flavoured wines and subsequently divided this into two proposals, one on spirits (Regulation (EEC) No 1576/89 adopted by the Council on 29 May 1989) and this one covering flavoured wines and flavoured drinks and cocktails with a wine base.

1.3.201. Proposal for a Decision on the conclusion of an Agreement between the European Economic Community and the

Republic of Austria concerning the marketing in Austria of Community table wine in bottles.

- **References:** Regulation (EEC) No 2836/72 concluding an Agreement between the European Economic Community and the Republic of Austria and adopting provisions for its implementation: OJ L 300, 31.12.1972

Adopted by the Commission on 19 December. The Agreement will take the form of an exchange of letters whereby Austria undertakes to authorize entry for free circulation of Community table wines in bottles of less than one litre, provided that a minimum price is observed when they are imported into Austria.

COM(90) 661

1.3.202. Proposal for a Regulation amending for the second time Regulation (EEC) No 458/80 on collective projects for the restructuring of vineyards.

- **Regulation to be amended:** Council Regulation (EEC) No 458/80 (OJ L 57, 29.2.1980), as last amended by Regulation (EEC) No 388/88: OJ L 39, 12.2.1988; Bull. EC 2-1988, point 2.1.117
- **Commission proposal:** OJ C 245, 29.9.1990; COM(90) 382
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.126

European Parliament opinion adopted on 14 December. Favourable, subject to inclusion in the detailed rules of application of a time-limit for completion of projects.

OJ C 19, 28.1.1991

1.3.203. Forward estimate for the 1990/91 wine year.

- **Basic Regulation:** Council Regulation (EEC) No 822/87 on the common organization of the market in wine (OJ L 54, 27.3.1987; Bull. EC 3-1987, point 2.1.167), as last amended by Regulation (EEC) No 2964/88: OJ L 269, 29.9.1988; Bull. EC 9-1988, point 2.1.100

Adopted by the Commission on 12 December. Assesses the Community's wine stocks, production volume, consumption and processing requirements, and imports and exports.

OJ C 316, 15.12.1990

1.3.204. The Commission adopted:

- Regulation (EEC) No 3622/90, 14.12.1990: OJ L 351, 15.12.1990;
- Regulation (EEC) No 3669/90, 18.12.1990: OJ L 356, 19.12.1990;
- Regulation (EEC) No 3747/90, 19.12.1990: OJ L 360, 22.12.1990;
- Regulation (EEC) No 3748/90, 19.12.1990: OJ L 360, 22.12.1990;
- Regulation (EEC) No 3781/90, 19.12.1990: OJ L 364, 28.12.1990;
- Regulation (EEC) No 3825/90, 19.12.1990: OJ L 366, 29.12.1990;
- Regulation (EEC) No 3826/90, 19.12.1990: OJ L 366, 29.12.1990;
- Regulation (EEC) No 3827/90, 19.12.1990: OJ L 366, 29.12.1990;
- Regulation (EEC) No 3880/90, 19.12.1990: OJ L 367, 29.12.1990;
- Regulation (EEC) No 3887/90, 19.12.1990: OJ L 367, 29.12.1990.

Milk and milk products

1.3.205. Council Regulation (EEC) No 3917/90 amending Regulation (EEC) No 2990/82 on the sale of butter at reduced prices to persons receiving social assistance.

- **Regulation amended:** Council Regulation (EEC) No 2990/82 (OJ L 314, 10.11.1982), as last amended by Regulation (EEC) No 4109/88: OJ L 361, 29.12.1988; Bull. EC 12-1988, point 2.1.251
- **Commission proposal:** COM(90) 526; Bull. EC 11-1990, point 1.3.129

Adopted by the Council on 21 December.

OJ L 375, 31.12.1990

1.3.206. Commission Decision establishing a forward estimate for milk products subject to the supplementary trade mechanism as regards imports into Spain.

- **Reference:** Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community: OJ L 302, 15.11.1985; Bull. EC 11-1985, points 2.2.1 to 2.2.4

Adopted by the Commission on 14 December. As required by the Act of

Accession of Spain and Portugal, sets a forward estimate and a forward timetable for 1991 for development of trade in milk and milk products with Spain. Under the supplementary trade mechanism arrangement the estimate is needed to fix the indicative ceiling for imports of milk products from the Community of Ten and Portugal into Spain in 1991.

1.3.207. The Commission adopted:

- Regulation (EEC) No 3631/90, 17.12.1990: OJ L 355, 18.12.1990;
- Regulation (EEC) No 3632/90, 17.12.1990: OJ L 355, 18.12.1990;
- Regulation (EEC) No 3634/90, 17.12.1990: OJ L 355, 18.12.1990;
- Regulation (EEC) No 3776/90, 19.12.1990: OJ L 364, 28.12.1990;
- Regulation (EEC) No 3777/90, 19.12.1990: OJ L 364, 28.12.1990;
- Regulation (EEC) No 3812/90, 19.12.1990: OJ L 366, 29.12.1990;
- Regulation (EEC) No 3813/90, 19.12.1990: OJ L 366, 29.12.1990;
- Regulation (EEC) No 3814/90, 19.12.1990: OJ L 366, 29.12.1990;
- Regulation (EEC) No 3881/90, 19.12.1990: OJ L 367, 29.12.1990.

Beef and veal

1.3.208. Proposal for a Decision on the adjustment of the Community import arrangements applicable to certain beef/veal sector products from Austria.

- **Reference:** Council Regulation (EEC) No 2836/72 concluding an Agreement between the European Economic Community and the Republic of Austria and adopting provisions for its implementation: OJ L 300, 31.12.1972

Adopted by the Council on 19 December.
COM(90) 662

1.3.209. The Commission adopted:

- Regulation (EEC) No 3565/90, 11.12.1990: OJ L 347, 12.12.1990;
- Regulation (EEC) No 3604/90, 13.12.1990: OJ L 350, 14.12.1990;

- Regulation (EEC) No 3690/90, 19.12.1990: OJ L 357, 20.12.1990;
- Regulation (EEC) No 3711/90, 19.12.1990: OJ L 358, 21.12.1990;
- Regulation (EEC) No 3712/90, 19.12.1990: OJ L 358, 21.12.1990;
- Regulation (EEC) No 3784/90, 19.12.1990: OJ L 364, 28.12.1990;
- Regulation (EEC) No 3795/90, 21.12.1990: OJ L 365, 28.12.1990;
- Regulation (EEC) No 3815/90, 19.12.1990: OJ L 366, 29.12.1990;
- Regulation (EEC) No 3883/90, 27.12.1990: OJ L 367, 29.12.1990;
- Regulation (EEC) No 3884/90, 27.12.1990: OJ L 367, 29.12.1990;
- Regulation (EEC) No 3885/90, 27.12.1990: OJ L 367, 29.12.1990;
- Regulation (EEC) No 3886/90, 27.12.1990: OJ L 367, 29.12.1990.

Sheepmeat and goatmeat

1.3.210. The Commission adopted:

- Regulation (EEC) No 3529/90, 6.12.1990: OJ L 343, 7.12.1990;
- Regulation (EEC) No 3546/90, 7.12.1990: OJ L 344, 8.12.1990;
- Regulation (EEC) No 3562/90, 11.12.1990: OJ L 347, 12.12.1990;
- Regulation (EEC) No 3749/90, 19.12.1990: OJ L 360, 22.12.1990;
- Regulation (EEC) No 3785/90, 19.12.1990: OJ L 364, 28.12.1990;
- Regulation (EEC) No 3882/90, 19.12.1990: OJ L 367, 29.12.1990;
- Regulation (EEC) No 3890/90, 27.12.1990: OJ L 367, 29.12.1990.

Oils and fats

1.3.211. The Commission adopted:

- Regulation (EEC) No 3516/90, 5.12.1990: OJ L 340, 6.12.1990;
- Regulation (EEC) No 3563/90, 11.12.1990: OJ L 347, 12.12.1990;
- Regulation (EEC) No 3603/90, 13.12.1990: OJ L 350, 14.12.1990;

- Regulation (EEC) No 3625/90, 14.12.1990: OJ L 351, 15.12.1990;
- Regulation (EEC) No 3694/90, 19.12.1990: OJ L 357, 20.12.1990;
- Regulation (EEC) No 3695/90, 19.12.1990: OJ L 357, 20.12.1990.

Sugar

1.3.212. Proposal for a Regulation amending Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector.

- **Regulation to be amended:** Council Regulation (EEC) No 1785/81: OJ L 177, 1.7.1981; Bull. EC 6-1981, point 2.1.88
- **Commission proposal:** OJ C 258, 13.10.1990; COM(90) 323; Bull. EC 7/8-1990, point 1.3.165
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.140

European Parliament opinion adopted on 14 December. Favourable, subject to an amendment with a view to renewing the system for a period of five years, and other amendments concerning the adoption of any changes required following the Uruguay Round, the phased reduction of Italian aid, the reimbursement of storage costs in respect of C sugar, the allocation of quotas and the system of prices and contracts.

OJ C 19, 28.1.1991

1.3.213. The Commission adopted:

- Regulation (EEC) No 3624/90, 14.12.1990: OJ L 351, 15.12.1990.

Products processed from fruit and vegetables

1.3.214. The Commission adopted:

- Regulation (EEC) No 3566/90, 6.12.1990: OJ L 347, 12.12.1990;
- Regulation (EEC) No 3601/90, 13.12.1990: OJ L 350, 14.12.1990;
- Regulation (EEC) No 3602/90, 13.12.1990: OJ L 350, 14.12.1990;
- Regulation (EEC) No 3687/90, 19.12.1990: OJ L 357, 20.12.1990;
- Regulation (EEC) No 3688/90, 19.12.1990: OJ L 357, 20.12.1990;

- Regulation (EEC) No 3717/90, 19.12.1990: OJ L 358, 21.12.1990;
- Regulation (EEC) No 3718/90, 19.12.1990: OJ L 358, 21.12.1990;
- Regulation (EEC) No 3797/90, 21.12.1990: OJ L 365, 28.12.1990;
- Regulation (EEC) No 3824/90, 19.12.1990: OJ L 366, 29.12.1990.

Hops

1.3.215. Council Regulation (EEC) No 3837/90 amending Regulation (EEC) No 2997/87 laying down, in respect of hops, the amount of aid to producers for the 1986 harvest and providing for special measures for certain regions of production.

- **Regulation amended:** Council Regulation (EEC) No 2997/87 (OJ L 284, 7.10.1987; Bull. EC 9-1987, point 2.1.151) as last amended by Regulation (EEC) No 1809/89: OJ L 177, 24.6.1989; Bull. EC 6-1989, point 2.1.154
- **Commission proposal:** OJ C 279, 7.11.1990; COM(90) 483; Bull. EC 10-1990, point 1.3.136

European Parliament opinion adopted on 14 December. Favourable.

OJ C 19, 28.1.1991

Adopted by the Council on 20 December. Extends for a period of two years (until 31 December 1994) the time-limit by which conversion plans may be implemented in the case of Spain.

This extension will enable land consolidation to be effected prior to conversion for all hop-growing areas concerned and will facilitate the process of agricultural restructuring in Spain.

OJ L 367, 29.12.1990

Live trees and other plants

1.3.216. The Commission adopted:

- Regulation (EEC) No 3693/90, 19.12.1990: OJ L 357, 20.12.1990.

Peas and field beans

1.3.217. Commission Regulation (EEC) No 3637/90 amending certain aid rates for peas, field beans and sweet lupins.

- **Basic Regulation:** Council Regulation (EEC) No 1431/82 laying down special measures for peas and field beans (OJ L 162, 12.6.1982), as last amended by Regulation (EEC) No 1104/88: OJ L 110, 29.4.1988

Adopted by the Commission on 5 December. Changes the amounts of aid fixed for these products.

OJ L 359, 21.12.1990

Agricultural legislation

Animal health and animal husbandry

1.3.218. Proposal for a Regulation concerning animal health conditions governing the placing on the market of aquaculture animals and products.

- **Commission proposal:** OJ C 84, 2.4.1990, COM(89) 655; Bull. EC 1/2-1990, point 1.1.235
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.150

European Parliament opinion adopted on 14 December. Favourable, subject to certain amendments concerning the list of animals and products covered by the Regulation, the import arrangements, the rules governing certain areas of origin and an amendment on transforming the regulatory committee into a management committee.

OJ C 19, 28.1.1991

1.3.219. Commission Decision 91/13/EEC relating to trade in animals not vaccinated during the course of the last 12 months against foot-and-mouth disease.

- **Reference:** Council Directive 90/423/EEC amending Directive 85/511/EEC introducing measures for the control of foot-and-mouth disease: OJ L 224, 18.8.1990

Adopted by the Commission on 17 December. Introduces appropriate measures concerning trade in animals vaccinated more than 12 months previously against foot-and-mouth disease.

OJ L 8, 11.1.1991

1.3.220. Proposal for a Decision amending Decision 90/424/EEC on expenditure in the veterinary field.

- **Decision to be amended:** Council Decision 90/424/EEC: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.141

Adopted by the Commission on 17 December. Adds contagious bovine pleuropneumonia to the list of diseases for the eradication and surveillance of which there is the possibility of a Community financial contribution.

COM(90) 656

1.3.221. Proposal for a Decision amending Decision 90/218/EEC concerning the administration of bovine somatotrophin (BST).

- **Decision to be amended:** Council Decision 90/218/EEC: OJ L 116, 8.5.1990; Bull. EC 4-1990, point 1.1.116

Adopted by the Commission on 11 December. Extends by 12 months the period of validity of Decision 90/218/EEC which prohibited, until 31 December 1990, the administration by the Member States of bovine somatotrophin on their territory by any means whatsoever to dairy cows, as the various effects of new substances such as bovine somatotrophin are not yet sufficiently clear and in this respect a necessary period should be provided for in-depth studies to be made.

OJ C 2, 4.1.1991; COM(90) 531

1.3.222. Proposal for a Directive amending Directive 64/432/EEC as regards the diagnosis of bovine brucellosis and enzootic bovine leucosis.

- **Directive to be amended:** Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine (OJ 121, 29.7.1964), as last amended by Directive 90/425/EEC: OJ L 224, 18.8.1990
- **Commission proposal:** OJ C 300, 29.11.1990; COM(90) 492; Bull. EC 11-1990, point 1.3.150

Economic and Social Committee opinion adopted on 18 December. The Committee endorsed the new detection method but recommended careful monitoring during the first year of application.

1.3.223. Commission Decision 91/8/EEC concerning the specific financial contribution from the Community for the eradication of African horse sickness in Spain.

- **Basic Decision:** Council Decision 90/424/EEC on expenditure in the veterinary field: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.141

Adopted by the Commission on 11 December. In accordance with Decision 90/424/EEC, determines the financial arrangements for emergency measures to eradicate the outbreaks of African horse sickness in September and October in Spain. The Community financial contribution amounts to 50 % of the costs incurred in Spain in compensating owners for the slaughter and destruction of the animals and for the disinfection of the holdings affected.

OJ L 7, 10.1.1991

1.3.224. Council Decision 90/678/EEC recognizing certain parts of the territory of the Community as being either officially swine fever free or swine fever free.

- **Reference:** Council Decision 88/303/EEC (OJ L 132, 28.5.1988; Bull. EC 5-1988, point 2.1.159), as last amended by Decision 90/63/EEC: OJ L 43, 17.2.1990; Bull. EC 1/2-1990, point 1.1.217
- **Commission proposal:** COM(90) 529; Bull. EC 11-1990, point 1.3.152

Adopted by the Council on 13 December. Records the progress achieved with regard to the eradication of this disease in the Community.

OJ L 373, 31.12.1990

1.3.225. Commission Decision 91/9/EEC on specific financial contributions from the Community for the eradication of Newcastle disease in Ireland.

- **Basic Decision:** Council Decision 90/424/EEC on expenditure in the veterinary field: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.141

Adopted by the Commission on 11 December. In accordance with Decision 90/424/EEC, determines the financial arrangements for emergency measures by the Commission to eradicate the outbreak of Newcastle disease in Ireland in September. The Commu-

nity financial contribution amounts to 50 % of the costs incurred by Ireland in compensating owners for the slaughter and destruction of infected poultry, the destruction of contaminated feed and the disinfection of affected holdings.

OJ L 7, 10.1.1991

Plant health legislation

1.3.226. Commission Decision 91/21/EEC amending Decision 85/634/EEC authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of oak wood originating in Canada or the United States of America.

- **Basic Directive:** Council Directive 77/93/EEC on protective measures against the introduction into the Member States of harmful organisms of plants or plant products (OJ L 26, 31.1.1977), as last amended by Commission Directive 90/506/EEC: OJ L 282, 13.10.1990
- **Decision amended:** Commission Decision 85/634/EEC (OJ L 379, 31.12.1985), as last amended by Decision 90/548/EEC: OJ L 313, 13.11.1990; Bull. EC 10-1990, point 1.3.150

Adopted by the Commission on 18 December. Determines the Community ports of unloading for logs originating in Canada or the United States of America.

OJ L 13, 18.1.1991

1.3.227. Commission Decision 91/22/EEC amending Decision 80/862/EEC authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of potato breeding material.

- **Basic Directive:** Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (OJ L 26, 31.1.1977), as last amended by Directive 90/506/EEC: OJ L 282, 13.10.1990
- **Decision amended:** Commission Decision 80/862/EEC (OJ L 248, 19.9.1980), as last amended by Decision 86/119/EEC: OJ L 99, 15.4.1986

Adopted by the Commission on 18 December. Extends until 31 December 1995 the

derogations provided for by Decision 80/862/EEC.

OJ L 13, 18.1.1991

1.3.228. Tenth Commission Directive 91/27/EEC amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products.

- **Basic Directive:** Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (OJ L 26, 31.1.1977), as last amended by Directive 90/506/EEC: OJ L 282, 13.10.1990

Adopted by the Commission on 19 December. Clarifies the scope of the Directive in respect of certain intergeneric hybrids.

OJ L 16, 22.1.1991

1.3.229. Commission Decision 91/40/EEC amending Decision 88/222/EEC recognizing certain Member States or regions of certain Member States as being free from *Quadrastephanus perniciosus* (San José scale).

- **Basic Directive:** Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (OJ L 26, 31.1.1977), as last amended by Council Directive 90/506/EEC (OJ L 282, 13.10.1990).
- **Decision amended:** Commission Decision 88/222/EEC (OJ L 100, 19.4.1988), as last amended by Decision 90/603/EEC: OJ L 315, 15.11.1990; Bull. EC 11-1990, point 1.3.162

Adopted by the Commission on 20 December. Amends the list of regions free from *Quadrastephanus perniciosus*.

OJ L 20, 26.1.1991

1.3.230. Commission Decision 91/28/EEC authorizing certain Member States to provide for exceptions from certain provisions of Directive 77/93/EEC in respect of potatoes for human consumption originating in Turkey.

- **Basic Directive:** Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (OJ L 26,

31.1.1977), as last amended by Directive 90/506/EEC: OJ L 282, 13.10.1990

- **References:**

Commission Decision 89/244/EEC: OJ L 99, 12.4.1989

Commission Decision 90/162/EEC: OJ L 91, 6.4.1990

Adopted by the Commission on 19 December. Extends the derogation for a further period of four months.

OJ L 16, 22.1.1991

1.3.231. Commission Decision 91/41/EEC amending Decision 84/248/EEC authorizing the Federal Republic of Germany to adopt, when introducing into its territory plants or plant products, special plant health provisions for home-grown production of certain fruit plants intended for planting.

- **Basic Directive:** Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (OJ L 26, 31.1.1977), as last amended by Council Directive 90/506/EEC: OJ L 282, 13.10.1990
- **Decision amended:** Commission Decision 84/248/EEC (OJ L 130, 16.5.1984), as last amended by Commission Decision 90/111/EEC: OJ L 67, 15.3.1990

Adopted by the Commission on 20 December. Extends until 1 July 1992 a derogation accorded to Germany.

OJ L 20, 26.1.1991

EAGGF Guarantee Section

1.3.232. Commission Decision laying down detailed rules for the application of Council Regulation (EEC) No 3151/90 on stepping up checks in Portugal on expenditure charged to the Guarantee Section of the European Agricultural Guidance and Guarantee Fund

- **Basic Regulation:** Council Regulation (EEC) No 3151/90: OJ L 302, 31.10.1990; Bull. EC 10-1990, point 1.3.151

Adopted by the Commission on 10 December. In the context of Regulation (EEC) No 3151/90 concerning a financial contribution by the Community, this establishes in Portugal a data-processing system

in INGA, the principal Portuguese paying agency.

1.3.233. Commission Regulation (EEC) No 3597/90 on the accounting rules for intervention measures involving the buying-in, storage and sale of agricultural products by intervention agencies.

- **Reference:** Council Regulation (EEC) No 3497/90 laying down the factors to be taken into consideration in the annual accounts for the financing of intervention measures in the form of public storage by the European Agricultural Guidance and Guarantee Fund, Guarantee Section: OJ L 337, 4.12.1990; Bull. EC 11-1990, point 1.3.165

Adopted by the Commission on 12 December. Sets out the accounting rules applicable for the factors to be taken into consideration in the annual accounts for the financing of intervention measures in the form of public storage by the EAGGF Guarantee Section, in accordance with Regulation (EEC) No 3492/90.

OJ L 350, 14.12.1990

1.3.234. Appropriations allocated in 1990.

The initial appropriations allotted to the EAGGF, Guarantee Section, totalled ECU 26 452 million, less the appropriations to the Guarantee Fund (Fisheries) (ECU 32 million), for the set-aside of agricultural land (ECU 70 million chargeable to the Guarantee Section) and for reimbursing the Member States' costs incurred as a result of the deterioration of stocks of agricultural products and the specific disposal of butter from official stocks (ECU 1 470 million).

The provisional result for 1990 gives an estimate of agricultural expenditure before any carryover of some ECU 25 040 million, which represents an appropriation surplus slightly in excess of ECU 1 400 million, also before any carryover. This situation is the result of a combination of various factors, notably an under-utilization of appropriations in the cereals and rice, sugar, oils and fats and wine sectors, partially offset by an over-utilization in the milk products, beef and veal and, in particular, tobacco sectors,

and by a change in the ecu/US dollar exchange parity.

State aid

Decisions to raise no objections

Federal Republic of Germany

1.3.235. *Adopted by the Commission on 3 December.* Content of the programme: change to an existing aid measure concerning countryside conservation in Bavaria. This aid comprises three new measures: a conservation programme to protect waters of ecological importance, a fruit plantation protection programme and a programme to preserve old vineyards. The change concerns investment aid following a fall in productivity, due to the introduction or continuation of methods of cultivation compatible with environmental protection.

1.3.236. *Adopted by the Commission on 11 December.* Content of the programme: change to an existing aid measure in support of publicity for forest and agricultural products, financed by a fund constituted from parafiscal charges.

1.3.237. *Adopted by the Commission on 17 December.* Content of the programmes:

(i) a summary of structural aid measures, carried out under the responsibility of the regional authorities, the majority of which were set up several years previously;

(ii) investment aid for the purchase of dairy facilities in the former territory of East Germany, the aim being to remedy the serious structural deficiencies in this region of the Community. In view of the exceptional circumstances affecting this region, the Commission has not in the case of this authorization imposed the normal stipulations applicable to similar investments in other regions of the Community.

Denmark

1.3.238. *Adopted by the Commission on 19 December.* Content of the programme: measures to help young farmers set up holdings and subsequently to facilitate structural adjustment following the initial setting-up process.

Spain

1.3.239. *Adopted by the Commission on 3 December.* Content of the programme: measures to assist rabbit-farming in Castile-Leon. The aid is for the purchase of high-grade breeding rabbits and is part of a programme for the region, designed specifically to bring about genetic improvement in the rabbit population.

1.3.240. *Adopted by the Commission on 18 December.* Content of the programme: aid for structural improvement of the water supply infrastructure in the Canary Islands (piping, storage and distribution of surface or ground-water).

United Kingdom

1.3.241. *Adopted by the Commission on 3 December.* Content of the programme: aid scheme (countryside premium scheme — set-aside land) involving, *inter alia*, funding for the erection of fencing to facilitate public access and ensure environmental protection.

Italy

1.3.242. *Adopted by the Commission on 18 December.* Content of the programme: measures to promote quality control and research concerning matured hams. The research component concerns the health and hygiene aspects of the products and their nutritional qualities. The aid is necessitated by the introduction of legislation imposing control requirements on manufacturers with a view to protecting the brands in question.

1.3.243. *Adopted by the Commission on 18 December.* Content of the programme: aid to compensate producers of silk-worm cocoons in Friuli-Venezia Giulia. Silk-worm cocoon production was disrupted by exceptional atmospheric pollution in 1989 and the majority of the seeded frames did not reach maturity.

1.3.244. *Adopted by the Commission on 21 December.* Content of the programme: measures involving agricultural credit in Sicily. The aid concerns a biological pest control programme and an experimental programme to protect crops against adverse weather conditions such as hail, frost or drought.

Decision to initiate proceedings

Federal Republic of Germany

1.3.245. *Adopted by the Commission on 12 December.* Content of the programme: investment aid for the construction of a slurry storage facility in Hesse. The Commission decided to initiate proceedings in respect of aid granted at 40% in conjunction with the AKP (Agricultural Credit Programme) and the rural action programme and to request the German authorities to reduce the rate of such aid.

Spain

1.3.246. *Adopted by the Commission on 17 December.* Content of the programme: crop and arable land development. The aid is to assist arable and livestock farmers who have concluded contracts in terms of various crop and grazing commitments. The assistance envisaged by the Spanish authorities is to be considered an operating aid measure which makes no permanent structural improvement to production conditions. Furthermore, the aid is an income support measure for farmers in the case of products covered by a market organization. Such a measure is therefore to be considered as infringing the *ad hoc* Community rules.

*Decision to make
a negative recommendation*

Fisheries

I

France

1.3.247. *Adopted by the Commission on 17 December.* Aid and parafiscal charges in support of the National Joint Trade Committee for Floral, Ornamental and Nursery Horticulture (CNIH). Following the initiation of the procedure under Article 93(2) of the EEC Treaty in connection with the draft decree introducing a parafiscal charge for the benefit of the CNIH because of the method of financing the aid measures envisaged, the Commission took a final negative decision on such aid. The method of financing involves the levying of a parafiscal charge on products imported from other Member States both at importation and at sale by dealers in non-edible horticultural products. However, the Commission gave France until the end of 1991 to abolish this charge on imported products.

TACs and quotas for 1991

1.3.248. Council Regulation (EEC) No 3926/90 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished.

- **Basic Regulation:** Council Regulation (EEC) No 170/83 establishing a Community system for the conservation and management of fishery resources: OJ L 24, 27.1.1983; Bull. EC 1-1983, point 2.1.83

Proposal adopted by the Commission on 7 December.

COM(90) 614

Adopted by the Council (Fisheries) on 20 December. For totals see Table 6.

Table 6 — TACs by stock and by area for 1991 — Community shares

(tonnes)			
Species	Area	1991 TAC	Community share in 1991
Herring	III a	p.m.	—
Herring	III b, c, d ¹	90 000	85 450
Herring	II a, ¹ IV a, b	342 000	229 330
Herring	IV c, VII d	30 000	30 000
Herring	V b, ¹ VI a North, VI b	62 000	55 140
Herring	IV a South, VII b, c	27 500	27 500
Herring	VI a Clyde	2 900	2 900
Herring	VII a	6 000	6 000
Herring	VII e, f	500*	500
Herring	VII g, h, i, k	15 000	15 000
Sprat	III a		0
Sprat	III b, c, d ¹	26 000	23 500
Sprat	II a, ¹ IV ¹	55 000*	49 000
Sprat	VII d, e	12 000*	12 000
Anchovy	VIII	30 000*	30 000
Anchovy	IX, X Cccaf ¹	9 000*	9 000
Salmon	III b, c, d ¹	720*	710
Capelin	II b Svalbard	0	—

Fisheries

(tonnes)

Species	Area	1991 TAC	Community share in 1991
Cod	II b Svalbard	7 440	7 440
Cod	III a Skagerrak	15 000	12 375
Cod	III a Kattegat	6 650	4 010
Cod	III b, c, d	61 600	59 260
Cod	II a, ¹ IV	100 000	93 570
Cod	V b, ¹ VI, XII, XIV	16 000	16 000
Cod	VII a	10 000	10 000
Cod	VII b-k, VII, IX	22 000	22 000
Haddock	III a, III b, c, d ¹	4 600*	3 970
Haddock	II a, ¹ IV	50 000	41 700
Haddock	V b, ¹ VI, XII, XIV	15 200	15 200
Haddock	VII, VIII, IX, X, Cefac ¹	6 000*	6 000
Saithe	II a, ¹ III, IV	125 000	70 000
Saithe	V b, ¹ VI, XII, XIV	22 000	22 000
Saithe	VII, VIII, IX, X, Cefac ¹	14 000*	14 000
Pollack	V b, ¹ VI, XII, XIV	1 100*	1 100
Pollack	VII	14 000*	14 000
Pollack	VIII a, b	2 600*	2 600
Pollack	VIII c	800*	800
Pollack	VIII d	50*	50
Pollack	VIII e	100*	100
Pollack	IX, X, Cefac ¹	450*	450
Norway pout	II a, ¹ III a, IV ¹	200 000*	171 000
Blue whiting	II a, ¹ IV ¹	60 000	20 000
Blue whiting	V b, ¹ VI, VII	340 000	163 000
Blue whiting	VIII a, b, d	26 500*	26 500
Blue whiting	VIII e	1 000*	1 000
Blue whiting	VIII c, IX, X, Cefac ¹	50 000*	50 000
Whiting	IIIa	17 000*	15 080
Whiting	II a, ¹ IV	141 000	64 480
Whiting	V b, ¹ VI, XII, XIV	9 000	9 000
Whiting	VII a	10 000	10 000
Whiting	VII b, c, d, e, f, g, h, j, k	24 000*	24 000
Whiting	VIII	5 000*	5 000
Whiting	IX, X, Cefac ¹	2 640*	2 640
Hake	III	2 000	2 000
Hake	II a, ¹ IV ¹	2 350*	2 350
Hake	V b, ¹ VI, VII	37 590*	37 590
Hake	VIII a, b, d, e	25 060*	25 060
Hake	VIII c, IX, X, Cefac ¹	18 000*	18 000

(tonnes)

Species	Area	1991 TAC	Community share in 1991
Horse mackerel	II a, ¹ IV ¹	45 000*	45 000
Horse mackerel	V b, ¹ VI, VII, a, b, d, e	230 000*	223 000
Horse mackerel	VIII c, IX	73 000*	73 000
Mackerel	II a, III, IV	65 500	19 600
Mackerel	II, V b, ¹ VI, VII, VIII a, b, d, e	363 170	343 710
Mackerel	VIII c, IX, X, Cefac ¹	36 570*	36 570
European plaice	III a Skaggerak	10 000*	9 400
European plaice	III a Kattegat	1 300	1 170
European plaice	III b, c, d ¹	3 000*	3 000
European plaice	II a, ¹ IV	175 000	171 900
European plaice	V b, ¹ VI, XII, XIV	2 400*	2 400
European plaice	VII a	4 500	4 500
European plaice	VII b, c	200*	200
European plaice	VII d, e	10 700	10 700
European plaice	VII f, g	1 900	1 900
European plaice	VII h, j, k	1 150*	1 150
European plaice	VIII, IX, X, Cefac ¹	700*	700
Common sole	III	800*	800
Common sole	II, IV	27 000	27 000
Common sole	V b, ¹ VI, XII, XIV XII, XIV	155*	155
Common sole	VII a	1 500	1 500
Common sole	VII b, c	75*	75
Common sole	VII d	3 850	3 850
Common sole	VII e	800	800
Common sole	VII f, g	1 200	1 200
Common sole	VII h, j, k	720*	720
Common sole	VIII a, b	5 300*	5 300
Common sole	VII c, d, e, IX, X, Cefac ¹	2 000*	2 000
Megrim	V b, ¹ VI, XII, XIV	4 840*	4 840
Megrim	VII	15 880*	15 880
Megrim	VIII a, b, d, e	2 220*	2 220
Megrim	VIII c, IX, X, Cefac ¹	14 300*	14 300
Anglerfish	V b, ¹ VI, XII, XIV	8 600*	8 600
Anglerfish	VII	33 080*	33 080
Anglerfish	VIII, a, b, d	9 910*	9 910
Anglerfish	VIII e	100*	100
Anglerfish	VIII c, IX, X, Cefac ¹	12 000*	12 000
Shrimps	French Guiana	4 100	4 000
Norway lobster	V b, ¹ VI	13 500*	13 500
Norway lobster	VII	19 000*	19 000
Norway lobster	VIII a, b	6 500*	6 500
Norway lobster	VIII c	600*	600
Norway lobster	VIII d, e	50*	50
Norway lobster	IX, X, Cefac ¹	3 000*	3 000

* Precautionary TAC.

¹ EC zone.

The Regulation also includes the following provisions:

(i) all Member States with cod and haddock quotas in the North Sea or to the West of Scotland (Areas IV and VI) shall take the necessary steps, which they shall communicate to the Commission by 1 March 1991, to ensure that each vessel whose overall length is over 10 metres, and whose cod and haddock landings from Areas IV and VI over the period 1 January 1989 to 30 June 1990 exceed (a) 100 tonnes and (b) 40% by weight of their total landings, and any vessel replacing a vessel in the category as defined above remains in port for at least eight consecutive days per calendar month during the period 1 February to 31 December 1991;

(ii) Member States which, as a result of the application of the preceding provisions, are unable to use up their quotas of cod and haddock in Areas IV and VI for 1991 may apply to the Commission for a reduction of or exemption from the abovementioned limitation of seagoing days.

OJ L 378, 31.12.1990

Improvement of fisheries structures

1.3.249. Council Regulation (EEC) No 3944/90 amending Regulation (EEC) No 4028/86 on Community measures to improve and adapt structures in the fisheries and aquaculture sector.

- **Regulation amended:** Council Regulation (EEC) No 4028/86; OJ L 376, 31.12.1986; Bull. EC 12-1986, point 2.1.285
- **Commission proposal:** OJ C 243, 28.9.1990; COM(90) 358; Bull. EC 7/8-1990, point 1.3.260
- **Economic and Social Committee opinion:** Bull. EC 11-1990, point 1.3.179

European Parliament opinion adopted on 10 December. Favourable, subject to amendments concerning:

(i) certain recitals relating to the integration of fisheries structural policy in the framework of the reform of the structural Funds and the effects on employment and less favoured regions;

(ii) definition of small-scale fishing;

(iii) criteria of eligibility particularly concerning minimal activity of vessels;

(iv) modifications relative to zones of intervention;

(v) level of aid for different actions.

OJ C 19, 28.1.1991

Amended proposal adopted by the Commission on 18 December. To take account of certain amendments by the European Parliament.

OJ C 16, 24.1.1991; COM(90) 684

Adopted by the Council (Fisheries) on 20 December. The Regulation includes the strengthening of existing measures concerning:

(a) the doubling of financial support for exploratory fishing and a better definition of the objectives of voyages;

(b) an increase in the amount of the cooperation premium for joint ventures;

(c) greater incentives for final cessation of activity by raising the amount of expenditure eligible for Community aid and increasing Community reimbursement from 50 to 70% if a vessel is scrapped.

The Regulation also introduces a number of new measures:

(a) for the benefit of small-scale fisheries, within the framework of zonal plans;

(b) concerning redeployment operations aiming at giving the Community fleet new commercial fishing opportunities in areas which are not traditionally fished and which are located in particular outside the Community's fishing zone;

(c) concerning the setting-up of joint enterprises between Community ship-owners and partners from non-member countries for the purpose of commercially exploiting the fishery resources in the waters of non-member countries, primary consideration being given to supplying the Community market.

OJ L 380, 31.12.1990

II

Resources*Internal aspects***TACs and quotas**

1.3.250. Council Regulation (EEC) No 3934/90 fixing catch possibilities for 1991 for certain fish stocks and groups of fish stocks in the regulatory area as defined in the NAFO Convention.

- **Basic Regulations:**

Council Regulation (EEC) No 170/85 establishing a Community system for the conservation and management of fishery resources: OJ L 24, 27.1.1983, Bull. EC 1-1983, point 2.1.83

Council Regulation (EEC) No 2241/87 establishing certain control measures for fishing activities (OJ L 207, 29.7.1987; Bull. EC 7/8-1987, point 2.1.238) as last amended by Regulation (EEC) No 3483/88: OJ L 306, 11.11.1988; Bull. EC 11-1988, point 2.1.232

Proposal adopted by the Commission on 10 December.

COM(90) 617

Adopted by the Council (Fisheries) on 20 December. The aim of the Regulation is to maintain traditional fishing opportunities for Community fishermen operating in the waters of the North-West Atlantic outside the 200-mile exclusive economic zones of the coastal States under the Northwest Atlantic Fisheries Organization. The quotas are as follows:

(tonnes)		
Species	Area	Total
Cod	NAFO 2J + 3KL	27 000
Cod	NAFO 3NO	5 016
Cod	NAFO 3M	6 465
Redfish	NAFO 3M	7 750
Redfish	NAFO 3LN	6 000
American plaice	NAFO 3M	350
American plaice	NAFO 3LNO	328
Witch	NAFO 3NO	1 000
Yellowtail flounder	NAFO 3LNO	140
Capelin	NAFO 3NO	750
Squid	NAFO subareas 3+4	15 000

OJ L 378, 31.12.1990

Control of fisheries activities

1.3.251. Council Regulation (EEC) No 3935/90 laying down for 1991 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guiana.

- **Reference:** Council Regulation (EEC) No 3939/90 laying down for 1990 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guiana: OJ L 379, 28.12.1989; Bull. EC 12-1989, point 2.1.214

Proposal adopted by the Commission on 10 December.

COM(90) 627

Adopted by the Council (Fisheries) on 20 December. In accordance with Regulation (EEC) No 3939/89, which laid down the fishing arrangements from 1 January to 31 December 1990, adopts the fishing arrangements for vessels of non-member countries in the fishing area off the French department of Guiana for the period from 1 January to 31 December 1991.

OJ L 378, 31.12.1990

1.3.252. Council Regulations (EEC) Nos 3936/90 to 3938/90 fixing certain measures for the conservation and management of resources:

Council Regulation (EEC) No 3936/90 fixing, for 1991, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Portugal;

Council Regulation (EEC) No 3937/90 fixing, for 1991, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the

sovereignty or within the jurisdiction of Spain;

Council Regulation (EEC) No 3938/90 fixing, for 1991, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of Portugal in waters falling under the sovereignty of within the jurisdiction of a Member State, apart from Spain and Portugal.

• **References:**

Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community: OJ L 302, 15.11.1985; Bull. EC 11-1985, points 2.2.1 to 2.2.4

Council Regulations (EEC) Nos 3972/89 to 3974/89: OJ L 380, 29.12.1989; Bull. EC 12-1989, point 2.1.213

Three proposals adopted by the Commission on 7 December.

COM(90) 612

Adopted by the Council (Fisheries) on 20 December. Replaces, in accordance with the Act of Accession of Spain and Portugal, the regulations adopted by the Council in December 1989.

OJ L 378, 31.12.1990

Technical measures

1.3.253. Proposal for a Regulation amending for the 11th time Council Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources.

- **Regulation to be amended:** Council Regulation (EEC) No 3094/86 (OJ L 288, 11.10.1986) as last amended by Regulation (EEC) No 4056/89: OJ L 389, 30.12.1989; Bull. EC 12-1989, point 2.1.215

Adopted by the Commission on 7 December. Introduces the following amendments:

- (i) regulation of fishing with driftnets;
- (ii) banning of fishing with beam trawls in Region 3 (Bay of Biscay);

(iii) closure to trawling of certain coastal areas of Spain and Portugal;

(iv) application of the new definition of sole fishing;

(v) increase of net size in Region 3.

COM(90) 610

External aspects

Greenland

1.3.254. Council Regulation (EEC) No 3931/90 allocating, for 1991, Community catch quotas in Greenland waters.

- **Reference:** Council Regulation (EEC) No 2647/90 on the conclusion of the Second Protocol laying down the conditions relating to fishing provided for in the Agreement on fisheries between the European Economic Community, on the one hand, and the Government of Denmark and the Home Rule Government of Greenland, on the other hand: OJ L 252, 15.9.1990; Bull. EC 7/8-1990, point 1.3.262

Proposal adopted by the Commission on 10 December. Allocates to the Member States the catch quotas in Greenland waters for 1991.

COM(90) 619

Amended proposal adopted by the Commission on 19 December.

COM(90) 680

Adopted by the Council (Fisheries) on 20 December. Includes a further catch opportunity of 3 000 tonnes of cod offered by Greenland in the allocation of catch quotas available to the Community in 1991.

OJ L 378, 31.12.1990

Norway

1.3.255. Council Regulation (EEC) No 3928/90 allocating, for 1991, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen—Council Regulation (EEC) No 3927/90 laying down for 1991 certain measures for the conservation and management

of fishery resources applicable to vessels flying the flag of Norway.

Two proposals adopted by the Commission on 13 December.

COM(90) 621

Adopted by the Council (Fisheries) on 20 December. Makes available to Norwegian fishermen fishing opportunities for joint EEC-Norwegian stocks and in Community waters in exchange for equivalent fishing opportunities for Community fishermen. This lays no particular obligation on Community fishermen. Since negotiations with Norway have not yet been completed, the quotas allocated to Norwegian and Community fishermen have yet to be decided.

OJ L 378, 31.12.1990

Faeroes

1.3.256. Council Regulation (EEC) No 3932/90 laying down for 1991 certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faeroes—Council Regulation (EEC) No 3933/90 allocating, for 1991, certain catch quotas between the Member States for vessels fishing in Faeroese waters.

Two proposals adopted by the Commission on 10 December.

COM(90) 623

Adopted by the Council (Fisheries) on 20 December. Authorizes vessels registered in the Faeroes to fish in accordance with the quotas allocated to them from 1 January 1991 in Community waters, pursuant to the agreement reached as a result of the consultations which took place on 3 December in Brussels between the Community and the Faeroes.

OJ L 378, 31.12.1990

Sweden

1.3.257. Council Regulation (EEC) No 3929/90 laying down for 1991 certain measures for the conservation and management

of fishery resources applicable to vessels flying the flag of Sweden—Council Regulation (EEC) No 3930/90 allocating, for 1991, catch quotas between Member States for vessels fishing in Swedish waters.

Two proposals adopted by the Commission on 10 December.

COM(90) 625

Adopted by the Council (Fisheries) on 20 December. Authorizes Swedish vessels to fish the quotas allocated to them for 1991 in Community waters in accordance with the reciprocal arrangements for fishing in 1991 as regards both the fishing rights of each party on the zone belonging to the other and the fixing of total allowable catches (TACs) for common stocks in the Kattegat and their allocation between the parties. These arrangements were decided on in the course of the consultations between the Community and Sweden which took place in Brussels from 26 to 28 November.

OJ L 378, 31.12.1990

Tanzania

1.3.258. Council Regulation (EEC) No 3941/90 concerning the conclusion of the Agreement between the European Economic Community and the United Republic of Tanzania on fishing off Tanzania.

- **Commission proposal:** OJ C 187, 27.7.1990; COM(90) 244; Bull. EC 6-1990, point 1.3.228

European Parliament opinion adopted on 14 December. Favourable, subject to an amendment requesting the Commission to report to the Council and to Parliament on the use made of the Agreement.

OJ C 19, 28.1.1991

Adopted by the Council on 19 December.

OJ C 379, 31.12.1990

The Gambia

1.3.259. Council Regulation (EEC) No 3940/90 on the conclusion of the Protocol establishing for the period 1 July 1990 to

30 June 1993 the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Republic of The Gambia on fishing off The Gambia.

- **Reference:** EEC/Gambia Agreement: OJ L 146, 6.6.1987
- **Commission proposal:** OJ C 204, 15.8.1990; COM(90) 303; Bull. EC 7/8-1990, point 1.3.265

European Parliament opinion adopted on 14 December. Favourable, subject to an amendment requesting the Commission to send the Council and Parliament a report on the uses made of the agreement.

OJ C 19, 28.1.1991

Adopted by the Council on 19 December.

OJ L 379, 31.12.1990

Angola

1.3.260. Council Regulation (EEC) No 3942/90 on the conclusion of the Protocol defining, for the period 3 May 1990 to 2 May 1992, the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola.

- **Reference:** EEC/Angola Agreement: OJ L 341, 3.12.1987
- **Commission proposal:** OJ C 181, 21.7.1990; COM(90) 307; Bull. EC 7/8-1990, point 1.3.269

European Parliament opinion adopted on 14 December. Favourable, subject to an amendment requesting the Commission to send the Council and Parliament a report on the use made of the Agreement.

OJ C 19, 28.1.1991

Adopted by the Council on 19 December.

OJ L 379, 31.12.1990

Côte d'Ivoire

1.3.261. Council Regulation (EEC) No 3939/90 on the conclusion of the Agreement

between the European Economic Community and the Republic of Côte d'Ivoire on fishing off the coast of Côte d'Ivoire.

- **Commission proposal:** OJ C 220, 4.9.1990; COM(90) 374; Bull. EC 7/8-1990, point 1.3.271

European Parliament opinion adopted on 14 December. Favourable, subject to an amendment requesting the Commission to send the Council and Parliament a report on the use made of the Agreement.

OJ C 19, 28.1.1991

Adopted by the Council on 19 December.

OJ L 379, 31.12.1990

Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)

1.3.262. Council Regulation (EEC) No 3943/90 on the application of the system of observation and inspection established under Article XXIV of the Convention of the Conservation of Antarctic Marine Living Resources.

- **Commission proposal:** COM(90) 491; Bull. EC 10-1990, point 1.3.181

Adopted by the Council on 19 December.

OJ L 379, 31.12.1990

Soviet Union

1.3.263. Commission Regulation (EEC) No 3714/90 on transitional measures on trade in certain fishery products with the USSR after the unification of Germany.

- **Reference:** Council Regulation (EEC) No 3571/90 concerning the implementation of the common fisheries policy in the former German Democratic Republic: OJ L 353, 17.12.1990

Adopted by the Commission on 19 December. Authorizes Germany to maintain for a transitional period the national arrangements on refunds.

OJ L 358, 21.12.1990

Organization of markets

Guide prices

1.3.264. Commission Regulations (EEC) Nos 3896/90 to 3910/90 concerning guide prices for fishery products in 1991.

- **Basic regulation:** Council Regulation (EEC) Nos 3549/90, 3550/90 and 3551/90 on the fixing of guide prices for fishery products in 1991: OJ L 371, 31.12.1990; Bull. EC 11-1990, point 1.3.172

Adopted by the Commission on 19 December. Fixes, by means of 15 implementing regulations, provisions concerning Regulations (EEC) Nos 3549/90, 3550/90 and 3551/90 as a result of the fixing of prices by the Council (Fisheries) on 20 November.

OJ L 371, 31.12.1990

Structural measures and assistance

1.3.265. Commission communication concerning the improvement of the conditions under which fishery and aquaculture products are processed and marketed (Objective 5a) — 1991-93.

Adopted by the Commission on 17 December. As part of the reform of the structural Funds, and particularly Objective 5a, the Commission gave a first reading to draft Community support frameworks concerning the improvement of the conditions under which fishery and aquaculture products are processed and marketed. These drafts were prepared through the partnership mechanism following bilateral negotiations with the Member States. The Community support frameworks will be finally approved following consultation of the Standing Committee for the Fishing Industry and the Committee on the Development and Conversion of Regions.

1.3.266. Commission Decision 91/15/EEC on a specific programme on the provision of facilities for fishing ports in Italy presented by Italy pursuant to Council Regulation (EEC) No 4028/86 — Commission Decision 91/16/EEC on a specific programme on the provision of facilities for fishing ports in Belgium presented by Belgium 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

Adopted by the Commission on 17 December. Provides for the equipment and modernization of ports to encourage the improvement of the production, landing and selling conditions of fishery products.

OJ L 9, 12.1.1991

1.3.267. Granting of financial aid for equipping 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 of 21 December. Provides for Community assistance totalling ECU 2.33 million for six projects to equip fishing ports in Portugal, France, Ireland and Spain.

1.3.268. Granting of financial aid in the fisheries sector.

- **Basic Regulation:** Council Regulation (EEC) No 355/77 on common measures to improve the conditions under which agricultural and fishery products are processed and marketed: OJ L 51, 23.3.1977

Commission Decision of 21 December. Provides for Community assistance totalling ECU 30 257 000 for 94 investment projects in the fisheries sector, as shown in Table 7.

Table 7 — Allocation of assistance under Regulation (EEC) No 355/77 by Member States

Member State	Number of projects	Assistance granted (million ECU)
Belgium	2	1.697
Denmark	6	0.741
Germany	5	1.509
Greece	2	1.836
Spain	17	4.501
France	10	4.270
Ireland	10	4.438
Italy	11	4.923
Netherlands	0	0
Portugal	14	4.083
United Kingdom	17	2.254
Total	94	30.257

State aids

Decision to initiate proceedings

Germany

1.3.269. *Adopted by the Commission on 19 December.* Content of the programme: aids for the temporary laying up of fishing vessels measuring 6 to 18 metres in length are granted only for vessels which form part of the German economy. The German authorities judge whether that condition is satisfied on the basis of five criteria and the Commission considers that, according to the information which it has available, three of these (unloading and marketing of a significant proportion of catches in German ports, repair and maintenance of vessels by German firms and supply and equipment of vessels by German firms) are incompatible with Articles 30, 34 and/or 59 of the Treaty.

Transport

1.3.270. The European Council called upon the Council to adopt before 30 June

1991 the decisions recently proposed by the Commission (concerning excise duties on fuel, vehicle taxes and tolls), emphasized the importance of progress in the environmental, social and major-infrastructure fields and asked that special attention be given to the situation of countries on the Community's external frontiers (→ points I.13 and I.14).

I

High-speed trains

• References:

Commission communication on a Community railway policy: OJ C 34, 14.2.1990; COM(89) 564; Bull. EC 11-1989, point 2.1.183

Council Resolution on the development of a European high-speed rail network: Bull. EC 12-1989, point 2.1.242

1.3.271. Communication from the Commission to the Council and a proposal for a Council Decision on the development of a European high-speed rail network.

Adopted by the Commission on 5 December. The Commission proposes that the European high-speed rail network according to a master plan, drawn up to cover the period up to 2010. The master plan is composed of lines essential to the coherence and continuity of the network at Community level, with the exclusion of lines of national or regional interest. Priority action is planned for the following key links: Hamburg-Copenhagen; Belfast-Dublin-Holyhead-Crewe; Utrecht-Arnheim-Emmerich-Duisburg; the interconnection near Strasbourg and Saarbrücken; London-Channel Tunnel; Brussels-Luxembourg; Rhine-Rhône; Lyon-Turin; Madrid-Barcelona-Perpignan; Portugal-Spain; Vitoria-Dax; Milan-Basle; the Brenner route; Tarvisio-Vienna; links towards and within Greece.

The Commission notes that the operation of high-speed rail networks involves:

- (i) technical compatibility of infrastructure, rolling stock and equipment;
- (ii) harmonized upward by compatible command and control systems and the continuation of attempts to achieve a unified system.

1.3.272. The Council's conclusion on high-speed trains.

Adopted by the Council on 17 December.

'The Council adopted the following conclusions:

1. In the light of the importance attached by the European Council meeting on 14 and 15 December 1990 to the development of major infrastructure networks, the Council welcomes the communication on the European high-speed rail network that the Commission has submitted after consulting the Working Party set up under the resolution adopted by the Council at its meeting on 4 and 5 December 1989.

2. The Council welcomes the work that has been done on the preparation of a master plan setting out the priority steps to be taken to create a European network. It notes the progress made on formulating the technical requirements for compatibility of infrastructures, equipment and rolling stock, and for the international movement of the trains.

3. The Council invites the Commission, in collaboration with the Representatives of the Governments of the Member States, the railways and the railway equipment industry, to study in detail:

- (i) the socio-economic impact of the network on the integrated transport market and on the development of the Community, bearing in mind in particular the change of gauge on the Iberian peninsula;
- (ii) the impact on the environment in the broadest sense and comparison in that regard with other modes of transport;
- (iii) the economic aspects, including *inter alia* the commercial aspects of the key links and other problem points in the network, including the problem of their financing.

4. The Council invests the Commission to continue the study of the key links and examine the effects on the network of the development of the Community's relations with the EFTA countries and the countries of Central and Eastern Europe.

5. The Council notes the Commission's intention of preparing a draft Directive on the approximation of the laws, regulations and administrative provisions on the movement of trains and stresses the need for common initiatives, at the earliest possible date, to harmonize command and control systems.

6. The Council welcomes the results of the Working Party's proceedings and invites the Commission to consult the Working Party again on all the points listed above.'

Combined transport

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

- **Directive to be amended:** Council Directive 75/130/EEC: OJ L 48, 22.2.1975; Bull. EC 2-1975, point 2264
- **Commission proposal:** OJ C 34, 14.2.1990; COM(89) 564; Bull. EC 11-1989, point 2.1.183
- **Opinion of the Economic and Social Committee:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.285

Parliament opinion adopted on 13 December (→ point 1.3.282).

Council policy agreement reached on 17 December. The draft adopted by the Council provides for the liberalization of initial or final road haulage legs, the exemption of these journeys from any compulsory tariff regulations, access for own-account combined transport operators and the extension of the geographical limit for road journeys in combined transport by inland waterway.

Road transport

1.3.274. Council Regulation (EEC) No 3916/90 on the measures to be taken in the event of a crisis on the market for the carriage of goods by road.

- **Commission proposal:** OJ C 87, 5.4.1990; COM(90) 64; Bull. EC 1/2-1990, point 1.1.254

- **Opinion of the Economic and Social Committee:** Bull. EC 9-1990, point 1.2.181
- **Opinion of Parliament:** OJ C 295, 26.11.1990; Bull. EC 10-1990, point 1.3.191
- **Amended Commission proposal:** COM(90) 532; Bull. EC 10-1990, point 1.3.191

Council policy agreement reached on 17 December.

Formally adopted by the Council on 21 December. This Regulation provides that if the Commission, assisted by an advisory committee, establishes that there is a serious disturbance on the Community market it may, by decision, take measures to prevent any further increase in the supply of capacity on the market affected by limits on the increase in the activity of existing hauliers and restrictions on access to the market for new hauliers. The provisional measure introduced in accordance with this provision may remain in force for a period not exceeding six months and may be renewed once only.

OJ L 375, 31.12.1990

1.3.275. Council Regulation (EEC) No 3914/90 amending Regulation (EEC) No 3164/76 on access to the market in the international carriage of goods by road.

- **Amended Regulation:** Council Regulation (EEC) No 3164/76, OJ L 357, 29.12.1976, as last amended by Council Regulation (EEC) No 1053/90, OJ L 108, 28.4.1990; Bull. EC 4-1990, point 1.1.149
- **Commission proposal:** OJ C 316, 16.12.1989; COM(89) 572; Bull. EC 11-1989, point 2.1.184
- **Opinion of the Economic and Social Committee:** OJ C 124, 21.5.1990; Bull. EC 3-1990, point 1.1.178
- **Opinion of Parliament:** OJ C 96, 17.4.1990; Bull. EC 3-1990, point 1.1.178

Council policy agreement reached on 17 December.

Formally adopted by the Council on 21 December. The Regulation is mainly aimed at increasing the Community quota by 40% a year for 1991 and 1992.

OJ L 375, 31.12.1990

Air transport: time slots

1.3.276. Proposal for a Council Regulation on common rules for the allocation of slots at Community airports.

- **Reference:** Council Regulation (EEC) No 2343/90 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: OJ L 217, 11.8.1990; Bull. EC 7/8-1990, point 1.3.288

Approved by the Commission on 5 December. The proposal is aimed at laying down rules for the allocation of aircraft take-off and landing slots at congested Community airports. It provides for:

- (i) governments to appoint traffic coordinators responsible for allocating slots at congested airports;
- (ii) increased transparency in the allocation of slots among air carriers;
- (iii) rules for the allocation of slots at congested airports:

creation of pools of available slots;
allocation of at least 50% of the pool to new entrants;
giving up of slots to new entrants;
reciprocal allocation of slots when new routes are created.

COM(90) 576

Air transport: overbooking

1.3.277. Proposal for a Council Regulation on common rules for a denied-boarding compensation system in scheduled air transport.

- **Commission proposal:** OJ C 129, 24.5.1990; COM(90) 99; Bull. EC 3-1990, point 1.1.176; Bull. EC 4-1990, point 1.1.151
- **Opinion of the Economic and Social Committee:** Bull. EC 10-1990, point 1.3.196

Parliament Opinion adopted on 14 December. Favourable, subject to a number of amendments strengthening passenger compensation.

OJ C 19, 28.1.1991

Agreement in principle reached by the Council on 17 December. The draft approved by the Council *inter alia* that a passenger denied boarding will have a choice between:

- (i) reimbursement without penalty of the cost of the ticket for the part of the journey not made;
- (ii) passage to his final destination at the earliest opportunity, or
- (iii) passage at a later date at the passenger's convenience.

Irrespective of the passenger's choice the air carrier will, immediately after boarding has been denied, pay compensation of ECU 150 for flights of up to 3 500 km and ECU 300 for flights of more than 3 500 km, having regard to the final destination specified in the ticket.

Where the air carrier can offer passage to the final destination on an alternative flight, the arrival time of which is not more than two hours later for flights of up to 3 500 km, and not more than four hours later for flights of more than 3 500 km, the compensation stipulated above may be reduced by 50%.

The air carrier must also offer free of charge to passengers who are denied boarding:

- (i) a telephone call and/or telex/fax message to the point of destination;
- (ii) appropriate meals and refreshments in relation to the waiting time;
- (iii) hotel accommodation in cases where an additional stay of one or more nights is necessary.

The Regulation will apply without prejudice to subsequent application to the courts having jurisdiction with a view to further compensation.

Air freight

1.3.278. Proposal for a Council Regulation on the operation of air freight services.

- **Commission proposal:** OJ C 88, 26.4.1990; COM(90) 63; Bull. EC 1/2-1990, point 1.1.255
- **Opinion of the Economic and Social Committee:** OJ C 182, 23.7.1990; Bull. EC 5-1990, point 1.2.220
- **Opinion of Parliament:** OJ C 295, 26.11.1990; Bull. EC 10-1990, point 1.3.197

Amended proposal adopted by the Commission on 14 December. This takes account of Parliament's amendments.

OJ C 9, 15.1.1991; COM(90) 671

Agreement in principle reached by the Council on 18 December. The purpose of the Regulation is to liberalize market access and tariffs and increase the operating flexibility of these services. It provides, *inter alia*, that:

- (i) cargo rates charged by Community air carriers will be set by free agreement between the parties to a contract of carriage;
- (ii) all carriers operating within the Community will make all standard cargo rates available to the general public on request;
- (iii) Member States will not be prevented from concluding or maintaining in force between them arrangements which are more flexible than the provisions of the Regulation;
- (iv) Community air freight carriers will be permitted to operate third- and fourth-freedom air freight services between airports or airport systems in one Member State and airports or airport systems in another Member State when these airports or airport systems are open for air freight traffic between Member States or for international traffic;
- (v) a Member State will authorize air freight carriers licensed in another Member State which have been authorized by their State of registration to exercise third-, fourth- and fifth-freedom traffic rights; the fifth-freedom traffic rights will be exercised on a service which constitutes an extension of a service from or a preliminary of a service to, their State of registration.

Transport and the internal market

1.3.279. Parliament resolution on the development of the common transport pol-

icy in the run-up to the completion of the internal market.

• **References:**

Parliament resolution on the White Paper on completing the internal market: OJ C 36, 17.2.1986; Bull. EC 1-1986, point 2.1.7

Parliament resolution on liberalization and harmonization in the field of transport: OJ C 255, 13.10.1986; Bull. EC 9-1986, point 2.1.144

Adopted by Parliament on 13 December. Parliament stated that administrative, technical and fiscal barriers which still affect the organization of the market in transport must be removed. It emphasized the need for vital liberalization to go hand in hand with harmonization of the conditions of competition both between Member States and mode of transport; it pointed out, however, that this harmonization cannot be given priority over the vital liberalization of the transport market. It made a number of suggestions concerning the substance and priority tasks of transport policy with a view to assisting the completion of the internal market in 1992. It called for an examination of the new challenges arising from the upheavals in Eastern Europe, technological advances and congestion.

In external relations, Parliament advocated the gradual replacement of bilateral agreements between Member States and non-member countries by Community agreements.

OJ C 19, 28.1.1991

II

Inland transport

1.3.280. Report from the Commission to the Council, accompanied by a proposal for a Council Decision concerning the European system for observing the markets for the inland carriage of goods.

- **Reference:** Council Resolution on the extension of the system for observing the markets for the carriage of goods by rail, road and inland waterway between the Member States:

OJ C 328, 21.12.1988; Bull. EC 12-1988, point 2.1.327

Adopted by the Commission on 18 December. As requested by the Council, the Commission proposes the introduction of a permanent market observation system for inland transport to replace the existing provisional system. The proposed system covers all modes of inland transport whether national or international and is to be administered by the Commission, which will draw on available statistical sources, but will also be able to collect any additional information required (surveys, polls).

COM(90) 652

Road transport

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

- **Directive to be amended:** Council Directive 85/3/EEC: OJ L 2, 3.1.1985; Bull. EC 12-1984, point 2.1.200
- **Commission proposal:** OJ C 316, 16.12.1989; COM(89) 573; Bull. EC 11-1989, point 2.1.187
- **Opinion of Parliament:** OJ C 149, 18.6.1990; Bull. EC 5-1990, point 1.2.217
- **Opinion of the Economic and Social Committee:** OJ C 182, 23.7.1990; Bull. EC 5-1990, point 1.2.217
- **Amended Commission proposal:** OJ C 268, 24.10.1990; COM(90) 461; Bull. EC 10-1990, point 1.3.188

Council policy agreement reached on 17 December. From 1 October 1991 the maximum authorized length of a road train will be 18.35 m, the maximum authorized load length 15.65 m, and the maximum load length including the distance between the traction unit and the trailer 16 m.

Rail transport

1.3.282. Communication from the Commission to the Council on a Community rail policy:

proposal for a Council Directive on the development of the Community railways;

proposal for a Council Regulation amending Regulation (EEC) No 1191/69 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway;

proposal for a Council Decision concerning the establishment of a network of high-speed trains;

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

- **Commission proposals:** OJ C 34, 14.2.1990; COM(89) 564; Bull. EC 11-1989, point 2.1.183
- **Opinion of the Economic and Social Committee:** OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.285

Parliament opinion adopted on 13 December. Favourable with regard to all four proposals, subject to a number of amendments. Parliament attached particular weight to the concept of public service in transport and felt that Member States should impose public service obligations on urban, suburban and regional services. It considered that the development of high-speed networks must not hinder the development and modernization of conventional infrastructure. It also proposed the development of European railway comfort standards.

OJ C 19, 28.1.1991

1.3.283. Eleventh report on the annual accounts of railway undertakings.

- **Basic Regulation:** Council Regulation (EEC) No 2830/77 on the measures necessary to achieve comparability between the accounting systems and annual accounts of railway undertakings: OJ L 334, 24.12.1977

Adopted by the Commission on 7 December. The report, established in accordance with Regulation (EEC) No 2830/77, covers 1987.

Shipping

1.3.284. Proposal for a Council Regulation on the transfer of ships from one register to another within the Community.

- **Commission proposal:** OJ C 153, 22.6.1990; COM(90) 219; Bull. EC 6-1990, point 1.3.243

Parliament opinion adopted on 14 December. Favourable, subject to an amendment concerning certification bodies acting on behalf of a Member State.

OJ C 19, 28.1.1991

Economic and Social Committee opinion adopted on 18 December. Favourable. However, the Committee was in favour of giving precedence to international standards, and of their recognition by the Community.

Endorsed by the Council on 18 December. The draft adopted, which incorporates Parliament's amendment, provides for the mutual recognition of certificates of conformity issued by the Member States and is aimed at making it easier to transfer ships within the Community.

1.3.285. Parliament resolution on the sinking of the trawler *Antares*.

Adopted by Parliament on 13 December. Parliament extended its sympathy to the families of the victims and called on the Commission, the Council and the Member States to take measures to ensure that the safety of fishing vessels was not jeopardized by the movement of submarines through Community waters.

OJ C 19, 28.1.1991

Air transport

1.3.286. Draft aviation agreement between the Community, Norway and Sweden.

- **Recommendation for a Council Decision concerning negotiating directives:** COM(90) 18; Bull. EC 1/2-1990, point 1.2.257
- **Council Decision:** Bull. EC 6-1990, point 1.3.245

Adopted by the Commission on 12 December. The draft provides that established Community rules and practices in aviation (including forthcoming legislation on cabotage, slots and harmonization) and

Community rules on competition and State aids will apply to Norway and Sweden, and that the Commission will ensure, in cooperation with Norway and Sweden, that they are complied with. A Joint Committee (Community, Norway and Sweden) will decide in cases of conflict; if the Joint Committee is unable to reach unanimous agreement within the space of six months on a proposal from the Commission aimed at ensuring compliance with the agreement's provisions or if one of the parties fails to apply the Joint Committee's decisions within this same period, the agreement will automatically come to an end.

These measures will be without prejudice to those subsequently adopted in the same sector in the context of the European economic area and will lapse once the proposed agreement between the Community and EFTA comes into force.

1.3.287. Proposal for a Council Regulation on consultation between airports and airport users and on airport charging principles.

- **Commission proposal:** OJ C 147, 16.6.1990; COM(90) 100; Bull. EC 3-1990, point 1.1.177
- **Opinion of the Economic and Social Committee:** Bull. EC 10-1990, point 1.3.197

Parliament opinion adopted on 13 December. Favourable, subject to certain technical amendments.

OJ C 19, 28.1.1991

Energy

Specific aspects

Promotion of energy technology

1.3.288. First annual instalment of financial support for projects for the promotion of energy technology in the Community — Thermie programme.

- **Reference:** Council Regulation (EEC) No 2008/90 on the promotion of energy technology in

Europe: OJ L 185, 17.7.1990; Bull. EC 6-1990, point 1.3.256

Adopted by the Commission on 11 December. Purpose: support totalling ECU 45 million for 85 projects in the following fields: rational use of energy (39 projects), renewable energy sources (27), hydrocarbons (16) and coal (3).

Solid fuels

1.3.289. Draft report on the market for solid fuels in the Community in 1990 and the outlook for 1991.

- **Reference:** Report on the market for solid fuels in the Community in 1989 and the outlook for 1990: Bull. EC 3-1990, point 1.1.185; Bull. EC 9-1990, point 1.2.184

Adopted by the Commission on 14 December. Hard coal deliveries in the Community remained virtually constant at 314 million tonnes. Community production again fell (by 4.5%) following the restructuring measures implemented by the coal industry. Imports from non-Community countries, on the other hand, rose by 8%, despite a rise in world market prices. The outlook for 1991 is a further decline in production of the order of 8.6 million tonnes. Imports from non-Community countries are likely to decrease slightly (by 0.7%).

1.3.290. Report on State aid to the coal industry in 1988 drawn up under Commission Decision No 2064/86/ECSC establishing Community rules for State aid to the coal industry.

- **Reference:** Commission Decision No 2064/86/ECSC: OJ L 177, 1.7.1986; Bull. EC 6-1986, point 2.1.236

Adopted by the Commission on 13 December. The report examines the compatibility of the State aid to the coal industry notified by Belgium, France, Germany, Portugal, Spain and the United Kingdom for 1988 with Commission Decision No 2064/86/ECSC. In 1988 State aid fell by 4% compared with the previous year, as a result

of the rationalization policies pursued. The reduction was due in particular to a considerable fall in State aid in Belgium, France and the United Kingdom. In 1988, restructuring, modernization, and rationalization measures resulted in the loss of 42 000 jobs in the Community.

1.3.291. Authorization for Belgium and Spain to grant aid in accordance with Commission Decision No 2064/86/ECSC.

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

Authorization granted by the Commission on 17 December. Granting by Belgium for 1991 of aid totalling BFR 2 588 million to cover operating losses, to finance social benefits and to cover expenses relating to supplementary holidays for underground workers.

Granting by Spain of aid totalling PTA 23 208 million as compensation to electricity producers using Spanish coal, to cover exceptional expenditure for workers made redundant, to defray part of the specific depreciation and other exceptional costs arising from measures to restructure, rationalize and modernize the coal industry, and investment aid.

Natural gas

1.3.292. Proposal for a Directive on the transit of natural gas through the major systems.

- **Commission proposal:** OJ C 247, 28.9.1989, COM(89) 334; Bull. EC 7/8-1989, point 2.1.213
- **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 1.1.264
- **European Parliament opinion (first reading):** OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.3.298
- **Amended Commission proposal:** OJ C 268, 24.10.1990; COM(90) 425; Bull. EC 9-1990, point 1.2.185
- **Common position approved by the Council:** Bull. EC 10-1990, point 1.3.212

Common position formally adopted by the Council on 20 December.

Nuclear energy

Safeguards

1.3.293. Commission Opinion 90/662/Euratom concerning the extension of the fuel element fabrication plant of Advanced Nuclear Fuels GmbH in Lingen in accordance with Article 37 of the Euratom Treaty.

Adopted by the Commission on 13 December. The Commission is of the opinion that the implementation of the plan for the disposal of radioactive waste arising from the second extension of the fuel element fabrication plant of Advanced Nuclear Fuels GmbH in Lingen is not liable to result in significant contamination, from the point of view of health, of the water, soil or airspace of another Member State.

OJ L 356, 19.12.1990

Information, communication and culture

I

Development of the European audiovisual industry

1.3.294. Council Decision 90/685/EEC concerning the implementation of an action programme to promote the development of the European audiovisual industry (Media) (1991-95).

- **References:**
Media programme: COM(86) 255; Bull. EC 4-1986, point 2.1.79
Audiovisual Conference: Bull. EC 10-1989, point 2.1.98
- **Commission proposal:** OJ C 127, 23.5.1990; COM(90) 132; Bull. EC 4-1990, point 1.1.157
- **Economic and Social Committee opinion:** Bull. EC 9-1990, point 1.2.188

- **Parliament opinion:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.189

Adopted by the Council on 21 December. The object of the programme is to encourage the development of the European audiovisual industry. It has a budget of ECU 200 million spread over five years, starting on 1 January 1991. This will enable the Community to honour the undertakings it gave at the Audiovisual Conference in October 1989.

The audiovisual industry occupies a strategic place in the Community's service economy with a rapidly growing market which is expected to reach ECU 35 billion by the end of the century. It is also a major cultural asset. However, the industry is severely handicapped by the fragmentation of the market, does not make itself properly felt at Community level and carries little weight internationally. The programme consists of a package of practical measures for strengthening cooperation across national frontiers, although audiovisual professionals are to remain responsible for the financing of production.

OJ L 380, 31.12.1990

II

Public awareness

Exhibition

1.3.295. Parliament resolution on Commission participation in the 1992 Genoa International Exhibition.

- **Reference:** Commission decision to participate in the Exhibition: Bull. EC 4-1990, point 1.1.159

Adopted on 13 December. Parliament welcomed the Commission's willingness to participate in the specialized International Exhibition on ships and the sea to be held in Genoa in 1992 to mark the 500th anniversary of the discovery of America. It stated its wishes regarding the significance to be

attached to the Community's involvement. Parliament believed that the theme of Christopher Columbus' arrival in America could be treated in such a way as to show how it led to progress in the discovery of the world, the opening-up of contacts between civilizations and the strategic use of the sea. It called for legitimate representatives of the indigenous American population to be invited. It also hoped that the Exhibition would highlight Community programmes relevant to the theme (MAST, COST 301, Medspa and Euros). Parliament considered that the Commission should show the gravity of the social and human problems faced in the areas of shipping, ports and related activities. It suggested that in the interests of the public it should be stressed that the Genoa International Exhibition and the Seville Universal Exposition complemented each other.

OJ C 19, 28.1.1991

Opinion polls

1.3.296. *Eurobarometer* No 34.

- **Reference:** Previous *Eurobarometer*: Bull. EC 7/8-1990, point 1.3.308

Initial findings published by the Commission on 11 December. These preliminary figures showed that popular support for the Community had reached an all-time high. Denmark registered the highest increase in people saying Community membership was a good thing, with 58% in favour as compared with 42% in 1989. The Dutch (82%), Italians (77%), Luxembourgers (76%), Irish (76%) and Greeks (75%) were the most enthusiastic about Community membership. The poll also looked at the intergovernmental conferences and the Gulf crisis.

Available from the Commission of the European Communities (Directorate-General for Information, Communication and Culture, rue de la Loi 200, B-1049 Brussels).

Culture

The Community's architectural heritage

1.3.297. Call for applications for support for pilot projects to conserve the Community's architectural heritage, under the Council resolution to that effect.

- **References:**

Council resolution on the conservation of the Community's architectural heritage: OJ C 320, 13.12.1986; Bull. EC 11-1986, point 2.1.128

Previous call for applications: OJ C 303, 2.12.1989; Bull. EC 12-1989, point 2.1.129

Published by the Commission on 4 December. The Commission invited applicants, by 20 February 1991, to submit pilot projects involving conservation or restoration work on monuments and sites testifying to production activities in industry, agriculture, crafts and other areas. The scheme covers monuments and sites whose importance for the European heritage has been clearly established; this may relate to architecture or to the historic and social significance of the monument or site or its contents (tools, machines, etc.).

OJ C 304, 4.12.1990

1.3.298. Proposal for a Council Decision concerning the accession of the Member States to the Berne Convention for the Protection of Literary and Artistic Works and the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) (→ point 1.3.169).

A people's Europe

I

AIDS

- **References:**

Parliament resolution on the fight against AIDS: OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.113

Resolution of the Council and the Ministers for Health meeting within the Council on the fight against AIDS: OJ C 10, 16.1.1990; Bull. EC 12-1989, point 2.1.117

Conclusions of the Council and the Ministers for Health meeting within the Council on the medical and psycho-social care of persons affected by AIDS: Bull. EC 5-1990, point 1.2.252

Conclusions of the Dublin European Council: Bull. EC 6-1990, point 1.16

1.3.299. Conclusions of the Council and the Ministers for Health meeting within the Council on AIDS.

Adopted on 3 December.

'The Council and the Representatives of the Member States, meeting within the Council, invite the Member States:

to promote, in drug addiction services and reception centres, access to early intervention and, where appropriate, to treatment for seropositive drug addicts and for those with clinical signs of HIV infection;

to foster within these structures, respecting confidentiality, a psychological and social climate which is sensitive to the needs of the individuals concerned;

Invite the Commission:

to step up exchanges of information, experience and experts:

(a) on medical and social assistance to seropositive pregnant women and newborn babies;

(b) on the organization of home care for people suffering from HIV/AIDS and other forms of health care for HIV-infected persons;

(c) for assessing the measures implemented in the Member States to supply safer injecting materials; this assessment will also cover new types of disposable syringes and needles;

to inform the Council of the results of the exchange of experience referred to above and to submit an appropriate assessment and, if necessary, proposals for action;

In addition, repeat the call made to the Member States in the conclusions of the Council and the Ministers for Health, meeting within the Council, on 17 May 1990 to continue with active policies to avoid any discrimination against seropositive persons and people suffering from HIV/AIDS and to encourage the social acceptance of such persons;

Finally, invite the Member States to extend the commitment to non-discrimination and social

acceptance to those living with seropositive persons and people suffering from HIV/AIDS or to those who have contact with such persons.'

OJ C 329, 31.12.1990

1.3.300. Proposal for a Decision of the Council and the Ministers for Health of the Member States meeting within the Council adopting a plan of action in the framework of the 1991 to 1993 'Europe against AIDS' programme.

Adopted by the Commission on 13 December. The Commission proposed a 'Europe against AIDS' programme to fight the spread of the disease, consisting of the following measures:

- (i) informing the public about AIDS prevention campaigns;
- (ii) prevention of HIV infection and health education in schools;
- (iii) Eurobarometer surveys on AIDS and its prevention;
- (iv) exchanges of experience on counselling and treatment services;
- (v) development of models for the costing of the management of AIDS;
- (vi) reduction of HIV transmissions in blood and blood-based products;
- (vii) improvements to the system for gathering data on AIDS;
- (viii) common methodological approaches to ensure the availability and comparability of epidemiological data on HIV seroprevalence;
- (ix) systems of university training for health-care workers; mobility of medical and nursing students.

OJ 13, 19.1.1991; COM(90) 601

II

Education and youth

1.3.301. Resolution of the Council and Ministers for Education meeting within the Council concerning the Eurydice education

information network in the European Community.

• References:

Resolution of the Council and of the Ministers for Education meeting within the Council comprising an action programme in the field of education: OJ C 38, 19.2.1976; Bull. EC 2-1976, point 2252

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

Adopted on 6 December. The Council and Ministers called for the Eurydice network to be reinforced and developed as the chief instrument for providing information on national and Community structures, systems and developments in the field of education, and requested the Commission to continue cooperation with the Council of Europe and the OECD and to involve the Eurydice network in that cooperation.

OJ C 329, 31.12.1990

Languages in the Community

1.3.302. Parliament resolution on languages in the Community and the situation of Catalan.

Adopted on 11 December. Parliament called on the Council and the Commission to work to achieve certain objectives, including the publication in Catalan of the Community's treaties and basic texts, the use of Catalan for disseminating public information concerning the European institutions, the inclusion of Catalan in the Lingua programme and the use of Catalan by the Commission's offices in Catalonia and the Balearic Islands in dealings with the public.

OJ C 19, 28.1.1991

Solidarity

Aid for disaster victims

1.3.303. Commission decision on emergency aid for the families of earthquake victims in Sicily.

Adopted on 14 December. The decision allocates ECU 1.5 million in humanitarian aid.

Public health

Food

1.3.304. Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, concerning an action programme on nutrition and health.

Adopted on 3 December. The resolution asked the Commission to draw up and submit to the Council a proposal for an action programme under which 1994 would be 'European Nutrition Year', comprising awareness-raising measures, pilot projects, studies and investigations, the object being to inform and alert the public at large, high-risk groups and professional interests in the sectors concerned and to study, analyse and exchange experience on the role of nutrition in regard to health. There would be cooperation with the WHO and FAO.

OJ C 329, 31.12.1990

1.3.305. Conclusions of the Council and the Ministers for Health meeting within the Council on the safety of food and drink and water intended for human consumption.

Adopted on 3 December. The Council and the Ministers believe that the Community should take coordinated and thorough action to adopt as soon as possible, and at all events by the end of 1992, more effective rules on the safety of food products, in order to ensure a proper level of health protection. They consider that the implementation of such action must not merely be a question of adopting new rules but also of coordinating and updating existing ones and guaranteeing, through effective, uniform application, that they are actually complied with. They called for the adoption of uniform legislative principles and approaches for the food-stuffs, agricultural and veterinary sectors as

well as for the environment and the safety of water intended for human consumption.

OJ C 329, 31.12.1990

Acute poisoning

1.3.306. Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on improving the prevention and treatment of acute human poisoning.

- **Commission proposal:** OJ C 294, 29.11.1989; COM(89) 505; Bull. EC 10-1989, point 2.1.88
- **Parliament opinion:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.204

Amended proposal adopted by the Commission on 10 December. The amendment took account of Parliament's opinion.

OJ C 5, 9.1.1991; COM(90) 598

Adopted by the Council and the Ministers for Health on 3 December. The resolution provided for the collection of data on clinical toxicology, particularly from poison centres, harmonization of the method of collecting such data (standard forms, standard layout for annual reports), improvements in the supply of information about antidotes and periodical summary reports to be produced by the Commission.

OJ C 329, 31.12.1990

Drugs

1.3.307. Resolution of the Council and the Ministers for Health meeting within the Council on Community action to combat the use of drugs, including the abuse of medicinal products, particularly in sport.

Adopted on 3 December. The resolution advocated an educational and preventive approach and asked the Commission, in collaboration with the Council of Europe and in the run-up to the 1992 Olympic Games, to:

- (i) draft and circulate by the end of 1991, in close conjunction with the Member States, a code of conduct to combat the use of drugs;

(ii) propose to the Council measures of Community interest.

OJ C 329, 31.12.1990

The fight against drugs

1.3.308. Conclusions of the Council and the Ministers for Health meeting within the Council on reducing the demand for narcotic and psychotropic substances.

• **References:**

Conclusions of the Dublin European Council: Bull. EC 6-1990, point I.16

Commission communication to the Council concerning a report on national programmes for drug demand reduction in the European Community: COM(90) 527; Bull. EC 11-1990, point 1.3.206

Adopted on 3 December. The Council and the Ministers regard as particularly urgent the intensification of prevention measures in each Member State, aimed at the general population and high-risk groups; measures to extend the range of effective methods for treating drug addiction by developing services providing the main therapeutic options and analysing, updating and applying the various methods of treatment assessment; intervention to secure the social and occupational integration of addicts; and in-service training of the requisite qualified staff. They called on the Commission to promote the Community-wide exchange of information, draw up regular reports on demand reduction policies and carry out a feasibility study on the organization within the Community of regular training and update courses for qualified staff.

OJ C 329, 31.12.1990

1.3.309. Proposal for a Council Directive on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances (→ point 1.3.8).

Cardiovascular disease

1.3.310. Conclusions of the Council and the Ministers for Health meeting within the Council concerning cardiovascular disease in the Community.

Adopted on 3 December.

'The Council of the European Communities and the Ministers for Health of the Member States, meeting within the Council,

(i) note that cardiovascular disease is one of the main causes of death in all the Member States of the Community, particularly in the working population;

(ii) consider that a number of preventive measures have already been put in hand for cancer and that these measures have an effect in preventing cardiovascular disease;

(iii) consider that further measures should be identified and implemented;

(iv) call upon the Commission to investigate the best way of facilitating exchange of information and cooperation on national measures, including in the field of research and means of diagnosis, obtaining to that end the assistance of experts and of representatives appointed by the Member States and to report to the Council on the outcome of that investigation.

In carrying out this work the Commission should, in order to avoid duplication, take account of the work of other bodies in this area, particularly the WHO.'

OJ C 329, 31.12.1990

Terrorism

1.3.311. Parliament resolution on the attack by ETA.

Adopted on 13 December. Parliament extend its condolences to and expressed its solidarity with the families of those killed and injured in the attack carried out at Sabadell on 7 December, expressed its horror at the attack and condemned the use of violence in general.

OJ C 19, 28.1.1991

4. Role of the Community in the world

Relations with Central and Eastern European countries

1.4.1. The European Council adopted specific conclusions on relations with the Soviet Union and the countries of Central and Eastern Europe.

Backing the reforms undertaken in the USSR, the European Council decided to send a political message of support to the Soviet authorities and to grant immediate food aid, worth up to ECU 750 million, and a technical assistance package worth ECU 400 million for 1991. With regard to the Central and Eastern European countries, the European Council referred to the action already taken in support of the economic and political reforms under way in those countries and agreed to take steps within G-24 to meet their needs for financing. It noted that the second instalment of ECU 260 million of support for Hungary had been granted, confirmed the support for Czechoslovakia and agreed to grant ECU 100 million in emergency aid to Bulgaria and Romania (→ points I.30 and I.31).

I

Emergency food aid for the Soviet Union, Bulgaria and Romania

1.4.2. Proposal for a Council Regulation introducing a Community guarantee for exports of foodstuffs from the European Community to the USSR. Proposal for a Council Regulation on urgent action to supply agricultural products to the USSR, Romania and Bulgaria.

Adopted by the Commission on 18 December. The Commission proposals transpose into legislation the decisions adopted by the European Council on 14 and

15 December to meet the urgent need for food notified by the Soviet authorities.

The purpose of the first proposal is to set out the terms for the medium-term credit guarantee granted by the Community to facilitate the export of foodstuffs from the Community under contracts concluded between the USSR and Community firms.

The guarantee offered by the Community may not exceed ECU 500 million with a minimum maturity of four years and, in the event of default, will cover the repayment of the principal and interest on loans in ecus granted to the USSR by a pool of commercial banks established in the Community for the purchase and importation of agricultural and food products. This pool will be set up in accordance with an agreement to be concluded between the Commission and the Government of the USSR. The agreement will specify, amongst other things, the products to be purchased, the quantities involved, the terms of purchase and importation, and provisions governing the loans.

The second proposal sets out the terms for urgent action to supply agricultural products worth ECU 250 million to the USSR and similar products worth ECU 100 million to Bulgaria and Romania.

Under this Regulation, the Commission proposes to transfer free of charge agricultural products that are available as a result of intervention; to meet specific requests, products may also be mobilized on the Community market.

Supply costs will be met by the Community, as will any costs arising from the processing of mobilized products.

COM(90) 670

1.4.3. Commission Decision on deliveries of humanitarian food aid to the people of Eastern Europe.

Adopted by the Commission on 17 December. The aim is to lighten the burden

of proof required for refunds, to provide for the non-levying of monetary compensatory amounts on exports where there is no refund and to exempt humanitarian organizations from the requirement to provide a security where such organizations request a certificate.

1.4.4. Parliament resolution on the provision of food and medical aid to the Soviet Union.

Adopted on 13 December. Concerned by the shortage of food and medical supplies in a number of cities and regions of the Soviet Union, Parliament called on the Commission to send emergency food aid, using available funds, and to take the necessary steps to ensure that the aid reached the needy sections of the population by means of decentralized distribution.

OJ C 19, 28.1.1991

1.4.5. Commission Decision on emergency aid to the people of the Soviet Union, Bulgaria and Romania.

• **References:**

Conclusions of the Presidency of the Rome European Council on relations with the Soviet Union and Central and Eastern European countries (→ points I.30 and I.31)

Proposals for Council Regulations introducing a Community guarantee for exports of foodstuffs from the European Community to the USSR and on urgent action to supply agricultural products to the USSR, Romania and Bulgaria (→ point 1.4.2)

Approved by the Commission on 19 December. In view of the present extremely difficult situation in the USSR, Bulgaria and Romania, and pending the adoption of the Regulations it has proposed, the Commission has decided to grant emergency aid of up to ECU 4 million for the purchase, transport and distribution of food, medicines, medical supplies and other urgently needed goods and the provision of essential services (medical staff). These operations will be carried out by the Commission's usual partners (Red Cross, NGOs, etc.).

European agreements

1.4.6. Council Decision authorizing the Commission to negotiate European agreements with the Czech and Slovak Federal Republic, the Republic of Hungary and the Republic of Poland.

- **Commission recommendations:** Bull. EC 11-1990, point 1.4.1

Adopted by the Council (General Affairs) on 18 December. The future European agreements to be negotiated by the Commission on the basis of negotiating directives adopted by the Council are aimed at progressively establishing a free trade area and developing economic, scientific and technical cooperation. They will also provide the appropriate institutional framework for genuine political dialogue. It is intended that the negotiations will proceed rapidly, so that the agreements can enter into force in January 1992.

II

Coordinated aid to Central and Eastern Europe

1.4.7. Financing decisions under Council Regulation (EEC) No 2698/90 amending Regulation (EEC) No 3906/89 in order to extend economic aid to other countries of Central and Eastern Europe.

- **Basic Regulation:** Council Regulation (EEC) No 2698/90: OJ L 257, 21.9.1990; Bull. EC 9-1990, point 1.3.3

Approved by the Commission on 19 December. Purpose: to grant aid for the following projects:

Bulgaria: ECU 3.5 million for an air pollution monitoring programme;

Hungary: ECU 1.3 million for modernizing the foreign trade infrastructure; ECU 1.5 million for the development and reform of vocational training; ECU 3 million for a social welfare programme;

Poland: ECU 6 million for a rural telecommunications programme; ECU 2.8 million for a vocational training programme.

As a result of these decisions, the 1990 budget for the Phare programme (ECU 500 million) is now completely used up.

1.4.8. Draft Commission Decision authorizing borrowing on the capital market with a view to granting loans to finance investment in the coal and steel sector in Hungary and Poland, the Czech and Slovak Federal Republic, Bulgaria and Yugoslavia.

- Draft Commission Decision to be amended: Bull. EC 3-1990, point 1.2.5
- Council assent: OJ C 122, 18.5.1990; Bull. EC 5-1990, point 1.3.6

Adopted by the Commission on 18 December. The purpose of this scheme is to extend to other countries the project initially approved by the Commission for Poland and Hungary.

ECSC aid to Czechoslovakia, Bulgaria and Yugoslavia will principally be used to finance:

- (i) projects promoting the consumption of Community steel (notably infrastructure projects);
- (ii) industrial projects involving at least one Community firm and relating to safety and working conditions in mines, industrial reconversion in former coal areas and environmental protection.

In addition, the 'joint venture' concept, considered too restrictive and unsuited to the needs expressed, has been replaced by a reference to 'commercial and industrial cooperation'.

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

1.4.9. Aid granted to joint European projects.

- Reference: Council Decision 90/233/EEC establishing a trans-European mobility scheme

for university studies (Tempus): OJ L 131, 23.5.1990; Bull. EC 5-1990, point 1.3.2

Commission Decision on allocation. The resources available for 1990 (ECU 23 million) have been allocated to a variety of higher-education projects in the countries concerned. The activities receiving Community support are as follows:

Joint European projects: the Commission has selected 153 projects from among the very many applications received. The vast majority of selected projects are in subject areas considered by the countries concerned to be of particular importance in the process of economic and social reform and the transition to a market economy;

Individual mobility projects: Community aid will enable 733 Polish, Hungarian and Czech or Slovak students to spend three months studying in the Community in the 1990/91 academic year;

Complementary activities: Community support is also being given to a limited number of specific projects for publications, studies and surveys which fulfil the aims of Tempus, and for youth exchange activities.

Bilateral relations

Hungary

1.4.10. Council Decision 90/681/EEC granting a second tranche of medium-term financial assistance to Hungary.

- Basic Decision: Council Decision 90/83/EEC: OJ L 58, 7.3.1990; Bull. EC 1/2-1990, point 1.2.12
- Authorization of the first tranche: Bull. EC 3-1990, point 1.2.7

Adopted by the Council on 21 December. Under this Decision the Commission is empowered to borrow, on behalf of the European Economic Community, the sum of ECU 260 million and to on-lend the proceeds of the borrowing to Hungary as the second tranche of the medium-term financial assistance granted by the Council in

February to enable Hungary to overcome its structural adjustment difficulties.

OJ L 375, 31.12.1990

Relations with European Free Trade Association countries

1.4.11. The European Council expressed the wish that the ministerial meeting to be held on 19 December would bring decisive progress towards the conclusion of the negotiations in the spring of 1991 (→ point I.19).

I

Progress towards the European economic area

1.4.12. EEC-EFTA ministerial meeting.

• References:

Conclusions of the European Council meeting in Dublin: Bull. EC 6-1990, point I.18

Conclusions of the second European Council meeting in Rome (→ point I.19).

Previous meeting: Bull. EC 6-1990, point 1.4.8

Meeting held in Brussels on 19 December: This meeting was chaired jointly by Mr Gianni De Michelis, President of the Council, and Mr Jean-Pascal Delamuraz, Swiss Federal Councillor and Chairman of the EFTA Council, and marked a decisive step forward in the negotiations on establishing the European economic area (EEA), which were now scheduled to be concluded before the summer of 1991. At the end of the meeting the participants adopted a Joint Declaration in which they reiterated their firm political commitment to the rapid conclusion of the negotiations (→ point 2.3.1).

They noted with satisfaction the convergence of views already achieved, particularly with regard to the relevant established Community rules and practices (*acquis communautaire*), and the progress made in

specific areas — notably competition policy, safeguard mechanisms, certain legal and institutional issues, economic and monetary cooperation, external aspects of the free movement of capital and financial services and the establishment of cooperation criteria and procedures — outside the four freedoms for which the future agreement would contain precise legal provisions.

At the same time the participants noted that in certain areas there were still questions outstanding: these included transport, agriculture, fisheries, the free movement of persons, the scope of derogations from established Community rules and practices and the establishment of a joint decision-making process. In this connection the Joint Declaration stated that an EEA Council would be set up, composed of the members of the Council of the European Communities, Members of the Commission and ministers of the EFTA countries.

II

Bilateral relations

Norway

1.4.13. Visit by Mr Christophersen, Commission Vice-President, on 4 December.

Mr Christophersen had talks with the Prime Minister, Mrs Brundtland, and the Foreign Minister, Mr Stoltenberg, concentrating mainly on the state of play in the EEC-EFTA negotiations and the situation in the Soviet Union and Central and Eastern Europe. He also saw Mr Johnsen, the Finance Minister, and Mr Skanland, Governor of the Bank of Norway, with whom he raised the matter of Norway's current and future position with regard to the plans for economic and monetary union.

Mediterranean, Gulf and Arabian peninsula countries

1.4.14. The Rome European Council requested the Council to complete its dis-

cussions on redirecting the Mediterranean policy as soon as possible so that negotiations could open on the financial protocols. Three declarations were also adopted on the Gulf crisis, the Middle East and Lebanon (→ point I.20).

I

A new Mediterranean policy

1.4.15. General guidelines for redirecting Mediterranean policy (1992-96).

• **References:**

Commission communication: Bull. EC 11-1989, point 2.2.29

Conclusions of the Strasbourg European Council: Bull. EC 12-1989, point 1.1.15

Conclusions of the Council (General Affairs): Bull. EC 1/2-1990, point 1.2.31

Conclusions of the Council (General Affairs): Bull. EC 9-1990, point 1.3.23

Conclusions of the Rome European Council (→ point I.20).

Overall decision by the Council (General Affairs) on 18 and 19 December. In accordance with the Rome European Council's request that discussions on redirecting the Mediterranean policy be completed as rapidly as possible, the Council adopted an overall decision on the various aspects of the new Mediterranean policy namely:

(i) the financial package for the period 1992-96 and the Directives for negotiations with the Maghreb and Mashreq countries and Israel for the fourth financial protocols;

(ii) 'horizontal' financial cooperation enabling the Community to provide increased unilateral support for regional projects between 1992 and 1996, particularly in the environmental field;

(iii) an improvement in the trade arrangements with the countries concerned, involving:

the speeding-up of tariff dismantling by the Community in respect of agricultural products covered by the additional and sup-

plementary Protocols, to be completed by 1 January 1993 instead of 1 January 1996;

an annual 5% increase for the period 1992-95 in the tariff quotas and reference quantities laid down in the additional and supplementary Protocols, with the exception of some sensitive products for which the increase would be 3%;

(iv) a statement in which the Community underlines the basic importance it attaches to respect for human rights and the promotion of democratic values;

(v) a statement stressing the importance which the Council and the Commission attach to the adoption of measures relating to the Mediterranean for the transport and treatment of hazardous waste, in line with Lomé IV.

II

Gulf crisis

1.4.16. Regulation (EEC) No 3557/90 on financial aid for the countries most directly affected by the Gulf crisis.

• **Commission proposal:** Bull. EC 9-1990, point 1.3.21

• **Parliament opinion:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.4.15

Adopted by the Council (General Affairs) on 4 December. Following the conciliation procedure with Parliament the Council did not accept Parliament's amendment designed to extend aid to countries other than Egypt, Jordan and Turkey, but it did accept amendments revising the financial forecasts.

OJ L 347, 12.12.1990

1.4.17. Commission communication on trade between the Community and Iraq and Kuwait.

• **Basic Regulation:** Council Regulation (EEC) No 3155/90 preventing trade as regards Iraq and Kuwait: OJ L 304, 1.11.1990; Bull. EC 10-1990, point 1.4.15

Adopted by the Commission on 14 December. The aim is to draw up a list of public Kuwaiti bodies controlled and recognized by the legitimate Government of Kuwait with which transactions are authorized.

1.4.18. Parliament resolution on contingency measures in the event of a crisis in the Gulf.

Adopted by Parliament on 12 December. Parliament called on the Commission to consult it on proposals that could threaten the economies of the Member States.

OJ C 19, 28.1.1991

1.4.19. Parliament resolution on the Gulf crisis.

- **References:** Parliament resolution: OJ C 260, 15.10.1990; Bull. EC 9-1990, point 1.3.81

Adopted by Parliament on 12 December. Parliament reaffirmed its support for all the Security Council resolutions and for all initiatives aimed at a peaceful solution to the conflict and underlined the importance of the Euro-Arab dialogue. It stressed the duty of the Commission and the Council to adopt emergency measures for the 800 000 refugees who had fled Iraq and Kuwait for Jordan and called on them to undertake without delay all measures designed to cushion the shock to the international economy by guaranteeing the availability of oil stocks and other essential resources. It reaffirmed the need to tackle the problems of the eastern Mediterranean and the Middle East, notably the Palestinian issue, by convening an international peace conference in compliance with the relevant UN resolutions.

OJ C 19, 28.1.1991

Mediterranean countries

Algeria

1.4.20. Financing.

- **Reference:** third Protocol on financial and technical cooperation: OJ L 22, 27.1.1988

Commission Decision adopted on 5 December. Grant of ECU 500 000 and special loan of ECU 8.56 million to finance craft businesses.

Egypt

1.4.21. Cooperation Council.

- **References:**

Cooperation Agreement between the European Economic Community and the Arab Republic of Egypt: OJ L 266, 27.9.1978

Fifth meeting: Bull. EC 11-1989, point 2.2.33

Council Decision on redirecting Mediterranean policy → point 1.4.15

Sixth ministerial meeting, held in Brussels on 18 December. The meeting was chaired by Italy's Foreign Minister, Mr De Michelis, in his capacity as President of the Council. The Commission was represented by Mr Matutes; the European Investment Bank was represented by Mr Prate, Vice-President. The Egyptian delegation was led by Mr Abdel Meguid, Deputy Prime Minister and Foreign Minister. Apart from the Gulf crisis, the two sides discussed the results of cooperation between the Community and Egypt. Egypt, whose financial deficit is gradually shrinking, is one of the Community's four main trading partners in the Mediterranean. It is also one of the principal recipients of Community financial aid, chiefly in the form of grants. Annual food aid is estimated at some ECU 30 million.

At the beginning of 1991 Egypt will also receive the first payments under the Regulation on financial assistance for the countries most directly affected by the Gulf crisis.

Mr Matutes underlined the fact that the majority of the proposals examined as a result of the last meeting of the Cooperation Council had been put into effect, covering a whole range of areas such as the environment, energy, drug abuse control, investment promotion and support for SMEs.

He also spoke about the major food self-sufficiency programme under way and the

Community's continued support for Egypt's adjustment efforts.

1.4.22. Financing.

- **Reference:** third Protocol on financial cooperation: OJ L 22, 27.1.1988

Commission Decision adopted on 5 December. Grant of ECU 8.5 million for a programme to provide small businesses with sufficient access to credit and to restructure and expand their activities. Grant of ECU 3 million for a programme to develop Bardawil Lagoon.

1.4.23. Mr Youssri Moustafa, Egypt's Minister for the Economy and Foreign Trade, visited the Commission on 4 December.

- **References:**
 Financing Decisions: → point 1.4.22
 Regulation (EEC) No 3557/90 on financial aid for the countries most directly affected by the Gulf crisis: OJ L 347, 12.12.1990 (→ point 1.4.16)
 Council Decision on redirecting Mediterranean policy: → point 1.4.15

Mr Moustafa discussed the Gulf crisis with Mr Matutes. They both expressed their hope for a peaceful solution and Mr Moustafa thanked the Community for its political and economic support and underlined the extent of the economic losses caused by the conflict. Mr Matutes outlined the progress made on financial aid for the countries most directly affected by the crisis and on redirecting the Mediterranean policy. He also mentioned discussions under way, notably with Saudi Arabia, on setting up a Euro-Arab fund, the main shareholders of which could be the Gulf States and the Community.

Jordan

1.4.24. Financing.

- **Reference:** third Protocol on financial and technical cooperation: OJ L 22, 27.1.1988

Commission Decision adopted on 5 December. Grant of ECU 4 million for exploring groundwater resources in the

Hammad and Sirhan basin. Grant of ECU 2 million to improve agricultural productivity.

Malta

1.4.25. Council Regulation (EEC) No 3704/90 extending the trade arrangements with Malta beyond the date of expiry of the first stage of the Association Agreement.

- **Reference:** Recommendation for a Council Decision concerning the conclusion of a Protocol extending the first stage of the Agreement establishing an Association between the European Economic Community and Malta: OJ C 311, 12.12.1990; COM(90) 558; Bull. EC 11-1990, point 1.4.19

Proposal adopted by the Commission on 5 December.

COM(90) 596

Adopted by the Council on 18 December. The aim is to extend beyond 1 January 1991 the arrangements applicable to trade between the European Economic Community and Malta pending the entry into force of the Protocol extending the first stage.

OJ C 358, 21.12.1990

San Marino

1.4.26. Council Decision on the opening of negotiations between the Republic of San Marino and the European Economic Community with a view to concluding an agreement in the form of an exchange of letters.

- **Commission proposal:** Bull. EC 11-1990, point 1.4.20

Adopted by the Council (General Affairs) on 18 December.

Syria

1.4.27. Recommendation for a Council Decision on the conclusion of the third Protocol on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic.

• **References:**

Cooperation Agreement between the European Economic Community and the Syrian Arab Republic: OJ L 269, 27.9.1978

Negotiating directives: Bull. EC 9-1990, point 1.3.22

Adopted by the Commission on 18 December. The Protocol provides for an overall commitment of ECU 146 million for the period ending on 31 October 1991, broken down as follows:

ECU 110 million in the form of EIB loans;

ECU 34 million from Community budget resources in the form of grants;

ECU 2 million from Community resources, in the form of contributions to risk capital.

OJ C 16, 24.1.1991; COM(90) 633

Tunisia

1.4.28. Financing

- **Reference:** third Protocol on financial and technical cooperation: OJ L 22, 27.1.1988

Commission Decision adopted on 5 December. Grant of ECU 12 million for a credit operation for small and medium-sized farm holdings. Grant of ECU 800 000 for a 12 month extension of the technical assistance project for cooperative farming units.

Turkey

1.4.29. Visit by Mr Matutes on 6 December.

- **Reference:** Commission communication on relations with Turkey — proposal for a Decision on the conclusion of the fourth financial Protocol: Bull. EC 6-1990, point 1.4.15

Mr Matutes met the President, Mr Ozal, and the Prime Minister, Mr Akbulut, and several members of the government. He also had discussions with Mr Erdem, President of the National Assembly, and Mr Akarcali, co-chairman of the EEC-Turkey Joint Parliamentary Committee. The visit, part of the regular contacts between the Commission and the Turkish authorities, gave Mr Matutes an opportunity to outline the

aims and basic aspects of the package of measures proposed to the Council in June. The talks also covered the Gulf crisis and the views of the Turkish authorities on ways of restoring stability to the Middle East. Mr Matutes welcomed the adoption by the Turkish National Assembly of texts paving the way for the setting-up of a committee of inquiry into human rights.

Yugoslavia

1.4.30. Cooperation Council

- **References:**

Cooperation Agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia: OJ L 41, 14.2.1983

Eighth meeting of the Cooperation Council: Bull. EC 11-1989, point 2.2.32

Ninth ministerial meeting, held in Brussels on 18 December. The Community delegation was led by Mr De Michelis, President of the Council, and the Yugoslav delegation by Mr Lancar, Federal Secretary for Foreign Affairs. Mr Matutes represented the Commission at the meeting, the main aim of which was to take stock of past relations between the Community and Yugoslavia and assess future prospects in the context of the Cooperation Agreement.

In this connection Mr Matutes said that the programme discussed at the last Cooperation Council meeting had been entirely fulfilled and that activities had focused on the areas chosen by Yugoslavia, designed to promote internal charges and consolidate EEC-Yugoslavia economic relations. At the end of the meeting the participants adopted a joint statement welcoming the political and economic progress made by Yugoslavia, at the same time pointing out that negotiations for the association agreement sought by Yugoslavia could begin once certain conditions had been met, relating to democratization and respect for human rights.

1.4.31. Council Decision on the opening of negotiations with a view to concluding a third EEC-Yugoslavia financial Protocol.

- **Commission communication:** Bull. EC 5-1990, point 1.3.25

Adopted by the Council on 18 December. The Council laid down the amounts allocated to Yugoslavia under the protocol to be negotiated by the Commission: ECU 730 million in the form of EIB loans (of which ECU 580 million would be earmarked for transport) and ECU 77 million from the budget for interest-rate subsidies. Allocation of these budgetary funds would be subject to the satisfactory outcome of negotiations in the transport sector.

Countries of the Gulf and the Arabian peninsula

1.4.32. Commission Decision on the conclusion of an agreement in the form of an exchange of letters on a standstill declaration between the EEC and the member countries of the Charter of the Cooperation Council for the Arab States of the Gulf.

• References:

Negotiating directives with a view to the conclusion of a trade agreement: Bull. EC 12-1989, point 2.2.46

First Commission Decision on the conclusion of an agreement on a standstill declaration: Bull. EC 6-1990, point 1.4.18

Adopted by the Commission on 3 December. After quite a break negotiations on the trade agreement resumed in October and the Commission adopted a new Decision, on slightly modified basis, on an agreement in the form of an exchange of letters with a view to a declaration on tariff dismantling.

Asia

I

Financial and technical cooperation with the developing countries of Latin America and Asia

1.4.33. Guidelines for the 1990s.

- **Commission communication:** COM(90) 176; Bull. EC 5-1990, point 1.3.28; Bull. EC 6-1990, point 1.4.19

- **Council conclusions:** Bull. EC 11-1990, point 1.4.25

Policy agreement reached at the Council (General Affairs) meeting of 18 and 19 December. These guidelines present a target financial package of ECU 2 750 million for the next five years, with some 10% being earmarked for the environment and particularly the protection of tropical forests. This figure represents an increase of more than 70% over the total amount of aid granted in the past five years and is of substantial political importance for the group of countries concerned, as it confirms the Community's commitment to them. There are two main strategies: development aid for the poorest population groups and economic cooperation with areas that have a strong growth potential.

1.4.34. Proposal for a Council Decision on the general guidelines for financial and technical cooperation with the developing countries of Latin America and Asia in the 1991-95 period.

• References:

Commission communication: COM(90) 176; Bull. EC 5-1990, point 1.3.28; Bull. EC 6-1990, point 1.4.19

Council agreement on guidelines for the 1990s: → point 1.4.33

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

Adopted by the Commission on 17 December. This proposal presents a five-year practical programme, within a legislative framework, that reflects the Commission communication of June 1990 in guidelines for cooperation with the developing countries of Latin America and Asia.

Now that the Council has reached agreement on the communication, the Commission intends to lose no time in presenting a new draft basic Regulation covering all instruments except those which already have or will have specific bases, and making the necessary adjustments to the basic legislation already in existence. In view of the

need to continue without a break the policy of aiding developing countries in Latin America and Asia, however, using the appropriations entered in the 1991 Community budget, and also the fact that Parliament and the Council will need time to examine the draft Regulation referred to above, operations will have to continue for 1991 on the basis of the existing legislation. As both Parliament and the Council have indicated a preference for multiannual guidelines, the Commission is proposing that the Council adopt immediately, under the procedure laid down by Council Regulation (EEC) No 442/81, the necessary general guidelines for 1991 but within a five-year perspective, on the lines set out in the proposal.

COM(90) 654

Repatriation of Vietnamese boat people

1.4.35. Repatriation and reintegration programme for Vietnamese exiles not regarded as refugees.

- **Reference:** Asean ministerial conference: Bull. EC 7/8-1990, point 1.4.35

Agreement in principle on a Community contribution reached by the Commission on 17 December. Following the proposals announced by the Community at the meeting held in Jakarta in July as a follow-up to the ministerial conference, the Commission has drawn up in agreement with the Vietnamese authorities and in consultation with the Office of the United Nations High Commissioner for Refugees (UNHCR) a programme covering the 80 000 Vietnamese who have asked for asylum and are being accommodated in camps in Hong Kong, but who have not been accepted as refugees.

The total cost is put at ECU 122 million; implementation of the plan will be the subject of consultation with the parties concerned and its aims are twofold:

(i) to assist the orderly repatriation by stages of the Vietnamese exiles accommodated in camps in the Asean countries and

in Hong Kong; the UNHCR will be in charge of the repatriation operation, which concerns volunteers and people who are not opposed to being sent back;

(ii) to make a substantial contribution to the social and economic reintegration of the returnees in their place of origin by providing them with direct financial assistance; the operation will also concern people in the resettlement areas, where it will involve job creation, health and micro-infrastructure.

To get the scheme off to a good start, the Commission is planning to finance in the very near future an initial pilot phase that will run for six months at a cost of some ECU 10 million.

II

Financing

1.4.36. Commission Decisions granting aid.

- **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

Adopted by the Commission on 19 December. Aid was granted as follows:

Bangladesh: ECU 65 million for a national scheme to develop small-scale irrigation and ECU 12.6 million for a river hydrology project.

India: ECU 22.5 million for the Doon Valley integrated management project.

Sri Lanka: ECU 6.3 million for a project involving small- and medium-scale irrigation systems in the north-west.

Pakistan: ECU 8 million for a project to assist the rural population in the Chitral area.

Philippines: ECU 20 million for a reconstruction programme following an earthquake.

Indonesia: ECU 29.3 million for an irrigation project at Punggur Utara (Sumatra).

Bilateral relations

Philippines

1.4.37. Visit to the Commission by Mr Senen Bacani, Agriculture Secretary, on 3 December.

Mr Bacani saw Mr Matutes, with whom he reviewed rural development cooperation in the Philippines. In the past 12 months the Commission has committed ECU 22.5 million in grants for new rural development projects, following the total of ECU 40 million already granted over the previous three years. Both sides stressed the fact that this aid also incorporated technology transfer and a process of mutual information. Mr Matutes commended the approach adopted, which was aimed at revitalizing the poorest rural areas by means of micro-projects implemented speedily and based on the local communities' own efforts.

Following a stocktaking of projects currently being appraised, Mr Matutes confirmed that the Community wished to step up its financial and technical assistance programmes still further over the next few years, with greater emphasis being placed on trade promotion, investment promotion and industrial cooperation.

Latin America

1.4.38. The European Council expressed the hope that there might be a strengthening of the links between the Community and the Latin American countries belonging to the Rio Group, as a result of the ministerial conference of 20 December (→ point I.21).

I

A more formal framework for the Community-Latin America dialogue

1.4.39. EEC-Rio Group ministerial conference.

• References:

Previous ministerial meeting: Bull. EC 4-1990, point 1.2.26

General guidelines for cooperation with the developing countries of Latin America and Asia (→ point 1.4.33)

Meeting in Rome on 20 December. At the conference, in which Mr Matutes took part, Community Foreign Ministers held discussions with their opposite numbers from 11 Latin American countries belonging to the Rio Group (Argentina, Bolivia, Brazil, Chile, Colombia, Ecuador, Mexico, Paraguay, Peru, Uruguay and Venezuela). In response to a suggestion by the Community designed to widen and restructure the Community-Latin American dialogue with a view to forging closer links between the two groups of countries, a political declaration paving the way for a more formal dialogue was adopted at the close of the meeting (→ point 2.4.1).

In the declaration the participants defined a number of general objectives chiefly connected with democracy, human rights and the right to self-determination, and also specific common objectives such as arms reduction, economic development and protection of the environment.

The Ministers also listed the special fields of cooperation between the two groups of countries, namely trade, economic cooperation, science and technology, investment, debt reduction, development aid, regional integration, the environment, the fight against drugs and terrorism, and priority cooperation projects.

The ministers also decided to establish institutional arrangements including annual ministerial conferences, preceded by experts' meetings, and the organization of consultations with a view to further developing and extending these procedures, and consideration of how to involve the parliaments, notably the European Parliament, in the dialogue and in cooperation activities.

II

Generalized preferences scheme for 1991 for Bolivia, Colombia, Ecuador and Peru

1.4.40. Council Regulation (EEC) No 3835/90 amending Regulations (EEC) Nos 3831/90, 3832/90 and 3833/90 in respect of the system of generalized tariff preferences applied to certain products originating in Bolivia, Colombia, Ecuador and Peru.

Decision 90/67/ESCS of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, amending Decision 90/672/ECSC in respect of the system of generalized tariff preferences applied to certain iron and steel products originating in Bolivia, Colombia, Peru and Ecuador.

- **Amended Regulations:** Council Regulations (EEC) Nos 3831/90, 3832/90 and 3833/90 applying generalized tariff preferences for 1991 (→ point 1.4.54)
- **Amended Decision:** Decision 90/672/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 for 1991 in respect of certain iron and steel products originating in developing countries (→ point 1.4.54)
- **Reference:** Commission communication on the Community response to the special cooperation plan presented by Colombia: COM(90) 254; Bull. EC 6-1990, points 1.4.23 to 1.4.27

Proposals adopted by the Commission on 7 December. The aim is to amplify the generalized preferences scheme for 1991 with regard to special provisions for the Andean Pact countries to help support their fight against drugs.

COM(90) 602

Parliament opinion given on 14 December. Favourable, subject to the addition of recitals on the need to promote the industrialization of developing countries.

OJ C 19, 28.1.1991

Regulation adopted by the Council on 20 December.

OJ L 370, 31.12.1990

Decision adopted by the representatives of the Governments of the Member States meeting within the Council on 20 December.

OJ L 370, 31.12.1990

Financial and technical cooperation with the developing countries of Latin America and Asia

1.4.41. Proposal for a Council Decision on the general guidelines for financial and technical cooperation with the developing countries of Latin America and Asia for the period 1991-95 (→ point 1.4.34).

1.4.42. Financing.

- **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

Adopted by the Council on 19 December. The following aid was granted:

Panama: ECU 4 million for a project to rehabilitate the Santo Tomás hospital;

Colombia: ECU 11.2 million for a programme of microprojects in the Pacific coastal area;

Bolivia: ECU 11.7 million for four flood protection projects for La Paz, Trinidad, Santa Ana and Villamontes;

Peru: ECU 10 million for an irrigation project in the Puyango-Tambes river area.

Bilateral relations

Chile

1.4.43. Framework Cooperation Agreement between the European Economic Community and Chile.

- **Recommendation for a Commission Decision:** Bull. EC 3-1990, point 1.2.41

- Council negotiating directives: Bull. EC 7/8-1990, point 1.4.44
- Proposal for a Decision concerning the conclusion of the Agreement: OJ C 318, 18.12.1990; COM(90) 560; Bull. EC 11-1990, point 1.4.34

Decision by the Council (General Affairs) on 18 December on the signing of the Agreement subject to its subsequent conclusion.

Signature of the Agreement in Rome on 20 December. The Agreement was signed on behalf of the Community by Mr De Michelis, President of the Council, and Mr Matutes, and by Mr Enrique Cimma, Chile's Foreign Minister, during the Community-Rio Group ministerial conference.

Paraguay

1.4.44. Recommendation for a Decision authorizing the Commission to negotiate a Cooperation Agreement between the European Economic Community and Paraguay.

- Reference: conclusions of the Council and the representatives of the Governments of the Member States laying down guidelines for the Community's policy towards Latin America: Bull. EC 6-1987, point 2.2.23

Adopted by the Commission on 17 December. The planned agreement will be a non-preferential agreement, with provisions covering trade and economic cooperation and also a section on development cooperation. It is also intended to provide support for the reform process under way in Paraguay.

Uruguay

1.4.45. Mr Hector Gros, Uruguay's Foreign Minister, visited the Commission on 10 December.

Mr Gros met Mr Matutes for discussions on the progress of the GATT negotiations and the development of bilateral relations in terms of both trade and cooperation. They both expressed the hope that a compromise solution could be found to unblock negotiations in the agricultural sec-

tor, which is of prime interest to Uruguay. On the trade front, Mr Gros raised the possibility of one-off, specific concessions.

1.4.46. Recommendation for a Council Decision authorizing the Commission to negotiate a framework Cooperation Agreement between the European Economic Community and Uruguay.

- References:
EEC-Uruguay Trade Agreement: OJ L 333, 4.12.1973
Conclusions of the Council and the representatives of the Governments of the Member States laying down guidelines for the Community's policy towards Latin America: Bull. EC 6-1987, point 2.2.23

Adopted by the Commission on 17 December. The proposed new agreement, which is intended to replace the 1973 Trade Agreement, would be non-preferential and adaptable. It is designed to promote relations between the Community and Uruguay, notably by establishing an advanced form of cooperation, stepping up and diversifying trade and strengthening economic cooperation, chiefly by encouraging investment flows.

ACP countries and OCTs

1.4.47. The European Council welcomed Namibia's signing of the fourth Lomé Convention and the country's accession. It also called for the speedy examination by appropriate authorities of the Commission's proposals for easing the ACP States' debt to the Community (→ point I.22).

I

Namibia and Lomé IV

1.4.48. Accession of Namibia to the Lomé Convention.

- Commission communication: Bull. EC 7/8-1990, point 1.4.51

- Council common position on the accession of Namibia to Lomé IV: Bull. EC 10-1990, point 1.4.28
- ACP-EEC Committee of Ambassadors: Bull. EC 11-1990, point 1.4.40

Signing of the Convention on 19 December. Mr H. Geingob, Prime Minister of Namibia, signed the fourth Lomé Convention at an official ceremony attended by Mr De Michelis, President of the Council, Mr Marín, Commission Vice-President, and a number of representatives of the Community Member States and the ACP States.

The Accession Agreement includes special provisions on quotas for beef and veal imports into the Community. Namibia received financial assistance of ECU 12 million in 1989 and ECU 23 million in 1990 from the Community budget; under Lomé IV it will receive ECU 45 million from the EDF to cover the next five years. It will also be eligible for aid from regional funds, Stabex and Sysmin.

Sub-Saharan Africa

1.4.49. Special programme of assistance for highly indebted low-income countries in sub-Saharan Africa (second stage).

- **References:**
Council Decision on the first stage of the programme: OJ L 356, 18.12.1987; Bull. EC 12-1987, point 2.2.41
Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.,3

On 5 December the Commission reached agreement in principle on a Community contribution. The first stage of this programme to help poor and heavily indebted countries in sub-Saharan Africa was adopted by the Council and runs out on 31 December. It forms part of a wider initiative coordinated by the World Bank, namely the special programme of assistance for Africa, or SPA, which embraces all the Western donors. The Community played a central part in implementing the first stage, through operations in the form of sectoral or general import programmes designed to ease the external constraints of the countries con-

cerned and back up their adjustment efforts. Unlike its contribution to the first stage, the Community's contribution to SPA-2, which is to run for a further three years, can be financed from the specific resources which are available under the fourth Lomé Convention for structural adjustment support. Under the policy now agreed by the Commission the Community contribution will be around ECU 1 billion. The policy will be implemented country by country in the light of the Community's dialogue with each State.

II

Implementation of the ACP-EEC Convention

1.4.50. Draft financial Regulation applicable to development financing cooperation under the fourth Lomé Convention.

- **Reference:** Internal Agreement on the financing and administration of Community aid under the fourth ACP-EEC Convention: Bull. EC 6-1990, point 1.4.32
- **Commission proposal:** OJ C 156, 6.7.1990; CM(90) 243; Bull. EC 6-1990, point 1.7.34
- **Amended Commission proposal:** OJ C 165, 6.7.1990; COM(90) 446; Bull. EC 9-1990, point 1.3.34

Parliament opinion given on 14 December. Parliament challenged the appropriateness of the legal basis proposed by the Commission. It considered that instead of being based on Article 32 of the Internal Agreement on the financing and administration of Community aid, the proposal should be based on Article 209 of the EEC Treaty and drawn up in the form of a regulation, within the meaning of Article 189 of the Treaty. It therefore asked the Commission to amend its proposal accordingly.

OJ C 19, 28.1.1991

1.4.51. Council Decision 90/669/EEC renewing the arrangements for trade between Spain and Portugal on the one hand and the overseas countries and territories on the other.

Decision 90/670/ECSC of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, amending Decision 86/50/ECSC establishing arrangements for trade between Spain and Portugal on the one hand and the overseas countries and territories on the other in products covered by the ECSC Treaty.

- **Amended Decisions:**

Council Decision 86/47/EEC establishing arrangements for trade between Spain and Portugal on the one hand and the overseas countries and territories on the other for the transitional period laid down by the Act of Accession: OJ L 63, 5.3.1986; Bull. EC 2-1986, point 2.2.26

Decision 86/50/ECSC of the representatives of the Governments of the Member States meeting within the Council: OJ L 63, 5.3.1986; Bull. EC 2-1986, point 2.2.26

- **Commission proposal:** COM(90) 465; Bull. EC 10-1989, point 1.4.30

Adopted by the Council and the representatives of the Governments of the Member

States of the ECSC on 20 December.

OJ L 365, 28.12.1990

1.4.52. Council Regulation (EEC) No 3705/90 on the safeguard measures provided for in the fourth ACP-EEC Convention.

- **Amended Regulation:** Council Regulation (EEC) No 1316/87 on the safeguard measures provided for in the third ACP-EEC Convention: OJ L 125, 14.5.1987
- **Commission proposal:** COM(90) 336; Bull. EC 7/8-1990, point 1.4.50

Adopted by the Commission on 18 December.

OJ L 358, 21.12.1990

Financial and technical cooperation

1.4.53. Financing of projects, programmes and emergency aid.

Commission Decisions allocating a total of ECU 57.549 million from fifth and sixth EDF resources (see Table 8).

Table 8 — *Financing of operations under the fifth and sixth EDFs*

Country	Project	Amount (million ECU)	
		Grant	Special loan
<i>Economic infrastructure</i>			
Tanzania	Roads	16.000	
Angola and member countries of SADCC ¹	Technical assistance for Lobito Corridor	2.400	
Tonga	Airport	2.385	
Congo	Rehabilitation of road	4.400	
Bahamas	Rehabilitation of road	1.253	
<i>Rural production</i>			
All ACP States	1991 budget for the TCARC ²	3.600	
<i>Trade promotion</i>			
ACP countries and OCTs in the Caribbean	Tourism development	9.000	
<i>Other</i>			
ACP countries and OCTs	Information ACP-EEC Courier	1.391	

General development cooperation

Country	Project	Amount (million ECU)	
		Grant	Special loan
<i>Industrialization</i>			
Senegal	Sysmin (Support for phosphates sector in Senegal)		15.000
<i>Emergency aid</i>			
Chad	Aid for victims of fighting	0.050	
Angola	Aid for victims of fighting and drought	0.650	
All ACP countries	Control of regular epidemics	0.650	
Liberia and neighbouring countries	Aid for victims of the fighting	0.650	
Central African Republic	Aid for refugees from Sudan (15 000 since November)	0.120	
	Total	42.549	15.000

¹ Southern African Development Coordination Conference.

² Technical Centre for Agricultural and Rural Cooperation.

General development cooperation

Generalized preferences

1991 scheme

1.4.54. Council Regulations concerning Community generalized preferences for 1991:

Council Regulation (EEC) No 3831/90 applying generalized tariff preferences for 1991 in respect of certain industrial products originating in developing countries;

Council Regulation (EEC) No 3832/90 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries;

Council Regulation (EEC) No 3833/90 applying generalized tariff preferences for 1991 in respect of certain agricultural products originating in developing countries;

Council Regulation (EEC) No 3834/90 reducing for 1991 the levies on certain agricultural products originating in developing countries;

Decision 90/672/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 for 1991 in respect of certain steel products originating in developing countries.

- **Commission proposal:** COM(90) 515; Bull. EC 10-1990, point 1.4.32

Opinion delivered by Parliament on 14 December. Parliament endorsed the proposals, with the proviso that new recitals on encouraging the industrialization of developing countries and various aspects of the form and content of the review of the system be added.

OJ C 19, 28.1.1991

Regulations adopted by the Council on 20 December.

OJ L 370, 31.12.1990

Decision adopted by the representatives of the Governments of the Member States meeting within the Council on 20 December. The scheme of generalized preferences for 1991 retains the economic and legal content of the 1990 scheme, with the exception of changes proposed by the Commission to take account of political and economic developments in certain countries, notably in Central and Eastern Europe.

OJ L 370, 31.12.1990

Scheme of generalized preferences for the Andean countries

1.4.55. Council Regulation (EEC) No 3835/90 amending Regulations (EEC) Nos 3831/90, 3832/90 and 3833/90 in respect of the system of generalized tariff preferences applied to certain products originating in Bolivia, Colombia, Ecuador and Peru (→ point 1.4.40).

1.4.56. Decision 90/673/ECSC of the representatives of the Governments of the Member States of the European Coal and Steel Community meeting within the Council amending Decision 90/672/ECSC in respect of the system of generalized tariff preferences applied to certain iron and steel products originating in Bolivia, Colombia, Peru and Ecuador (→ point 1.4.40).

Guidelines for the 1990s

1.4.57. Parliament resolution on the Commission communication to the Council concerning the generalized system of preferences—guidelines for the 1990s.

- **References:**

Commission communication: COM(90) 329; Bull. EC 7/8-1990, point 1.4.59
Council declaration: Bull. EC 10-1990, point 1.4.33

Adopted by Parliament on 14 December. While criticizing the poor take-up of the facilities offered under the GSP and the fact

that 70% of the facilities were used by only 10 countries, Parliament considered that a substantially improved system still had an important role to play in the context of Community development policy. In this connection, it suggested that the most developed of the beneficiary countries should themselves open up their markets to the poorer countries, and that the GSP apply to both processed and unprocessed agricultural products. Parliament also emphasized the need for measures to establish a more balanced distribution of the advantages of the system in favour of Latin America. It asked that a detailed proposal for a renewed GSP be presented as soon as the current GATT negotiations were completed, and that Parliament's assent should be required.

OJ C 19, 28.1.1991

Commodities and world agreements

Coffee

1.4.58. Executive Board of the International Coffee Organization.

- **References:**

International Coffee Agreement 1983: OJ L 308, 9.11.1983; OJ L 299, 17.10.1989
Previous meeting: Bull. EC 7/8-1990, point 1.4.60

Council Regulation (EEC) No 3211/90 amending Regulations (EEC) Nos 3896/89, 3897/89 and 3898/89 in respect of the system of generalized tariff preferences applied to certain products originating in Bolivia, Colombia, Ecuador and Peru: OJ L 308, 8.11.1990; Bull. EC 10-1990, point 1.4.25

Meeting held in London on 6 and 7 December. The members of the Board made a detailed examination of the situation on the world coffee market, and discussed some administrative and financial matters. Addressing the Brazilian delegation's concern over the concessions granted by the Community to Colombia, Peru, Ecuador and Bolivia, the Community representative emphasized that the motivation behind these measures was a desire to assist the

Andean countries in their efforts to combat drug trafficking.

Jute

1.4.59. International Jute Council.

- **References:**
New international Agreement on jute and jute products (1989): Bull. EC 11-1989, point 2.2.51
Council Decision on the signing of the new Agreement (→ point 1.4.60)

Fourteenth meeting, held in Dhaka from 29 November to 1 December. Because of the current political problems in Bangladesh, the Council confined discussion to essential issues, notably the urgent need for the implementation of the new international Agreement on jute, in the light of the impending expiry of the previous Agreement on 8 January 1991. The Council called on the countries which had not yet done so to sign the Agreement before 31 December 1990 in order to provide the quorum needed for entry into force. It indicated that if this did not happen, a conference of the signatory nations would be called in order to make a decision on provisional implementation of the Agreement. In this connection, the Community delegation pointed out that if too few of the importing countries signed, it would be difficult to envisage provisional implementation.

1.4.60. New international Agreement on jute and jute products (1989).

- **Commission proposals:** COM(90)357; Bull. EC 7/8-1990, point 1.4.62
- **Reference:** International Jute Council meeting (→ point 1.4.59)

Council Decision on signature adopted on 18 December.

Agreement signed by the Community and all the Member States in New York on 20 December.

Food aid

Standard food aid

1.4.61. Food aid allocations from the Community budget totalling an estimated ECU 64 996 000.

- **Basic Regulations:**
Council Regulation (EEC) No 3972/86 on food aid policy and food aid management: OJ L 370, 30.12.1986; Bull. EC 12-1986, point 2.2.31
Regulation (EEC) No 1930/90 amending *inter alia* Regulation (EEC) No 3972/86: OJ L 174, 7.7.1990; Bull. EC 6-1990, point 1.4.43

Commission Decisions adopted on 17 and 19 December. See Table 9.

1.4.62. Storage programmes.

- **Basic Regulations:**
Council Regulation (EEC) No 2507/88 on the implementation of storage programmes and early warning systems: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, point 2.2.47
Regulation (EEC) No 1930/90 amending *inter alia* Regulation (EEC) No 3972/86: OJ L 174, 7.7.1990; Bull. EC 6-1990, point 1.4.43

Commission Decision adopted on 19 December. Approval of two food storage programmes: Bangladesh (ECU 1.76 million) and southern Africa (ECU 0.83 million).

1.4.63. Alternative operations.

- **Basic Regulation:** Council Regulation (EEC) No 1755/84 on the implementation in relation to food of alternative operations in place of food aid deliveries: OJ L 165, 23.6.1984; Bull. EC 6-1984, point 2.2.54

Table 9 — Food aid operations

Country or organization	Cereals	Milk powder	Butter oil	Vegetable oil	Other products (million ECU)
	(tonnes)				
Zaire	15 000				
Ecuador	2 251	180		150	0.075
Bolivia	15 000	1 000		1 000	1.000
WFP ¹	30 000				1.500
NGOs ²	5 000				1.540
Chad	10 000				
Nicaragua		2 000	600		
Honduras	5 000	1 247			
Somalia	15 000			1 000	
Grenada	240	140			
Sudan	20 000				
UNHCR ³	24 900				
Djibouti	5 000			100	
WFP/PRO ⁴	50 000				2.500
WFP/UNBRO ⁵					5.000
Total	197 391	4 567	600	2 250	11 615

¹ World Food Programme.

² Non-governmental organizations.

³ Office of United Nations High Commissioner for Refugees.

⁴ World Food Programme/Protected Refugee Operation.

⁵ World Food Programme/United Nations Border Relief Organization.

Commission Decision adopted on 19 December. Approval of two financial operations in place of food aid for India (ECU 5 million) and Mali (ECU 2.25 million).

Emergency food aid

1.4.64. Commission Decisions granting aid.

- Previous Decisions: Bull. EC 11-1990, point 1.4.44

Victims of drought in Sudan: ECU 3.085 million, chiefly for Kordofan, Darfur and the east of the country.

Victims of drought and the political situation in Ethiopia: 25 000 tonnes of cereals equivalent and 1 224 tonnes of vegetable oil to help with the food shortfall.

Contributions to the purchase of foodstuffs

1.4.65. Contributions to the purchase of foodstuffs and seeds by international bodies or non-governmental organizations.

• Basic Regulations:

Council 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: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, point 2.2.67

Council Regulation (EEC) No 1930/90 amending *inter alia* Regulation (EEC) No 3972/86: OJ L 174, 7.7.1990; Bull. EC 6-1990, point 1.4.43

Commission Decisions adopted on 12 December. See Table 10.

Table 10 — Contributions to the purchase of foodstuffs

NGO/international body	Recipient country	Community contribution (ECU)	Products
Euroaid	Various	1 419 109	Various foodstuffs and seeds

Emergency aid

1.4.66. Commission Decisions granting aid:

Victims of the torrential rains of mid-November in Honduras: ECU 100 000 for the sending of medical supplies and medical teams; the aid was implemented by the French section of Médecins sans frontières;

Victims of the resurgence of fighting in Cambodia: ECU 1 million for the purchase, transport and distribution of essential goods, medicines and small medical items and for the provision of essential services (by medical staff); the aid was implemented by the French section of Médecins sans frontières (ECU 220 000), the Belgian section of Oxfam (ECU 160 000), the Belgian section of Médecins sans frontières (ECU 370 000) and the ICRC (ECU 250 000);

Needy sections of the population in the USSR, Bulgaria and Romania (→ point 1.4.2).

Aid to increase the self-sufficiency of refugees

1.4.67. Commission Decisions granting aid:

Thailand: ECU 1.1 million for assistance for refugee camps, ECU 750 000 for a health project for the Karen, ECU 1.8 million for assistance to Indo-Chinese and other refugees;

Asia and Latin America: ECU 372 000 for project studies;

Afghanistan: ECU 180 000 for rural development in Laghman and Kunar;

Pakistan/Afghanistan: ECU 2 million for the establishment of a public health network;

Pakistan: ECU 3 million for health and nutrition programmes; ECU 3 million for health and education programmes for Afghans;

Hong Kong: ECU 470 000 for a health and education programme for Vietnamese refugees; ECU 2.75 million for assistance for refugee camps.

Cooperation via non-governmental organizations

1.4.68. Projects in developing countries.

Co-financing by the Commission: commitment of ECU 1.65 million for seven operations put forward by seven NGOs.

1.4.69. Campaign to increase European public awareness of development issues.

Commission contribution: ECU 300 360 for 11 operations.

Commercial policy

General matters

Commercial policy instruments

Trade protection

The Community's anti-dumping policy

1.4.70. Parliament resolution on the European Community's anti-dumping policy.

- **Reference:** Council Regulation (EEC) No 2423/88 on protection against dumped or subsidized imports from countries not members of the European Economic Community: OJ L 209, 2.8.1988; Bull. EC 7/8-1988, point 2.2.8

Adopted by Parliament on 14 December. Expressing its support for the position defended by the Community in the present Uruguay Round talks, Parliament confirmed the need to protect the Community against dumping by countries with protected markets. It suggested strengthening the anti-dumping instruments, approved the Community's proposals for improving the Gatt anti-dumping code and advocated incorporating in this code certain aspects of the Community Regulation on anti-dumping.

As regards anti-dumping policy, Parliament wanted to be involved more closely in the decision-making process, particularly as regards the most important Community trade legislation. It also suggested that the Commission should provide better information on the use of instruments and advocated making the Community's anti-dumping and anti-subsidy procedures more effective, particularly by reducing the length of investigations and reacting more quickly to illicit imports and the resulting injury.

OJ C 19, 28.1.1991

Council anti-dumping measures

1.4.71. Council Regulation (EEC) No 3522/90 amending Regulation (EEC) No 1768/89 with regard to the imposition of a definitive anti-dumping duty on imports of video cassettes originating in the Republic of Korea and Hong Kong.

- **Reference:** initial definitive duty: OJ L 174, 22.6.1989; Bull. EC 6-1989, point 2.2.3

Adopted by the Council on 4 December.

OJ L 343, 7.12.1990

1.4.72. Proposal for a Council Regulation imposing a definitive anti-dumping duty on imports of linear tungsten halogen lamps originating in Japan.

- **References:** provisional duty: OJ L 188, 20.7.1990; Bull. EC 7/8-1990, point 1.4.89

Adopted by the Commission on 19 December.

COM(90) 685 final

Anti-dumping measures adopted by the Commission

1.4.73. Anti-dumping proceeding concerning imports of wire rod originating in Argentina, Egypt, Trinidad and Tobago, Turkey and Yugoslavia.

Notice of initiation: 11 December.

OJ C 310, 11.12.1990

1.4.74. Review of measures concerning imports of container corner fittings of worked cast steel originating in Austria.

- **Reference:** initial undertakings: OJ L 256, 27.9.1985; Bull. EC 9-1985, point 2.3.2

Notice of initiation: 11 December.

OJ C 310, 11.12.1990

1.4.75. Review of measures concerning imports of certain electronic typewriters originating in Japan.

- **Reference:** initial definitive duty: OJ L 163, 22.6.1985; Bull. EC 6-1985, point 2.3.2

Notice of initiation: 14 December.

OJ C 315, 14.12.1990

1.4.76. Commission Regulation (EEC) No 3617/90 imposing a provisional anti-dumping duty on imports of certain welded tubes of iron or non-alloy steel, originating in Turkey or in Venezuela and accepting undertakings offered in connection with such imports.

- **Reference:** initiation: OJ C 226, 2.9.1989

Adopted by the Commission on 11 December.

OJ L 351, 15.12.1990

1.4.77. Expiry of measures concerning basic chromium sulphate originating in Yugoslavia.

Notice of expiry: 4 December.

OJ C 304, 4.12.1990

1.4.78. Expiry of measures concerning roller chains for cycles originating in the Soviet Union.

Notice of expiry: 22 December.

OJ C 323, 22.12.1990

1.4.79. Withdrawal of measures concerning products originating in the territory formerly known as the German Democratic Republic.

Notice published on 29 December.

OJ C 327, 29.12.1990

Community surveillance

1.4.80. Decision 90/682/ECSC of the representatives of the Governments of the Member States meeting within the Council establishing ceilings and Community supervision for imports of certain goods falling within the ECSC Treaty and originating in Yugoslavia (1991).

- **Commission proposal:** COM(90) 459; Bull. EC 10-1990, point 1.4.50

Adopted on 21 December.

OJ L 376, 31.12.1990

1.4.81. Council Regulation (EEC) No 3733/90 establishing ceilings and Community surveillance for imports of certain products originating in Malta (1991).

- **Reference:** Association Agreement between the European Economic Community and Malta, and its additional and supplementary protocols: OJ L 61, 14.3.1971; Bull. EC 2-1971, point 86
- **Commission proposal:** COM(90) 457; Bull. EC 10-1990, point 1.4.49

Adopted by the Council on 13 December.

OJ L 363, 27.12.1990

1.4.82. Council Regulation (EEC) No 3732/90 establishing Community statistical surveillance for certain agricultural products originating in Cyprus, Yugoslavia, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco which are subject to reference quantities (1991).

- **Reference:** Additional Protocols to the Cooperation Agreements between the European Economic Community and Cyprus, Yugoslavia,

Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco: OJ L 297, 21.10.1987; OJ L 389, 31.12.1987; OJ L 224, 13.8.1988; OJ L 327, 30.11.1988; OJ L 52, 24.2.1989; OJ L 81, 23.3.1989.

- **Commission proposal:** COM(90) 424; Bull. EC 9-1990, point 1.3.66

Adopted by the Council on 13 December.

OJ L 363, 27.12.1990

1.4.83. Council Regulation (EEC) No 3923/90 opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community surveillance for imports thereof (1991).

- **Reference:** Agreement establishing an Association between the European Economic Community and Turkey: OJ No 217, 29.12.1964 (English version, OJ C 113, 24.12.1973)
- **Commission proposal:** COM(90) 411; Bull. EC 9-1990, point 1.3.64

Adopted by the Council on 21 December.

OJ L 376, 31.12.1990

1.4.84. Commission Regulation (EEC) No 3888/90 extending Regulation (EEC) No 2819/79 making imports of certain textile products from certain third countries subject to Community surveillance.

- **Regulation extended:** Commission Regulation (EEC) No 2819/79: OJ L 320, 15.12.1979

Adopted by the Commission on 27 December.

OJ L 367, 29.12.1990

1.4.85. Commission Regulation (EEC) No 3889/90 amending and extending the periods of validity of Regulations (EEC) Nos 3044/79, 1782/80, 4121/88, and 4033/89 on Community surveillance of imports of certain textile products originating in Malta, Egypt and Turkey.

- **Regulation extended and amended:**
Commission Regulation (EEC) No 3044/79: OJ L 343, 31.12.1990
Commission Regulation (EEC) No 1782/80: OJ L 174, 9.7.1980
Commission Regulation (EEC) No 4121/88: OJ L 361, 29.12.1988
Commission Regulation (EEC) No 4033/89: OJ L 382, 30.12.1989

Adopted by the Commission on 27 December.

OJ L 367, 29.12.1990

Individual sectors

Iron and steel products

1.4.86. Resolution of the European Coal and Steel Community Consultative Committee concerning a multilateral arrangement for steel.

- **Reference:** arrangements with the United States on steel and export restrictions on certain iron and steel products: Bull. EC 10-1989, points 2.2.7 and 2.2.8

Adopted by the Committee on 18 December. Noting that, despite the progressive liberalization of imports into the Community, many tariff and non-tariff barriers continued to obstruct international trade in steel, the Committee called for the conclusion of a multilateral agreement on steel which would establish an international code of good conduct. The agreement should enshrine the following essential principles: elimination of all subsidies which might distort competition, harmonization of customs tariffs on steel, abolition of all non-tariff measures hampering fair competition, establishment of rules for implementing anti-dumping proceedings among signatories to the agreement, the setting-up of a binding mechanism for sanctions, and the establishment of an international organization under the auspices of GATT charged with the effective implementation of the agreement.

The Committee asked the Commission to propose to the GATT contracting parties that they conclude a multilateral agreement on steel in accordance with these principles.

OJ C 10, 16.1.1991

Textiles

Czechoslovakia

1.4.87. Council Decision 91/20/EEC concerning the provisional application of the

Agreed Minute amending the Agreement between the European Economic Community and the Czech and Slovak Federal Republic on trade in textile products.

- **Agreement to be amended:** Agreement between the European Economic Community and the Czechoslovak Socialist Republic on trade in textile products: OJ L 287, 9.10.1987
- **Council negotiating directives:** Bull. EC 10-1990, point 1.4.58
- **Commission Proposal:** Bull. EC 11-1990, point 1.4.61

Adopted by the Council on 21 December.

OJ L 13, 18.1.1991

Uruguay

1.4.88. Council Decision on the conclusion of the Agreement between the European Economic Community and Uruguay on trade in textiles.

- **Negotiating directives:** Bull. EC 3-1986, points 2.2.1 to 2.2.3
- **Initialling of the Agreement:** Bull. EC 11-1986, point 2.2.6
- **Provisional application of the Agreement:** Council Decision 87/473/EEC: OJ L 213, 14.7.1989
- **Commission proposal:** Bull. EC 9-1990, point 1.3.73

Adopted by the Council on 18 December.

Argentina

1.4.89. Council Decision on the conclusion of the Agreement between the European Economic Community and the Argentine Republic on trade in textiles.

- **Negotiating directives:** Bull. EC 3-1986, points 2.2.1 to 2.2.3
- **Initialling of the Agreement:** Bull. EC 9-1986, point 2.2.8
- **Provisional application of the Agreement:** Council Decision 87/299/EEC: OJ L 156, 16.6.1987
- **Commission proposal:** Bull. EC 9-1990, point 1.3.74

Adopted by the Council on 18 December. Aim: to apply the Agreed Minute on a provisional basis from 15 November 1990 pending formal conclusion of the Agreement and

subject to reciprocal provisional application by the other contracting party.

Brazil

1.4.90. Decision on the conclusion of the Agreement between the European Economic Community and the Federative Republic of Brazil on trade in textiles.

- **Negotiating directives:** Bull. EC 3-1986, points 2.2.1 to 2.2.3
- **Initialling of the Agreement:** Bull. EC 9-1986, point 2.2.8
- **Provisional application of the Agreement:** Council Decision 87/470/EEC: OJ L 263, 14.9.1987
- **Commission proposal:** Bull. EC 9-1990, point 1.3.75

Adopted by the Council on 18 December.

Peru

1.4.91. Council Decision on the conclusion of the Agreement between the European Economic Community and the Republic of Peru on trade in textiles.

- **Negotiating directives:** Bull. EC 3-1986, points 2.2.1 to 2.2.3
- **Initialling on the Agreement:** Bull. EC 6-1986, point 2.2.9
- **Provisional application of the Agreement:** Council Decision 87/472/EEC: OJ L 263, 14.9.1987
- **Commission proposal:** Bull. EC 9-1990, point 1.3.76

Adopted by the Council on 18 December.

Central and Eastern Europe

1.4.92. Council Decisions on the provisional application of the Agreed Minutes amending the Agreements between the European Economic Community and Hungary, Romania, Poland, Bulgaria, and the Czech and Slovak Federal Republic on outward processing traffic.

- **References:**
Recommendation for a Council Decision on the opening of negotiations: Bull. EC 10-1990, point 1.4.57
Council Decision on the opening of negotiations: Bull. EC 11-1990, point 1.4.62

Proposals adopted by the Commission on 14 December. Aim: to apply provisionally, from 1 January 1991, the Agreed Minutes adopted by the European Economic Community and the countries concerned and initialled on 28 and 30 November, pending completion of the conclusion procedures.

COM(90) 655, COM(90) 657 to 660

Adopted by the Council on 21 December.

International organizations and conferences

1.4.93. The European Council expressed regret at the latest developments in the Uruguay negotiations and repeated the Community's commitment to a comprehensive approach based on balanced concessions which would strengthen the multilateral trading system; it called on all parties to summon up the political will to resolve the problems outstanding as speedily as possible (→ point 1.23).

General Agreement on Tariffs and Trade

Uruguay Round

General situation

- **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
Community offer on agriculture: Bull. EC 11-1990, point 1.4.63
Council conclusions on the Community position overall in the Uruguay Round negotiations: Bull. EC 11-1990, point 1.4.64

1.4.94. Ministerial conference.

The conference was held in Brussels from 3 to 7 December. At this meeting, which was attended by Mr Andriessen and Mr Mac Sharry, one of the opening speeches was given by the President of the Commission,

Mr Delors. He recalled the aims of the Uruguay Round with reference to the establishment of rules to take world trade into the next century, the development of Third World countries and the integration of the countries of Central and Eastern Europe. The conference then broke up into specialized working parties, including one dealing with agriculture. Notwithstanding the satisfactory results achieved in other working parties, especially the one dealing with textiles, agriculture quickly became the centre of attention. In accordance with its negotiating brief, the Commission stated its readiness to reduce internal support by 30% over 10 years, to convert into tariffs the whole of its internal protection—on condition that, in the interests of rebalancing, it could raise bound customs duties on certain substitute products—and to strengthen disciplines in export competition. This position was immediately rejected as inadequate, however, by the United States and the other agriculture exporting countries. The impossibility of finding a compromise on this aspect resulted in a general blockage, despite a further approach by the Community, and after the United States and the Latin American countries had withdrawn from the other negotiating groups the conference chairman, Mr Gros Espiell, was left with no choice but to suspend the negotiations and call on the Director-General of GATT, Mr Dunkel, to begin consultations with a view to restarting the negotiations at the beginning of 1991.

1.4.95. Council conclusions on the Uruguay Round negotiations.

Adopted by the Council (External Trade) on 7 December.

‘The Council was briefed on progress in the conference negotiations in Brussels, which showed that it was impossible to achieve a satisfactory agreement at this stage.

The Council, which for its part was in favour of continuing the negotiations, notes that this situation is essentially due to objective difficulties arising from the disparity between the ambitious goals which all the participants set themselves and the political possibilities of achieving them within the available timespan, on the basis of the technical preparation for the conference.

The Council reaffirms the political determination which the Community has displayed throughout the Uruguay Round, including during its final phase, to negotiate concertedly for results which are in overall balance, taking into account political realities on all sides and giving satisfaction to all participants in the negotiations.

The Council re-emphasizes in this context its deep commitment to a strong multilateral trade system contributing to the development of international economic relations, in compliance not only with specific economic interests but also having regard to the human and social dimension.

The Council would appeal to the responsibility of all partners in the negotiations, in accordance with the commitments entered into at Punta del Este, to refrain from any unilateral or bilateral action to improve their negotiating position.

The Council is convinced that on this basis the early resumption of the negotiations will enable a balanced overall package to be put together which could then form the subject of a final and collective political effort in the near future.

The Council considers it necessary to set a date now for the resumption of the technical discussions. The Council wants this date to be as soon as possible.’

1.4.96. Parliament resolution on the Uruguay Round of GATT negotiations.

- Reference: Parliament resolution on the stage reached in the trade negotiations: OJ L 284, 12.11.1990; Bull. EC 10-1990, point 1.4.62

Adopted by Parliament on 13 December. Parliament noted with concern that the negotiating partners had been unable to reach agreement on agriculture and called on the European Council at its meeting in Rome to take the necessary political steps to commit the contracting parties to reaching a fair and balanced overall agreement. It pointed to the need to achieve such an agreement and deplored the confrontation which had pitted the United States and the Cairns Group against the Community, with the result that too little account had been taken of the interests of the developing countries.

OJ C 19, 28.1.1991

Management of the Agreement

1.4.97. Proposal for a Council Decision on the conclusion of the protocol of accession

of Venezuela to the General Agreement on Tariffs and Trade.

Adopted by the Commission on 3 December. The aim is to clear the way for the conclusion by the Community of the protocol of accession of Venezuela, following the initiation by GATT of the relevant procedure.

1.4.98. Council Decision 91/30/EEC on the conclusion of the exchange of letters complementing the Agreement between the Community and the United States under GATT Article XXIV.6.

- **Reference:** EEC-United States Agreement under GATT Article XXIV.6: OJ L 98, 10.4.1987

Proposal adopted by the Commission on 20 December.

COM(90) 690

Adopted by the Council on 21 December. This Commission extends certain provisions of the Agreement for one year. The Agreement itself provides for acceptance by the United States of the inclusion of Spain and Portugal within the Community of Ten's GATT tariff in return for reduced duties during a transitional period on imports into the Community of certain agricultural and industrial products, as compensation for the withdrawal of concessions by Spain and Portugal. The Agreement also includes a special arrangement for annual imports into Spain of 2 million tonnes of corn and 0.3 million tonnes of sorghum.

OJ L 17, 23.1.1991

Human rights in the world

China

1.4.99. Parliament resolution on the violation of human rights in China.

- **Reference:** Parliament resolution: OJ C 175, 16.7.1990; Bull. EC 6-1990, point 1.4.80

Adopted on 13 December. Parliament called for observers to be admitted to the trials due to open soon of a number of Chinese

intellectuals who had taken part in the demonstrations in Tiananmen Square in 1989. It requested information from the Chinese authorities on the hundreds of people who had disappeared and the trials that had already taken place, and called on the authorities to respect the right to a fair trial. It called on the Member States and the Commission to bring to bear all the necessary pressure, including economic pressure, to ensure that China ceased the executions and released the political prisoners.

OJ C 19, 28.1.1991

Guatemala

1.4.100. Resolution on the killing of unarmed peasants by soldiers in Guatemala.

Adopted on 13 December. Parliament urged the Guatemalan government to announce as soon as possible who would conduct the inquiry into the killing of at least 16 unarmed peasants, including a child of 10, at Santiago de Atitlan on 2 December, and to guarantee that the findings would be made public. It further urged that any criminal proceedings resulting from the inquiry should be carried out not by the military but by the civil courts.

OJ C 19, 28.1.1991

Iran

1.4.101. Parliament resolution on human rights violations in Iran.

Adopted on 13 December. Parliament repeated its condemnations of the systematic, savage violation of fundamental human rights by the Iranian Government. It called on the European Community to use all the influence and means at its disposal to ensure that Iran ceased immediately its violations of human rights, and proposed that any development or extension of economic and diplomatic relations with Iran should be made conditional on respect for human rights.

OJ C 19, 28.1.1991

South Korea

1.4.102. Parliament resolution on human rights violations in the Republic of Korea.

Adopted on 13 December. Parliament called on the Member States meeting in the European political cooperation context to press for the immediate release of all the long-serving prisoners convicted of illegally visiting North Korea or merely having contacts with North Koreans. It welcomed the discussions between the Governments of North and South Korea but considered that the continuing policy of the South Korean authorities could only serve to undermine the restoration of confidence.

OJ C 19, 28.1.1991

Syria

1.4.103. Parliament resolution on human rights violations in Syria.

Adopted on 13 December. Parliament condemned the Syrian Government for its continuous human rights violations. It called on the Syrian Government to release all prisoners detained without trial, to ensure a prompt and fair trial of those against whom charges were being laid, to abolish the death penalty, to renounce all forms of torture and to enforce its own laws prohibiting torture, and to ensure correct and adequate medical care for all prisoners. It also called on the Foreign Ministers of the Twelve to take every opportunity, including during discussions on the normalization of relations, to press the Syrian Government with regard to human rights and political freedom and, in particular, to press strongly for the immediate release of those prisoners who have been jailed without trial for 20 years.

OJ C 19, 28.1.1991

USSR

1.4.104. Parliament resolution on the arbitrary arrest of the Ukrainian MP, Stephan Khmara.

Adopted on 13 December. Parliament called on the Government of the USSR to release

Khmara — who was arrested by the KGB on 17 November — immediately, to enable him to continue his work for democracy. It also called on the Foreign Ministers meeting in the European political cooperation context to lodge an immediate protest with Moscow.

OJ C 19, 28.1.1991

Philippines

1.4.105. Parliament resolution on the human rights situation in the Philippines.

- Reference: Parliament resolution: OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.4.123

Adopted on 13 December. Parliament endorsed and supported the negotiations under way between the government, the various political groups and the Philippines National Democratic Front, and urged the parties to agree on mutual respect for human rights in conformity with the humanitarian norms of war. It called on the Council and the Commission to take all appropriate measures to encourage the peace talks in the Philippines.

OJ C 19, 28.1.1991

Sri Lanka

1.4.106. Parliament resolution on Sri Lanka.

Adopted on 13 December. Parliament called on the Sri Lanka Government to constitute an independent commission of inquiry into disappearances and extra-judicial executions, to publish complete lists of those held in detention camps and police stations, and to uphold its commitment to allow a UN working group to visit Sri Lanka in February 1991 to investigate disappearances. It called on the Member States to implement adequate mechanisms to indicate progress on human rights and proper law and order before further aid packages were agreed.

OJ C 19, 28.1.1991

5. Intergovernmental cooperation

European political cooperation

1.5.1. The joint statements adopted and published in December are reproduced below in chronological order.

Argentina

1.5.2. At its meeting on 4 December the Council (General Affairs) sent a message from the Community and its Member States to President Menem of Argentina;

'The Community and its Member States, who had followed with grave concern the recent attempted rebellion by certain elements of the army, express their satisfaction at the reaffirmation of the legitimate authority of the State in Argentina and congratulate President Menem for the way he has successfully resolved the situation.

On this occasion, the Community and its Member States also express their solidarity and support for the objective of the consolidation and deepening of democratic life and institutions in Argentina, as well as more generally in the Latin American continent.'

Human rights

1.5.3. In conjunction with the European Council's second meeting in Rome, the following statement was adopted on 15 December on the activity of the Community and its Member States in the field of human rights in 1990:

- **Reference:** Statement by the Foreign Ministers of 21 July 1986 on the human rights policy of the Community and its Member States: Bull. EC 7/8-1986, point 2.4.4

'In line with the Ministerial Declaration of 21 July 1986, which defined the basic principles of the Community and its Member States' policies on human rights and making full use of the special EPC Working Group, set up in 1967, cooperation in the protection and vindication of human rights and fundamental freedoms continued to be substantially reinforced in the course of 1990, both in specific interventions and in the framework of the appropriate international bodies, notably the 46th Commission on Human Rights and the United

Nations Third Committee of the General Assembly.

The past year has brought the international community its share of contrasting tendencies and varied outcomes of human rights issues. The period was indeed marked notably by progress in Eastern Europe, in Chile, and in Namibia. In South Africa, there have also been a number of very important developments though more still requires to be done before apartheid can be said to have been abolished. The period was also marked by the continuation or exacerbation of disturbing situations in many other parts of the world, notably by the systematic and brutal violation of human rights perpetrated by Iraq against the Kuwaiti population as well as against foreign hostages. The overall picture also provides further examples of violations of human rights, including incidents in the territories occupied by Israel. In the face of such events, the Community and its Member States have voiced their strongest disapproval. The interventions they have made in international forums, such as the United Nations and the CSCE, as well as the position they have adopted in the form of declarations bear witness to their determination to react to given situations regardless of where they occur.

Human rights issues are a major factor in international relations and one of the cornerstones of the Community and its Member States' interaction with the rest of the world. States will increasingly be put under scrutiny by international public opinion as regards their respect for human rights and their willingness to accept international surveillance of their domestic human rights record.

In this connection, the Community and its Member States, convinced that the defence of human rights in individual cases must be matched and paralleled by the promotion of values and principles on which actions in the field of human rights are based, reiterate their firm stance that the raising of specific human rights cases and violations cannot be considered interference in the internal affairs of States, but rather a legitimate concern under international law, essential for the creation of a sound international political climate fostering peace, security and cooperation.

The question of human rights has become a crucial element in the dialogue and cooperation with other countries. The interrelationship between democracy, human rights and sustainable development has become more and more evident. The idea that respect for human rights and fundamental freedoms, the rule of law and political pluralism are essential to secure social stability, dynamic economic growth and equitable income distri-

bution is a central concept in the Community's aid programmes and was spelled out in the fourth Lomé Convention. Furthermore, the Community and its Member States stress the positive support for improved human rights practices provided by their development cooperation programmes.

One of the predominant and most important activities of the Community and its Member States in their endeavour to defend human rights are the *démarches* undertaken — either by the Ambassador of the Presidency, the troika of Heads of Mission or, occasionally, by the Twelve collectively — to governments of countries where specific violations occur.

Over the last 12 months, the Community and its Member States have carried out approximately 120 *démarches* all over the world. The confidential nature of those *démarches* is generally considered to be in the interest of those whom the Community and its Member States are seeking to help. The underlying purpose has either been to protect or save persons who are suffering from arbitrary treatment or racial discrimination or to mark the preoccupation of the Community and its Member States with regard to particularly offensive threats to human rights, i.e. torture, summary executions, disappearances and arbitrary arrest and detention.

The Community and its Member States have issued some 90 declarations referring to precise human rights problems, notably in Iraq, the territories occupied by Israel, Lebanon, Cambodia, Burma, Sri Lanka, China, South Africa, Somalia, Sudan, Ethiopia, Liberia, El Salvador and Guatemala, which were widely publicized and, on various occasions, brought directly to the attention of the governments concerned.

It is noteworthy that a fair number of contacts and interventions have been successful in that they have either contributed in convincing governments to release prisoners, to commute death sentences, to start inquiries into disappearances and other human rights violations, or, more generally, towards revising their attitude towards human rights and fundamental freedoms.

The Community and its Member States have welcomed the further commitments to human rights adopted during 1990 by the CSCE participating States at the Copenhagen Conference on the Human Dimension and in the Charter of Paris for a New Europe. As a welcome sign of the improving human rights performances of most Central and Eastern European countries, the special procedure adopted within the CSCE framework in January 1989 — the CSCE/CDH mechanism — has been made use of to a much lesser extent in 1990 than in the previous year.

Cooperation between Member States of the Community is being increasingly enhanced through on-the-spot coordination of their Missions in countries where fundamental freedoms are violated or ignored.

Particular attention has been paid to the European Parliament's important contribution in the field of human rights, either by way of resolutions or parliamentary questions on the subject in general or in individual cases.

To conclude, the actions undertaken by the Community and its Member States in 1990 in the field of human rights reflect their full commitment to the respect, defence, and promotion of human rights.'

Resignation of Mr Shevardnadze

1.5.4. The following joint statement was published in Rome and Brussels on 20 December:

'The Ministers for Foreign Affairs of the Member States of the European Community, meeting in Rome, have learned with regret the news of the resignation of the Soviet Foreign Minister, Mr Shevardnadze, with whom they had built up in the course of recent years both official and personal relations marked by friendly and confident cooperation. They have noted with particular concern the reasons that have promoted their Soviet colleague to take a decision of such moment.

The European Community and its Member States express their firmest hope that the resignation of Minister Shevardnadze will not entail changes in Soviet policy which might call into question the significant results thus far achieved in international relations, notably in the CSCE framework, particularly in relations between the West — especially the European Community — and the USSR, in the direction of disarmament and peace.'

Ethiopia: Agreement concerning Massawa

1.5.5. The following joint statement was published in Rome and Brussels on 24 December:

'The Community and its Member States have consistently expressed their deep concern regarding the food situation in Ethiopia, in particular in the northern province, where famine is most prevalent. They have at the same time expressed the belief that the reopening of the port of Massawa was crucial for an effective relief operation. Consequently, they warmly welcome the recent agree-

ment reached between the Government of Ethiopia, the EPLF and the WFP.

The Community and its Member States reaffirm their commitment to continue their efforts to provide relief aid to the population affected by famine and hope that the relief operation will start without further delay.

The Community and its Member States look to both parties concerned to solve any further practical issues in a spirit of good will and with a constructive attitude. The Community and its Member States once more appeal forcefully to the parties to refrain from resorting to the military option and to continue to seek with courage and determination a political solution to the problems of the country. They trust that the agreement reached with the WFP may serve as a confidence-building measure in the process of achieving the necessary negotiated settlement providing lasting reconciliation and peace.'

Elections in Haiti

1.5.6. The following statement was published in Rome, Brussels and Port au Prince on 28 December:

'The European Community and its Member States welcome the fair and orderly manner in which the recent elections in Haiti have been conducted as well as the election of Father Jean-Bertrand Aristide to the Presidency.

This expression of the people's will through the democratic process has the potential to be a major breakthrough in Haiti's long struggle towards the establishment of a society built on the rule of law, respect for human rights, and the promotion of social justice and economic progress.

The Community and its Member States, which under the Lomé Convention have significant links with Haiti, are ready to support the efforts of the government which will be set up in the wake of elections, to promote political, economic, and social progress in that country.'

Other intergovernmental cooperation

1.5.7. The European Council noted with regret that a delay had occurred in the programme for the free movement of persons and stated that it wanted the decisions on the crossing of external borders to be taken

so that the 1 January 1993 deadline could be met; it asked the Commission to present a study on measures designed to reinforce the infrastructure necessary for controls at external borders, took note of the reports on immigration and asked the Commission and the Council to examine the most appropriate measures regarding aid to countries of emigration (→ point I.12).

1.5.8. Sixth-monthly meeting of ministers with responsibility for immigration.

- **References:**

Previous meeting: Bull. EC 6-1990, point 1.5.7

Convention determining the State responsible for examining applications for asylum lodged in one of the Member States of the European Communities: Bull. EC 6-1990, point 2.2.2

Conclusions of the European Council meeting in Rome (→ point I.12)

Ninth meeting held in Rome on 7 December. The ministers noted the progress made in the negotiations on the draft convention on the crossing of the Community's external borders, which they had hoped would be completed by the end of the year, and went on to discuss the questions arising from immigration. They established the main points of a common position for the 12 Member States with a view to the ministerial conference to be held by the Council of Europe in Vienna in January 1991 on the movement of persons from the countries of Central and Eastern Europe, and the forthcoming OECD conference in Rome on North-South migration. The ministers also dealt with the question of Denmark's signing of the Convention of 15 June determining the State responsible for examining applications for asylum lodged in one of the Member States.

1.5.9. Trevi Group.

- **Reference:** previous meeting: Bull. EC 6-1990, point 1.5.8

Meeting held in Rome on 7 and 8 December. The ministers responsible for home affairs and/or justice met as the Trevi Group, with the Commission again not represented. One of the items discussed was the role to be allotted to the Commission in this forum.

6. Financing Community activities

Budgets

General budget

Budgetary procedure

Financial perspective

1.6.1. Amendment and revisions of the financial perspective.

- **Reference:** Resolution on the proposals for revision of the financial perspective: Bull. EC 11-1990, point 1.6.1
- **Commission proposal for amendment:** proposal for the amendment of the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure as a result of German unification: Bull. EC 9-1990, point 1.5.1
- **Commission proposals for revision:** proposal for the revision, as a result of the Gulf crisis, of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure as a result of German unification: Bull. EC 9-1990, point 1.5.1
- **Commission proposals for revision:** proposal for the revision, as a result of the Gulf crisis, of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure and proposal for the revision of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure: Bull. EC 9-1990, point 1.5.2; Bull. EC 10-1990, point 1.6.4

Agreement reached by the Council on 4 December. The Council agreed to the following compromise:

A — LIFE

Parliament accepts that LIFE comes under heading 4 and that the increase for this heading includes ECU 30 million for LIFE.

B — Perifra

1. Parliament accepts that Perifra comes under heading 4.

2. The increase in the ceiling for heading 2 is lowered by ECU 25 million from ECU 775 million to ECU 750 million.

3. The Council and Parliament take note of the Commission's statement that, as the estimates stand at present, the appropriations for the set-aside arrangements for the five new German *Länder* can be financed from the appropriations entered on second reading by the Council in its draft budget for 1991.

4. Increase of ECU 40 million in heading 4 in 1991 for Perifra (ECU 25 million being covered by a corresponding lowering of the ceiling for heading 2); Perifra is limited to 1991.

5. The Commission undertakes to present the necessary proposals for Perifra as soon as possible.

C — Research

As part of an overall agreement concerning the financial perspective:

(i) Parliament would agree to the use of the overhang for the second framework programme being limited to ECU 600 million in 1991, this being offset by an equivalent reduction in the overhang in 1992.

The Commission would agree to present a proposal amending the Council Decision to provide the legal base for this operation.

(ii) Parliament would agree to change the amendment for Joule to ECU 40 million.

The Commission would agree to submit a proposal amending the specific Joule programme to establish the legal base for increasing the current allocation for this programme by ECU 40 million.

D — Parliament does not accept that the ceiling for heading 4 for 1992 be raised by only ECU 75 million (instead of ECU 110 million) unless the financial perspective provides a special increase for LIFE in 1992.

The three institutions confirm the value of a detailed examination in 1991 of the buildings policy which the Community is to pursue for its institutions, with the criterion of sound financial management also being taken into account. If the conclusions of this examination are favourable, the two arms of the budgetary authority agree to take the necessary steps to acquire the Erasmus building in 1991.

Parliament resolution adopted on 12 December. Apart from the compromise negotiated with the Council, the new finan-

cial perspective contains the following main features: the ceiling for heading 2 is raised by ECU 750 million in 1991 and ECU 1 000 million in 1992; the ceiling for heading 3 is lowered by ECU 50 million for 1991; the ceiling for heading 4 is raised by ECU 665 million for 1991 and ECU 110 million for 1992. The ceiling for heading 5 is retained with an increase of ECU 40 million for administrative expenditure in 1991 and 1992 and an increase of ECU 180 million in 1991 in expenditure on refunds to Spain and Portugal, offset by an equivalent reduction for stock disposal.

OJ C 19, 28.1.1991

Signed by the President of Parliament on 13 December. This signature marks the close of the procedures for the amendment and revision of the financial perspective by the two arms of the budgetary authority.

1.6.2. Proposal for the revision of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure in connection with aid to the USSR.

- **Basic instrument:** Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure (point 12): OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.8

Adopted by the Commission on 21 December. The purpose of this proposal, based on point 12 of the Interinstitutional Agreement, is to finance technical assistance to the Soviet Union. In the absence of an available margin, the ceiling for heading 4 ('Other policies') is raised by ECU 400 million in 1991 for non-compulsory expenditure. As a result of this increase, the stock disposal figure under heading 5 ('repayments and administration') is reduced by ECU 2 million in 1991, the ceiling for heading 5 remaining unchanged. The total of commitment appropriations (non-compulsory expenditure) is increased by ECU 400 million in 1991. The total of payment appropriations required (non-compulsory expenditure) is increased by ECU 300 million in 1991 and ECU 100 million in

1992. The necessary increase in payment appropriations is equivalent to 0.006% of GNP for 1991 and 0.002% of GNP for 1992.

1990 financial year

Supplementary and amending budget

1.6.3. Draft supplementary and amending budget No 3/90.

- **Commission proposal:** Bull. EC 10-1990, point 1.6.3
- **Council agreement:** Bull. EC 11-1990, point 1.6.2

Adopted by Parliament on 12 December. Draft supplementary and amending budget No 3/90 increases the Council's administrative appropriations by ECU 3.8 million and permits payment of part (ECU 160.7 million) of the refunds to Spain and Portugal resulting from the adjustment of the bases for the calculation of GNP-based and VAT own resources in previous years.

OJ C 19, 28.1.1991

Signed by the President of Parliament on 12 December.

1991 financial year

1.6.4. General budget of the European Communities for 1991.

- **Preliminary draft budget:** Bull. EC 6-1990, point 1.6.1
- **Council first reading:** Bull. EC 7/8-1990, point 1.6.1
- **Parliament first reading:** OJ C 295, 26.11.1990; Bull. EC 10-1990, point 1.6.1
- **Council second reading:** Bull. EC 11-1190, point 1.6.3

Letter of amendment No 1 adopted by the Commission on 12 December. Purpose: to take account of the budgetary impact of German unification, the financial assistance to the countries most directly affected by the Gulf crisis and the refunds to Spain and Portugal in respect of the VAT own resources and GNP-based financial contribution which they pay.

Agreement on letter of amendment No 1 reached by the Council on 12 December.

Parliament resolutions adopted on 13 December. Parliament underlined the spectacular increase in the budget as a result of the exceptional events during the past year but pointed out that it still represented only 1.12% of Community GNP. It then listed the main aspects of the budget which it had approved, pointing out that through letter of amendment No 1 this budget now took account of the additional requirements resulting from German unification (commitment appropriations of ECU 1 315 million for agricultural expenditure and ECU 900 million for other policies) and for the need to aid the countries most directly affected by the Gulf crisis (ECU 500 million). The 1991 budget thus totals ECU 58 535.3 million in commitment appropriations and ECU 55 556 million in payment appropriations.

OJ C 19, 28.1.1991

Signed by the President of Parliament on 13 December. Purpose: see Table 11.

Own resources

1.6.5. Proposal for a Council Decision concerning the refund to Portugal of revenue from the 'accession' compensatory amounts applied to supplies of common wheat from the other Member States.

- **Reference:** Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community: OJ L 302, 15.11.1985; Bull. EC 11-1985, points 2.2.1 to 2.2.4

Adopted by the Commission on 3 December. Purpose: to reduce the financial burden on the national budget and thus allow the necessary adjustments in the cereals sector to continue.

OJ C 2, 4.1.1991; COM(90) 599

ECSC operating budget

1.6.6. Commission Decision No 3681/90/ECSC fixing the rate of the levies for the

1991 financial year and amending Decision No 352 on the amount of and methods for applying the levies provided for in Articles 49 and 50 of the ECSC Treaty.

- **Decision amended:** Decision No 3/52/ECSC by the High Authority: OJ 1, 30.12.1962
- **Commission proposal for the ECSC operating budget for 1991:** Bull. EC 7/8-1990, point 1.6.9
- **Amended draft ECSC operating budget for 1991:** Bull. EC 11-1990, point 1.6.5

Parliament opinion delivered on 12 December.

OJ C 19, 28.1.1991

ECSC Consultative Committee opinion delivered on 18 December.

OJ C 10, 16.1.1991

Adopted by the Commission on 18 December. Purpose: to reduce the ECSC levy rate from 0.31% to 0.29% for 1991. The Commission adopted the ECSC operating budget for 1991 attached to this Decision on this basis. Under this Decision, the foreseeable resources (levy, net balance from the previous year, fines, cancellations and unused resources carried over from the previous year) are expected to cover the following requirements:

	(million ECU)
Administrative expenditure	5
Redeployment aid	145
Research aid	135
Interest subsidies on ECSC loans (Articles 54 and 56)	127
Social measures for the steel industry	20
Social measures for the coal industry	50

OJ L 357, 20.12.1990

Table 11 — 1991 budgetary procedure — Figures in relation to the financial perspective (commitment appropriations)

(million ECU)

		1990 budget	1991 financial perspective	Preliminary draft 1991 budget	Council first reading	Parliament first reading	Council second reading	1991 budget
1.	EAGGF Guarantee (Subsection B 1)	CE	26 522.000	33 000.0 ¹	31 768.000	30 104.000	30 909.000	31 516.000
	Total heading 1	CE	26 522.000	33 000.0	31 768.000	30 104.000	30 909.000	31 516.000
2.	Structural operations							
	Structural Funds (Titles B 2-1, 2 and 3 and Chapter B 2-49)	CE	251.000	87.000	87.000	87.000	87.000	87.000
		NCE	10 932.000	14 274.000	13 374.000	13 530.400	14 274.000	14 280.000
	Pedip (Chapter B 2-40)	NCE	108.800	119.800	119.800	119.800	119.800	119.800
	Support programme (Chapter B 2-41)	NCE	15.700	16.800	15.700	16.800	15.700	16.800
	Set-aside and income aid (Chapter B 2-50)	CE	225.000	300.000	300.000	300.000	300.000	300.000
	Total	CE	476.000	387.000	387.000	387.000	387.000	387.000
	Total	NCE	11 056.500	14 410.600	13 509.500	13 667.000	14 409.500	14 417.000
	Total heading 2	CE + NCE	11 532.500	14 804.0	14 797.600	13 896.600	14 054.000	14 796.500
3.	Policies with multiannual allocations							
	IMPs (Title B 2-8)	NCE	344.000	334.000	334.000	334.000	334.000	334.000
	Research (Subsection B 6)	CE						
		NCE	1 727.000	2 024.300	1 795.260	2 181.800	1 807.960	2 131.800
	Total	CE						
	Total	NCE	2 071.000	2 358.300	2 129.260	2 515.800	2 141.960	2 465.800
	Total heading 3	CE + NCE	2 071.000	2 466.0	2 358.300	2 129.260	2 515.800	2 465.800
4.	Other policies							
	Expenditure in the agricultural sector (Chapter B 2-51)	CE	79.375	109.000	109.000	109.000	109.000	109.000
		NCE	54.500	55.900	59.300	59.300	59.300	59.300
	Other regional operations (Title B 2-6)	NCE	30.500	30.500	24.500	32.000	26.500	72.000

Transport (Chapter B 2-70)	NCE	67.000		127.000	84.000	126.250	109.000	126.250
Tourism (Chapter B 2-71)	NCE	4.000		5.100	2.000	4.000	4.000	4.000
Fisheries (Title B 2-9)	CE	238.900		302.600	300.100	295.846	300.100	300.100
	NCE	181.700		194.700	184.000	194.700	194.600	194.700
Education, youth (Title B 3-1)	NCE	151.100		201.400	173.400	213.142	186.600	213.142
Culture (Title B 3-2)	NCE	8.800		9.000	9.000	10.000	9.000	10.000
Information (Title B 3-3)	NCE	36.380		59.180	49.100	58.180	57.100	58.180
Other social measures (Title B 3-4)	NCE	87.855		86.942	77.892	116.842	85.592	108.242
Energy (Title B 4-1)	NCE	58.550		145.000	133.750	170.500	138.750	156.000
Nuclear safeguards (Title B 4-2)	NCE	4.670		7.355	7.355	7.355	7.355	7.355
Environment (Title B 4-3)	NCE	52.160		73.600	56.120	78.950	67.420	108.950
Consumer protection (Title B 5-1)	NCE	8.600		8.800	6.840	14.171	11.240	14.171
Aid for reconstruction (Title B 5-2)	NCE	27.300		22.400	22.400	22.400	22.400	22.400
Internal market (Title B 5-3)	NCE	118.500		150.080	123.400	149.030	124.900	146.000
Industry (Title B 5-4)	CE	0.183		0.200	0.200	0.200	0.200	0.200
	NCE	52.500		64.000	51.600	63.000	51.600	63.000
Information market and innovation (Title B 5-5)	NCE	47.500		41.500	31.500	38.500	33.500	38.500
Statistical information (Title B 5-6)	NCE	36.000		42.400	36.000	42.400	36.000	42.400
Food aid (Title B 7-2)	CE	120.600		116.900	116.900	116.900	116.900	116.900
	NCE	385.780		400.000	400.000	400.000	400.000	400.000
Asia and Latin America (Title B 7-3)	NCE	402.900		477.500	406.200	449.800	459.800	479.800
Mediterranean countries (Title B 7-4)	CE	243.400		306.700	305.700	305.700	305.700	305.700
	NCE	13.800		22.500	15.800	21.000	16.800	21.000
Other cooperation measures (Title B 7-5)	CE	0.000		1.830	1.830	9.484	1.830	1.830
	NCE	245.790		251.650	231.210	389.610	248.060	289.610
Central and Eastern Europe (Title B 7-5)	CE			18.000	18.000	18.000	18.000	18.000
	NCE	500.000		820.000	820.000	820.000	785.000	785.000
Gulf crisis (Title B 7-7)	NCE			500.000			500.000	500.000
Negative reserve	NCE	- 38.400						
German unification (Chapter B 0-40)	CE			10.000			10.000	10.000
	NCE			90.000			90.000	90.000
Total	CE	682.275	910.0	865.230	851.730	855.130	861.730	861.730
	NCE	2 537.485	4 010.0	3 886.507	3 001.367	3 481.130	3 718.517	4 010.000
Total heading 4	CE + NCE	3 219.943	4 920.0	4 751.737	3 853.097	4 336.260	4 580.247	4 871.730

			1990 budget	1991 financial perspective	Preliminary draft 1991 budget	Council first reading	Parliament first reading	Council second reading	1991 budget
5. Repayments and administration									
Repayments	CE		1 025.772		449.739	328.995	336.614	447.689	449.417
Stock disposal	CE		1 470.000		810.000	810.000	810.000	810.000	810.000
Commission (Part A)	CE		213.849		248.176	238.982	242.978	254.749	242.978
	NCE		1 301.417		1 450.504	1 375.661	1 416.557	1 416.602	1 416.557
Parliament	NCE		448.451		493.268	497.997	508.676	508.676	508.676
Council	NCE		281.777		305.757	344.311	344.978	344.311	344.978
Court of Justice	NCE		66.621		73.279	71.651	117.544	71.543	72.544
Court of Auditors	NCE		54.613		59.697	31.760	32.581	31.760	32.581
	Total	CE	2 709.621		1 507.915	1 377.977	1 389.592	1 512.438	1 502.395
	Total	NCE	2 152.878		2 382.504	2 321.381	2 420.336	2 372.892	2 375.336
	Total heading 5	CE + NCE	4 862.499	4 599.0	3 890.419	3 699.358	3 809.927	3 885.330	3 877.731
6. Monetary reserve									
	Total	CE	1 000.000		1 000.000	1 000.000	1 000.000	1 000.000	1 000.000
	Total heading 6	CE	1 000.000	1 000.0	1 000.000	1 000.000	1 000.000	1 000.000	1 000.000
	Grand total	CE	31 390.079	37 579.0	35 528.145	33 720.707	34 540.722	35 277.168	35 267.125
	Grand total	NCE	17 817.863	23 170.0	23 037.911	20 961.508	22 084.266	22 642.870	23 268.136
	Grand total of appropriations for commitments	CE + NCE	49 207.942	60 749.0	58 566.056	54 682.215	56 624.987	57 920.037	58 535.261
	Total of appropriations for payments	CE	31 364.279	37 506.0	35 490.645	35 490.645	35 490.645	35 490.645	35 490.645
		NCE	15 563.949	20 529.0	20 068.248	20 068.248	20 068.248	20 068.248	20 068.248
	Grand total of appropriations for payments	CE + NCE	46 928.228	58 035.0	55 558.893	55 558.893	55 558.893	55 558.893	55 558.893

¹ The updated agriculture guideline for 1991 is ECU 32 511 million.

Financial operations

ECSC

Loans raised

1.6.7. In December the Commission made various private placings in French francs and pesetas for the equivalent of ECU 11.3 million.

Loans granted

1.6.8. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans in December totalling ECU 184.1 million, as follows:

Industrial loans

1.6.9. Industrial loans (Article 54 ECSC) totalling ECU 174.3 million were made to Germany, Italy, Spain and Portugal.

Conversion loans

1.6.10. Conversion loans (Article 56 ECSC) totalling ECU 18.6 million were paid out to France and Italy.

Workers' housing

1.6.11. Housing loans totalling ECU 1.2 million were granted for steelworkers and mineworkers in Belgium, Ireland and the United Kingdom.

European Investment Bank

Operations in December

1.6.12. In December the European Investment Bank granted loans of ECU 2 331 million. Loans within the Community totalled ECU 2 261 million, of which ECU 53.1 million went to Belgium, ECU 344.5 million to Denmark, ECU 320.7 million to

Germany, ECU 90.6 million to Greece, ECU 38.8 million to Spain, ECU 321.5 million to France, ECU 55.8 million to Ireland, ECU 356.3 million to Italy, ECU 167.5 million to Portugal and ECU 493.4 million to the United Kingdom. ECU 19 million was lent outside the Community for projects of Community interest. ECU 70 million was lent outside the Community under the cooperation and development policy. The EIB pays out its loans either in a single national currency, in ecus, in a foreign currency or in a combination of these, in accordance with the preference of the borrower and the funds available to the Bank.

Community

Belgium

1.6.13. BFR 2 billion, including BFR 1 billion from NCI resources, was lent in the form of a global loan for investment by small and medium-sized firms in industry and related services and for tourism and BFR 254 million for the extension and modernization of Eurocontrol's installations in Brussels.

Denmark

1.6.14. DKR 2.7 billion was lent for transport infrastructure and telecommunications projects of European interest: the construction of a fixed road and rail link across the Great Belt, the modernization of the SAS air fleet, electrification of the Nyborg-Odense rail link and the purchase of rolling stock, and the expansion and modernization of the telecommunications network. DKR 35 million was lent in the form of a global loan for investments by small and medium-sized firms in industry and related services.

Germany

1.6.15. DM 301.8 million was lent for the rationalization of production and research and development at the Iveco Magirus plant in Baden-Württemberg and for the construction of a car paint shop in Saxony, a wood-

free paper manufacturing plant in Lower Saxony and a new chipboard factory in North Rhine-Westphalia. DM 278.5 million was granted in the form of global loans for small and medium-scale investments in industry and related services and for the protection of advanced technologies, environmental protection and energy saving. DM 50 million went towards the construction of a new terminal at Frankfurt Airport and DM 30 million towards the expansion and modernization of a sewage plant in Cologne, one of the largest in Germany.

Greece

1.6.16. DR 8 billion was granted in the form of global loans to finance small and medium-scale investments. DR 5.7 billion was lent to extend the electricity grid and DR 4.7 billion to improve a section of the motorway from Athens to the Yugoslav frontier and to build an underground car-park in Athens.

Spain

1.6.17. PTA 5 billion was granted in the form of a global loan to finance small and medium-scale investment in industry and related services.

France

1.6.18. FF 943.2 million went towards the development and series production of the Airbus A321. FF 775 million was granted in the form of global loans to finance small and medium-scale investments. FF 498.1 million was lent for the acquisition of European-designed TAT short and medium-range aircraft and for the construction of the Channel Tunnel.

Ireland

1.6.19. IRL 37 million was lent for reafforestation and IRL 8.8 million to continue renewal of the Aer Lingus fleet.

Italy

1.6.20. LIT 216 billion was granted in the form of global loans to finance small and medium-scale investments in industry or to promote energy saving, environmental protection and infrastructures in the centre and north and in the Mezzogiorno. LIT 140 billion was lent for the extension and modernization of telecommunications in the Mezzogiorno. LIT 133 billion was lent for modernization work and environmental protection at an oil refinery in Sardinia, the improvement of environmental protection installations at a chemical plant in Tuscany, the modernization and extension of an ice-cream factory in Naples and the development of advanced technologies in factories making commercial vehicle components in the north of Italy. LIT 60 billion went towards the natural gas distribution network in the centre and north and in Tuscany.

Portugal

1.6.21. ESC 19.4 billion was lent for the modernization and extension of two car plants at Setubal and Cacia, the installation and operation of a paper mill in central Portugal, the production of transport equipment and the modernization and extension of a high-density polyethylene plant in southern Portugal. ESC 7 billion was lent in the form of global loans for small and medium-scale investments. ESC 3.4 billion went towards the fitting out of the multi-purpose terminal at the coal port of Sines.

United Kingdom

1.6.22. UKL 210 million was lent for the modernization and expansion of chemical plants in the north of England, the construction and development of the long-haul Airbus A330/340 and the modernization of a cheese factory in Scotland. UKL 100 million went towards exploitation of an oil field in the British sector of the North Sea. UKL 25.3 million was granted for the construction of the Channel Tunnel and UKL 11 million for the modernization of six hotels.

ECU 19 million was granted for the exploitation of an oil field in the Norwegian sector of the North Sea as a project of Community interest since it helps increase the Community's security of oil supplies. Although situated outside the Community, this project is treated as an investment within the Community.

Outside the Community

Mediterranean basin

1.6.23. ECU 35 million was lent to Tunisia to stockpile phosphate gypsum near the port of Gabes and thus help improve the environment. ECU 12.5 million was lent in the form of a global loan in Jordan for investment by small and medium-sized firms. ECU 2 million was lent to Morocco from risk capital drawn from the Community budget to set up a venture capital company to promote firms in the private sector. In Egypt ECU 2 million, again from risk capital, was granted to upgrade and extend a hotel complex at Luxor. In Algeria ECU 1 million

went towards various studies into the possibility of upgrading existing electricity generation and distribution installations.

ACP countries

1.6.24. In Zimbabwe ECU 8 million was granted for the extension of the electricity and distribution network. In Barbados ECU 4.2 million was granted in the form of a global loan to help small and medium-sized firms in industry. ECU 3.2 million, including ECU 1.9 million from European Development Fund capital administered by the EIB, went towards the improvement of electricity supply in Aruba through the installation of a new high-voltage substation. ECU 2 million from risk capital was lent to increase the share capital of the Development Bank of the Solomon Islands and finance small and medium-sized firms in industry, tourism and transport. In Zambia ECU 1.2 million, again from risk capital, was lent for the construction of a cold-storage facility for export-bound flowers, fruit and vegetables.

7. Statistics

General

Legislation

Statistics on services

1.7.1. Proposal for a Council Decision concerning the establishment of a multi-annual programme for the development of European statistics on services.

Adopted by the Commission on 17 December. The proposal concerns the

establishment of a multiannual programme (1991-93) for the development of European statistics on services. The objectives of the programme are to set out a European reference framework, to establish a European statistical information system for services and to promote and support harmonization of statistics on services in the Member States. The Commission proposes that the following work be carried out in cooperation with the Member States:

(i) analysis and evaluation of user demand for statistics on services;

- (ii) establishment of a methodology (methodological manual);
- (iii) development of the Mercure information system;
- (iv) carrying out of pilot surveys of service enterprises;
- (v) development of basic statistical tools.

COM(90) 578

Statistics on tourism

1.7.2. Council Decision 90/665/EEC on the implementation of a two-year programme for developing Community tourism statistics.

- **Commission proposal:** OJ C 150, 19.6.1990; COM(90) 211; Bull. EC 5-1990, point 1.6.3
- **European Parliament opinion:** OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.7.1
- **Council agreement in principle:** Bull. EC 11-1990, point 1.7.1

Adopted by the Council on 17 December.
OJ L 358, 21.12.1990

Economic and social information

1.7.3. Proposal for a Council Decision establishing the European Advisory Committee on Statistical Information in the Economic and Social Spheres (CEIES).

- **Commission proposal:** OJ C 208, 21.8.1990; COM(90) 324; Bull. EC 7/8-1990, point 1.7.2
- **Economic and Social Committee opinion:** Bull. EC 10-1990, point 1.7.3

European Parliament opinion adopted on 14 December. Favourable, subject to various technical amendments.

OJ C 19, 28.1.1991

Results

Forecasts for European Community agriculture in 1990

1.7.4. The forecasts of agricultural income for 1990 are based on provisional estimates

adopted on 12 December 1990, which point to a decline in agricultural income in the Community for 1990. Trends in agricultural income are assessed on the basis of three indicators. Indicator 1 — net value-added at factor cost, in real terms and by annual work unit (AWU) — would appear to have fallen by 2.8% for the Community as a whole (EUR 12) following the sharp rise of 11.5% in 1989. Both indicator 2 — net income from agricultural activity (i.e. net value-added at factor cost less rents and interest), in real terms and by total AWU (remunerated and non-remunerated) — and indicator 3 — net income from agricultural activity of family labour input (i.e. net value-added at factor cost less rents and interest and the compensation of employees), in real terms and by non-remunerated AWU — would appear to have fallen by 4.1% (1989: 12.3%) and 6.0% (1989: 16.1%) respectively.

One of the main causes of this downturn in agricultural income would seem, on an initial analysis, to lie in the fact that the overall value of final production remained very stable in 1990 (0.1%), due to a slight fall in prices in nominal terms (-0.4%) and an equally slight growth in volume terms (+0.5%).

Crop production fell in volume terms by 0.9% (with considerably sharper falls in Greece, Italy and Luxembourg) as a result of the overall decline affecting most products, with the exception of root crops (for which production fell only in Greece and Italy) and oleaginous plants (for which production rose in almost all the countries). Production fell most sharply in volume terms for olive oil (-19%, with Italy recording the sharpest drop of -55% but Spain and Portugal recording rises), fresh fruit (-3.9%, with Belgium, Spain, the Netherlands, Portugal and the United Kingdom recording substantial falls) and cereals (-2.6%, with Belgium, Greece, Spain, France and Portugal recording the sharpest falls). Wine production (-1.4%) was subject to divergent but mutually offsetting trends, despite falls of almost 30% in Germany, Greece and Luxembourg. The

same was true of fresh vegetables (-0.5%, with Belgium, France and the United Kingdom recording appreciable falls).

Minimum total production rose in volume terms by 1.5% (with values relatively evenly distributed, i.e. from -0.3% in Belgium and Greece to over +5% in Ireland and Portugal), chiefly due to bovines (2.9%), pigs (2%, despite a fall of still unknown magnitude in Belgium), sheep (3.8%, despite a drop in Portugal) and poultry (1.3%). Milk and egg production showed little overall change, despite divergent trends among the countries.

Currently available data indicate that labour input in agriculture fell by 2.8% in 1990 compared with a drop of 3.9% in 1989. This slowing down would appear to be due to the surprising rates of change recorded in Ireland and Italy, which were also the only two Member States to record a fall

in real agricultural income by cumulative AWU over the two years 1989-90. The rate of change in the implicit price index for GDP at market prices, which is used as a deflator, would appear to have been slightly higher in 1990 than in the preceding years (4.5% in 1988, 5.1% in 1989 and 5.7% in 1990).

Information

Publications

1.7.5. Fisheries: annual statistics for 1990, published in December and available from European Community publications sales offices.

1.7.6. National accounts ESA: detailed accounts by sector 1970-87, published in December and available from European Community publications sales offices.

8. Community institutions

Parliament

Strasbourg: 10 to 14 December

Highlights

1.8.1. Despite the usual overloaded end-of-year agenda and a few technical problems, Parliament's December part-session proceeded in a generally relaxed atmosphere. Members expressed their satisfaction with the results of the Conference of the Parliaments of the European Community held in November. In the same vein, the solution to the budgetary wrangle and the general feeling of broad interinstitutional consensus, as the Intergovernmental Conferences were about to begin, helped to reconcile differences of opinion on some of the legislative issues.

The key political debates were on institutional matters, the situation in the Gulf and in the Soviet Union, and the state of play in the GATT negotiations.

In the institutional debate the spokesmen for the main political groups welcomed the continuing dialogue between the institutions and the convergence of views expressed by the House and by the national parliaments at the end of the November conference. Recalling the cordial atmosphere that had prevailed at the conference, Mr Delors spoke of the discussions under way between Parliament and the Commission on the principle of co-decision. He felt that Parliament's draft constitution for European Union effectively complemented the draft amendment of the Treaties that the House had adopted in November. A resolution on the constitutional basis of European Union was adopted by a very large majority at the end of the debate (→ point 1.1.5).

Parliament then turned to external relations, discussing the situation in the Gulf in a debate attended by Mr De Michelis, President of the Council, and Mr Delors, President of the Commission. Mr

De Michelis recalled UN Security Council Resolution 678 adopted on 29 November and stressed the need for the unconditional withdrawal of Iraqi troops from Kuwait. Looking forward to post-crisis preparations, he highlighted the role of a revamped Mediterranean policy (→ point 1.4.15). Mr Delors recapitulated the measures already taken in connection with the Gulf crisis and outlined the steps that would have to be swiftly taken to ensure greater stability in the Middle East, notably the application of the new Mediterranean policy and the conclusion of the free trade agreement with the Gulf countries (→ point 1.4.32). The debate highlighted Parliament's insistence on the need for a peaceful solution and a comprehensive approach to the problems of the region and a call for greater firmness.

Two resolutions were passed, the first reaffirming Parliament's support for all Security Council resolutions but making the point that adoption of Resolution 678 did not make recourse to military action automatic, and the second urging the Commission to consult Parliament on any proposal adopted in connection with the Gulf crisis that might threaten Member States' economies (→ points 1.4.18 and 1.4.19).

The House also held an exchange of views on the position of the Uruguay Round negotiations, after hearing a statement by Mr Mac Sharry which appraised progress made and the prospects for matters still outstanding. Mr Mac Sharry emphasized the need for political will on the part of all nations, on all the issues involved. He felt that reforming the rules of world trade was a job to be undertaken gradually. This was supported by the majority of members, who deplored the breaking-off of negotiations, blamed the inflexible attitude of the United States and the Cairns Group and said that negotiations must proceed simultaneously in all areas. Winding up the debate, at the end of which a resolution was adopted (→ point 1.4.95), Mr Mac Sharry indicated that a fresh agreement was vital, but not at any price, and that the Community, while

maintaining a constructive approach, would stand by the substance of its proposals.

With a resolution endorsed by most of the groups, Parliament launched an appeal to the peoples of the Community and to political and social groupings in the Member States for an aid and support campaign for the Soviet Union (→ point 1.4.4). A number of Members, however, insisted that the Soviet Union speed up the process of democratization, transition to a market economy and respect for human rights.

Budgetary matters were also on the agenda for this part-session. Following the compromise negotiated with the Council on the financial perspective and the 1991 budget, Parliament approved without demur the whole budget package, i.e. the revision of the financial perspective, letter of amendment No 1, supplementary and amending budget No 3 for 1990 and the second reading of the 1991 budget, which was then signed by the President, Mr Barón Crespo (→ point 1.6.1).

On the legislative side a number of difficulties were also ironed out, thus enabling Parliament to make up some of its arrears. It gave 11 opinions on first reading, five of which concerned a major series of R&D programmes which the House had broadly endorsed, while making a substantial number of amendments (→ point 1.3.126). It adopted, again on first reading, opinions on the disposal of PCBs and PCTs (→ point 1.3.150), on the protection of medicinal products (→ point 1.3.174) and on working conditions for pregnant women and those who have just given birth (→ point 1.3.99).

Two opinions were also adopted on second reading, relating respectively to batteries and accumulators containing dangerous substances (→ point 1.3.147) and telecommunications terminal equipment (→ point 1.3.137).

Under the consultation procedure, the House delivered a number of opinions on transport, notably concerning overbooking, rail transport and the transfer of ships from one register to another (→ points 1.3.277, 1.3.282 and 1.3.284).

The House also held a general discussion on Community regional policy, at the end of which resolutions were adopted on the 14th ERDF report, the second IMP report, the *Télématique*, *Prisma* and *Medspa* initiatives, Ireland and Northern Ireland (→ points 1.3.110, 1.3.114, 1.3.117, 1.3.118, 1.3.121 and 1.3.157). The House also adopted its opinion on the Commission proposals for the system of generalized preferences for 1991 (→ point 1.4.54).

Among the other resolutions passed in December were those on the use of Catalan in Community activities (→ point 1.3.302), on the ETA attacks in Spain (→ point 1.3.311) and on Community participation in the Pan-European Conference on the Protection of Forests (→ point 1.3.155).

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Opinions, decisions and resolutions

1.8.2. Parliament adopted opinions (first reading) on Commission proposals concerning:

a Regulation on the single administrative document (→ point 1.3.12);

an amendment to Directive 83/643/EEC on the facilitation of physical inspections and administrative formalities in respect of the carriage of goods between Member States (→ point 1.3.13);

a Directive concerning the protection at work of pregnant women or women who have recently given birth (→ point 1.3.99);

a Decision adopting a specific programme of research and technological development in the field of information technology (1990-94) (→ point 1.3.125);

a Decision adopting a specific programme of research and technological development in the field of communications technology (1990-94) (→ point 1.3.126);

a Decision adopting a specific programme of research and technological development in the field of industrial and materials technologies (1990-94) (→ point 1.3.128);

a Decision adopting a specific programme of research and technological development in the field of live sciences and technologies for developing countries (1990-94) (→ point 1.3.131);

a Decision adopting a specific programme of research and technological development in the field of biomedicine and health (1990-94) (→ point 1.3.132);

a Directive on the frequency of bands to be designated for the coordinated introduction of digital European cordless telecommunications (DECT) in the Community (→ point 1.3.134);

a Directive on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (→ point 1.3.150);

a Regulation concerning the creation of a supplementary protection certificate for medicinal products (→ point 1.3.174).

1.8.3. Parliament adopted decisions (second readings) on the Council's common position on proposals concerning:

a Directive on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity (→ point 1.3.137);

a Directive on batteries and accumulators containing certain dangerous substances (→ point 1.3.147).

1.8.4. Parliament adopted opinions on Commission proposals concerning:

an amendment to Regulation (EEC) No 1408/71 on the application of social security arrangements to self-employed persons and members of their family moving within the Community and Regulation (EEC) No 574/72 setting out the implementation arrangements for Regulation (EEC) No 1408/71 (→ point 1.3.98);

a recommendation on the coordinated introduction of digital European cordless telecommunications (DECT) in the Community (→ point 1.3.133);

a Regulation on substances that deplete the ozone layer (→ point 1.3.145);

a Regulation on action by the Community relating to nature conservation (Acnat) (→ point 1.3.151);

a Regulation on action by the Community for the protection of the environment in the Mediterranean region (Medspa) (→ point 1.3.157);

a Directive on harmonizing and rationalizing reports on the implementation of certain directives relating to the environment (→ point 1.3.161);

an amendment to Regulation (EEC) No 4007/87 extending the period provided for in Article 90(1) and Article 257(1) of the Act of Accession for Spain and Portugal (→ point 1.3.180);

an amendment to Regulation (EEC) No 458/80 on collective projects for the restructuring of vineyards (→ point 1.3.202);

an amendment to Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector (→ point 1.3.212);

an amendment to Regulation (EEC) No 2997/78 laying down, in respect of hops, the amount of aid to producers for the 1986 harvest and providing for special measures for certain regions of production (→ point 1.3.215);

a Regulation concerning the animal health conditions governing the placing on the market of aquaculture animals and products (→ point 1.3.218);

an amendment to Regulation (EEC) No 4028/86 on Community measures to improve and adapt structures in the fisheries and aquaculture sectors (→ point 1.3.249);

a Regulation on the conclusion of the Agreement between the EEC and the Republic of Tanzania on fishing off Tanzania (→ point 1.3.258);

a Regulation on the conclusion of the Protocol establishing for the period from 1 July 1990 to 30 June 1993 the fishing rights and financial compensation provided for in the Agreement between the EEC and the Republic of The Gambia on fishing off the coast of The Gambia (→ point 1.3.259);

a Regulation on the conclusion of the Protocol establishing for the period from 3 May 1990 to 2 May 1992, the fishing opportunities and financial compensation provided for in the Agreement between the EEC and the Government of the People's Republic of Angola (→ point 1.3.260);

a Regulation on the conclusion of the Agreement between the EEC and the Republic of Côte d'Ivoire on fishing off Côte d'Ivoire (→ point 1.3.261);

a Regulation on common rules for a denied boarding compensation system in scheduled air transport (→ point 1.3.277);

a Directive on the development of the Community railways (→ point 1.3.282);

an amendment to Regulation (EEC) No 1191/69 on the action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway (→ point 1.3.282);

a Decision concerning the establishment of a network of high-speed trains (→ point 1.3.282);

an amendment to Directive 75/130/EEC on the establishment of common rules for certain types of combined carriage of goods between Member States (→ point 1.3.282);

a Regulation on the transfer of ships from one register to another within the Community (→ point 1.3.284);

a Regulation on consultation between airports and airport users and on airport charging principles (→ point 1.3.287);

a Regulation amending the Regulations in respect of the system of generalized tariff preferences applied to certain products originating in Bolivia, Colombia, Ecuador and Peru (→ point 1.4.40);

a Decision of the representatives of the Governments of the ECSC Member States amending the Decision in respect of the system of generalized tariff preferences applied to certain iron and steel products originating in Bolivia, Colombia, Peru and Ecuador (→ point 1.4.40);

a draft Financial Regulation applicable to development finance cooperation under the fourth Lomé Convention (→ point 1.4.50);

a Regulation applying the Community scheme of generalized preferences for 1991 to certain industrial products originating in developing countries (→ point 1.4.54);

a Regulation applying the Community scheme of generalized preferences for 1991 to textile products originating in developing countries (→ point 1.4.54);

a Regulation applying the Community scheme of generalized preferences for 1991 to certain agricultural products originating in developing countries (→ point 1.4.54);

a Regulation reducing for 1991 the levies on certain agricultural products originating in developing countries (→ point 1.4.54);

a Decision establishing the European Advisory Committee on Statistical Information in the Economic and Social Spheres (CEIES) (→ point 1.7.3);

the Community's *aide-mémoire* on the fixing of the ECSC levy rate and the drawing up of the ECSC operating budget for 1991 (→ point 1.6.6).

1.8.5. Resolutions were passed on the following subjects:

the constitutional basis of European Union (→ point 1.1.5); redefining the role of the institutions in the Community (→ point 1.1.6);

the movement of objects of cultural interest in the context of the single market (→ point 1.3.83);

Community regional development measures to assist Northern Ireland (→ point 1.3.110);

the Community's regional development activities to assist the Republic of Ireland (→ point 1.3.110);

the 14th annual report on the operation of the European Regional Development Fund (→ point 1.3.114);

the draft notice from the Commission to Member States laying down guidelines for operational programmes which Member

States are invited to establish in the framework of a Community initiative concerning the preparation of businesses for the single market (Prisma) (→ point 1.3.117);

the draft notice from the Commission to Member States laying down guidelines for operational programmes in the framework of a Community initiative for regional development concerning services and networks related to data communication (Télématique) (→ point 1.3.118);

the second progress report by the Commission on the integrated Mediterranean programmes (→ point 1.3.121);

the development of the common transport policy in the run-up to the completion of the internal market (→ point 1.3.155);

the sinking of the trawler *Antares* (→ point 1.3.285); Commission participation in the 1992 Genoa International Exhibition (→ point 1.3.295);

languages in the Community and the situation of Catalan (→ point 1.3.302);

the attack by ETA (→ point 1.3.311);

the provision of food and medical aid to the Soviet Union (→ point 1.4.4);

contingency measures in the event of a crisis in the Gulf (→ point 1.4.18);

the situation in the Gulf (→ point 1.4.19);

the Commission communication to the Council concerning the generalized system of preferences: guidelines for the 1990s (→ point 1.1.4.57);

the anti-dumping policy of the Community (→ point 1.4.70);

the Uruguay Round (→ point 1.4.96);

the violation of human rights in China (→ point 1.4.99);

the killing of unarmed peasants in Guatemala (→ point 1.4.100);

the violation of human rights in Iran (→ point 1.4.101);

human rights violations in South Korea (→ point 1.4.102);

human rights violations in Syria (→ point 1.4.103);

the arbitrary arrest of the Ukrainian MP, Stepan Khmara (→ point 1.4.104);

the human rights situation in the Philippines (→ point 1.4.105);

Sri Lanka (→ point 1.4.106);

the draft general budget of the European Communities for 1991 (→ point 1.6.4);

the proposals for revision of the financial perspective (→ point 1.6.1);

draft supplementary and amending budget No 3 for 1990 (→ point 1.6.3);

the changes made by the Council to Parliament's amendments to Sections I (Parliament), II (Council — Annex: Economic and Social Committee), IV (Court of Justice) and V (Court of Auditors) of the draft general budget of the European Communities for 1991.

Full text of opinions and resolutions:
OJ C 19, 28.1.1991

Council

1453rd meeting

1.8.6. Health

(Brussels, 3 December).

- **Previous meeting:** Bull. EC 5-1990, point 1.7.10

President: Mr De Lorenzo, Italian Minister for Health.

Commission: Ms Papandreou.

Main items

AIDS: conclusions adopted (→ point 1.3.299).

Nutrition and health: resolution adopted (→ point 1.3.304).

Safety of food and water intended for human consumption: conclusions adopted (→ point 1.3.305).

Acute human poisoning: resolution adopted (→ point 1.3.306).

Use of drugs in sport: resolution adopted (→ point 1.3.307).

Drugs: conclusions adopted (→ point 1.3.308).

Other business

Tobacco advertising: amended Commission proposal and Presidency's compromise proposal examined.

Health in the Community context: exchange of views.

European licensing system for medicinal products: exchange of views.

1454th meeting

1.8.7. Economic and Financial Affairs (Brussels, 3 December).

- Previous meeting: Bull. EC 11-1990, point 1.8.13

President: Mr Carli, Italian Minister for the Treasury, and Mr Formica, Italian Minister for Finance.

Commission: Sir Leon Brittan, Mr Schmidhuber, Mrs Scrivener and Mr Van Miert.

Main item

Transitional VAT arrangements: conclusions adopted (→ point 1.3.4).

Other business

Money laundering: discussed in detail.

Investment services in the securities field: work on Directive continued.

Decisions on the financial perspective: discussed.

Exemption from the sixth VAT Directive: Decision adopted.

1455th meeting

1.8.8. General Affairs (Brussels, 4 December).

- Previous meeting: Bull. EC 11-1990, point 1.8.11

President: Mr De Michelis, Italian Minister for Foreign Affairs.

Commission: Mr Delors, Mr Marín and Mr Matutes.

Main items

German unification — transitional measures: legislative package adopted (→ point 1.2.1).

Financial assistance for the countries most affected by the Gulf crisis: Regulation adopted (→ point 1.4.16).

Other business

Gulf crisis: discussed in detail.

South Africa: preparations for the European Council.

Preparations for the European Council: preparation of questions likely to be discussed by the Rome European Council on 14 and 15 December.

Relations with EFTA: discussed briefly.

Community measures to aid Palestinians in the Occupied Territories: briefing by the Commission on implementation of the action programme.

Generalized scheme of preferences for 1991: Decision adopted.

Policy on immigration from third countries: conclusions adopted.

Protection of workers against ionizing radiation: Directive adopted.

Relations with EFTA: Regulation adopted.

Anti-dumping: Regulation adopted.

1456th meeting

1.8.9. Foreign Trade (Brussels, 3 to 7 December).

President: Mr Ruggiero, Italian Minister for Foreign Trade.

Commission: Mr Andriessen and Mr Mac Sharry.

Main item

Uruguay Round: conclusions adopted (→ point 1.4.95).

1457th meeting

1.8.10. Education
(Brussels, 6 December).

- **Previous meeting:** Mr Bianco, Italian Minister for Education

Commission: Ms Papandreou.

Main item

Eurydice education information network in the European Community: resolution adopted (→ point 1.3.301).

Other business

Meetings with Ministers from Hungary, Poland and Czechoslovakia: exchange of views.

Role of education in the fight against drugs: discussed.

Assessment of education systems: discussed.

Non-university sector of post-secondary education: exchange of views.

European Schools: exchange of views.

1458th meeting

1.8.11. Agriculture
(Brussels, 10 and 11 December).

- **Previous meeting:** Bull. EC 11-1990, point 1.8.10

President: Mr Saccomandi, Italian Minister for Agriculture.

Commission: Mr Mac Sharry.

Main items

Veterinary checks on products entering the Community from third countries: Directive adopted (→ point 1.3.178).

Conversion rate to be applied in the agricultural sector: two Regulations adopted (→ point 1.3.191).

Other business

Animal health conditions governing intra-Community trade in ovine and caprine animals: Commission proposal examined.

Animal health conditions governing the import of ovine and caprine animals from third countries: discussed.

Fresh poultrymeat: Commission proposal examined.

Placing on the market of aquaculture animals and products: Commission proposal examined.

Flavoured wines: proposal for a Regulation examined.

Sugar sector: dossier examined.

Inward processing arrangements concerning dairy products: Commission proposal examined.

Uruguay Round — agricultural sector: exchange of views.

Bovine somatotropin: discussed briefly.

Customs union: Regulations adopted.

1459th meeting

1.8.12. Economic and Financial Affairs
(Brussels, 10 December).

- **Previous meeting:** point 1.8.7 of this Bulletin

President: Mr Carli, Italian Minister for the Treasury.

Commission: Mr Delors, Mr Andriessen and Mr Christophersen.

Single item

Relations with the Soviet Union and the countries of Central and Eastern Europe: exchange of views.

1460th meeting

1.8.13. Internal Market
(Brussels, 13 December).

- **Previous meeting:** Bull. EC 11-1990, point 1.1.8

President: Mr Romita, Italian Minister for Community Policies.

Commission: Mr Bangemann, Mr Cardoso e Cunha and Mrs Scrivener.

Main items

Fight against drugs: Regulation adopted (→ point 1.3.9).

Acquisition and possession of weapons: common position agreed (→ point 1.3.28).

Approximation of laws: common position adopted (→ point 1.3.29).

Dangerous substances: two common positions adopted (→ point 1.3.31).

Protection of computer programs: common position adopted (→ point 1.3.171).

Other business

Food treated with ionizing radiations: discussed.

Machinery: common position adopted.

Flavourings: discussed briefly.

Second general system for the recognition of vocational education and training: discussed.

European Company Statute: discussed.

Annual accounts and consolidated accounts of insurance undertakings: discussed briefly.

Cooperatives: discussed.

Conformity assessment: Decision adopted.

Veterinary medicinal products: Directives adopted.

Common agricultural policy: Decision adopted.

Customs union: common position adopted.

Relations with Mediterranean countries: five Regulations adopted.

1461st meeting

1.8.14. Telecommunications
(Brussels, 14 December).

- **Previous meeting:** Bull. EC 6-1990, point 1.8.16

President: Mr Mammi, Italian Minister for Posts.

Commission: Mr Pandolfi and Mr Donde-linger.

Main items

Digital cordless European telecommunications: common position adopted (→ point 1.3.133).

Green paper on satellites: discussed in detail (→ point 1.3.135).

Land-based mobile communications: resolution adopted (→ point 1.3.136).

Relations with the countries of Central and Eastern Europe: conclusions adopted (→ point 1.3.141).

Other business

Electronic data interchange: discussed.

Fisheries: Regulations adopted.

ECSC: assent given.

1462nd meeting

1.8.15. Economic and Financial Affairs
(Brussels, 17 December).

- **Previous meeting:** point 1.8.12 of this Bulletin

President: Mr Carli, Italian Minister for the Treasury, and Mr Formica, Italian Minister for Finance.

Commission: Mr Delors, Sir Leon Brittan, Mr Christophersen and Mrs Scrivener.

Main item

New excise duty arrangements: conclusions adopted (→ point 1.3.5).

Duty-free arrangements for travellers: conclusions adopted (→ point 1.3.5).

Prevention of money laundering: agreed in principle (→ point 1.3.10).

Other business

Abolition of tax frontiers: conclusions adopted.

Relations with the Soviet Union: discussed at length.

Extension of EIB loans to Czechoslovakia, Bulgaria and Romania: discussed briefly.

Financial support for Czechoslovakia: agreed in principle.

Trade policy: Regulation adopted.

Tourism: Decision adopted.

1463rd meeting

1.8.16. Transport

(Brussels, 17 and 18 December).

- **Previous meeting:** Bull. EC 10-1990, point 1.8.27

President: Mr Bernini, Italian Minister for Transport, and Mr Vizzini, Italian Minister for Merchant Shipping.

Commission: Mr Van Miert.

Main items

High-speed trains: conclusions adopted (→ point 1.3.272).

Overbooking: proposal for a Regulation agreed (→ point 1.3.277).

Air cargo: proposal for a Regulation agreed (→ point 1.3.278).

Road trains: amendment of a Directive agreed (→ point 1.3.281).

International carriage of goods by road — increase in the Community quota following German unification: amendment of a Regulation agreed (→ point 1.2.3).

Combined carriage of goods: proposal for a Directive agreed (→ point 1.3.273).

Other business

Relations with non-member countries of transit (Austria, Switzerland, Yugoslavia): discussed in detail.

Measures to be taken in the event of a crisis: draft Regulation agreed.

Adjustment of the Community quota following German unification: amendment of a Regulation agreed.

Charging of infrastructure costs: discussed.

Rules of competition: discussed.

Norway and Sweden: discussed.

Transfer of ships from one register to another within the Community: proposal for a Regulation agreed.

Positive measures: discussed.

Shipping cabotage: discussed.

Shipping relations with non-member countries: debate.

1464th meeting

1.8.17. General Affairs

(Brussels, 18 and 19 December).

- **Previous meeting:** point 1.8.8 of this Bulletin

President: Mr De Michelis, Italian Minister for Foreign Affairs.

Commission: Mr Delors, Mr Andriessen and Mr Matutes.

Main items

Relations with Central and Eastern European countries: Commission negotiating brief agreed (→ point 1.4.6).

Redirecting the Mediterranean policy: Decision adopted (→ point 1.4.15).

Relations with San Marino: Decision approved (→ point 1.4.26).

Guidelines for cooperation with Latin American and Asian developing countries in the 1990s: agreed (→ point 1.4.33).

Relations with Chile: decisions taken to go ahead with the signing of the Cooperation Agreement (→ point 1.4.43).

Other business

Relations with Yugoslavia: discussed.

Relations with Egypt: Community position prepared.

Relations with EFTA: ministerial meeting prepared.

Relations with Malta: Decision and Regulation adopted.

Relations with the ACP countries: Regulation adopted.

Textiles: Decisions adopted.

Jute: Decision adopted on the signing of an agreement.

Radioactive waste disposal: conclusions adopted.

1465th meeting

1.8.18. Labour and Social Affairs
(Brussels, 18 December).

- **Previous meeting:** Bull. EC 11-1990, point 1.8.18

President: Mr Donat-Cattin, Italian Minister for Employment and Social Security.

Commission: Ms Papandreou.

Main item

Asbestos Directive: common position adopted (→ point 1.3.94).

Other business

Non-standard employment: common position agreed.

Demography: exchange of views.

Social security for migrant workers: discussed.

European Year of Safety, Hygiene and Health Protection at Work (1991): exchange of views.

Equal opportunities for women and men — third Community action programme (1991-95): exchange of views.

Vocational training: resolution adopted.

ECSC: assent given.

1466th meeting

1.8.19. Fisheries
(Brussels, 19 and 20 December).

- **Previous meeting:** Bull. EC 11-90, point 1.8.16

President: Mr Vizzini, Italian Minister for Merchant Shipping, and Mr Bukman, Dutch Minister for Agriculture, Nature Conservation and Fisheries.

Commission: Mr Marín.

Main items

TACs and quotas for 1991: Regulation adopted (→ point 1.3.248).

Annual fisheries arrangements resulting from the Act of Accession of Spain and Portugal: three Regulations adopted (→ point 1.3.252).

North-West Atlantic Fisheries Organization (NAFO): Regulation adopted (→ point 1.3.250).

Greenland: Regulation adopted (→ point 1.3.254).

Norway: two Regulations adopted (→ point 1.3.256).

Faeroe Islands: two Regulations adopted (→ point 1.3.257).

Structures: amendment of a Regulation agreed (→ point 1.3.249).

Other business

Common fisheries policy: discussed.

French Guiana: Regulation adopted.

Tariff quotas: Regulation adopted.

Partial suspension of customs duties: Regulation adopted.

Technical conservation measures: 10th amendment examined.

Other decisions in the field of the common fisheries policy: five Regulations adopted.

1467th meeting

1.8.20. Environment
(Brussels, 20 and 21 December).

- Previous meeting: Bull. EC 10-1990, point 1.8.24

President: Mr Ruffolo, Italian Minister for the Environment.

Commission: Mr Ripa di Meana.

Main items

Pollution by emissions from motor vehicles: common position adopted (→ point 1.3.143).

Protection of the ozone layer: proposal for a Regulation agreed (→ point 1.3.145).

Green Paper on the urban environment: resolution adopted (→ point 1.3.153).

Medspa: proposal for a Regulation agreed (→ point 1.3.157).

Other business

Municipal waste water: discussed.

Classification and labelling of dangerous substances: discussed.

Hazardous wastes: agreed.

Limitation of CO₂ emissions (economic and fiscal instruments): discussed.

European Environment Agency: exchange of views.

Generalized preferences for 1991: implementing Regulations adopted.

Common agricultural policy: common position adopted.

Transitional measures concerning Spain and Portugal: Decision and Regulation adopted.

Energy: common position adopted.

Internal market: common positions adopted.

ECSC: Decision adopted.

1468th meeting

1.8.21. Research
(Brussels, 21 December).

- Previous meeting: Bull. EC 11-1990, point 1.8.15

President: Mr Ruberti, Italian Minister for Scientific Research and Technology.

Commission: Mr Pandolfi.

Main items

Specific programme in the field of telematic systems: common position adopted (→ point 1.3.127).

Specific programme concerning the environment: common position agreed (→ point 1.3.129).

Specific programme concerning marine science and technologies: common position agreed (→ point 1.3.130).

Other business

Implementation of the third R&D framework programme 1990-94: four common positions discussed.

Specific programme concerning the life sciences and technologies for the developing countries: discussed.

Other specific programmes: four programmes discussed.

European research policies and strategies: exchange of views.

Euret (1990-93): programme adopted.

Media: Decision adopted.

Rules of Procedure of the Court of First Instance and the Court of Justice: approved.

Relations with Hungary: Decision adopted.

Textiles: Decisions adopted.

Trade policy: exchange of letters approved and Regulations adopted.

Relations with the Mediterranean countries: Regulations adopted.

Relations with Tunisia: Commission authorized to negotiate an agreement.

Operation of Euratom safeguards: conclusions adopted.

Agriculture: Regulations adopted.

Shipbuilding: Directive adopted.

Environment: conclusions adopted.

Transport: two Regulations adopted.

ECSC: assent given.

1.8.22. Ministers for Economic and Financial Affairs held an informal meeting in Monza on 2 December. An informal Council meeting on general affairs was held in Brussels on 4 December.

Commission

Appointment of President and Vice-Presidents

1.8.23. Decision 90/656/Euratom, ECSC, EEC of the representatives of the Governments of the Member States of the European Communities appointing the President of the Commission of the European Communities.

Adopted on 4 December. Purpose: to reappoint Mr Jacques Delors President of the Commission for the period 6 January 1991 to 5 January 1993 inclusive.

OJ L 347, 12.12.1990

1.8.24. Decision 90/636/Euratom, ECSC, EEC of the representatives of the Governments of the Member States of the European Communities appointing Vice-Presidents of the Commission of the European Communities.

Adopted on 4 December. Purpose: to reappoint Mr Frans Andriessen, Mr Martin Bangemann, Sir Leon Brittan, Mr Henning Christophersen, Mr Manuel Marín González and Mr Filippo Maria Pandolfi Vice-

Presidents of the Commission for the period 6 January 1991 to 5 January 1993 inclusive.

OJ L 347, 12.12.1990

Measures taken

1.8.25. In December the Commission adopted the following provisions:

Decision on the introduction of transitional tariff measures for products covered by the Treaty establishing the ECSC for Bulgaria, the Czech and Slovak Federal Republic, Hungary, Poland, Romania, the USSR and Yugoslavia until 31 December 1992 to take account of German unification (→ point 1.2.2);

Decision 90/663/EEC under Article 108(3) of the EEC Treaty (→ point 1.3.2);

Regulation (EEC) No 3716/90 laying down provisions for the implementation of Council Regulation (EEC) No 4046/89 on the security to be given to ensure payment of customs debt (→ point 1.3.15);

Decision providing for the non-application of the payment of compensatory interest in the event of a customs debt arising under the inward processing arrangements as a result of the impossibility of carrying out planned exports to Iraq and Kuwait (→ point 1.3.17);

Regulation (EEC) No 3796/90 laying down provisions for the implementation of Council Regulation (EEC) No 1715/90 on the information provided by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature (→ point 1.3.19);

Regulation (EEC) No 3651/90 on determining the origin of certain ceramic products (→ point 1.3.21);

Regulation (EEC) No 3620/90 on determining the origin of the meat and offal, fresh, chilled or frozen, of certain domestic animals (→ point 1.3.22);

Regulation (EEC) No 3672/90 on determining the origin of ball, roller or needle roller bearings (→ point 1.3.23);

Regulation (EEC) No 3673/90 amending Regulation (EEC) No 693/88 as regards the amounts expressed in ecus (→ point 1.3.24);

Regulation (EEC) No 3674/90 amending Regulation (EEC) No 809/88 as regards the amounts expressed in ecus (→ point 1.3.25);

Directive 91/31/EEC adapting the technical definition of 'multilateral development banks' in Council Directive 89/647/EEC on a solvency ratio for credit institutions (→ point 1.3.41);

Renewal of Regulations (EEC) No 82/91 on the application of Article 83(3) of the Treaty to certain categories of agreements, decisions and concerted practices concerning ground handling services (→ point 1.3.45);

Renewal of Regulation (EEC) No 83/91 on the application of Article 85(3) of the Treaty to certain categories of agreements between undertakings relating to computer reservation systems for air transport services (→ point 1.3.45);

Renewal of Regulation (EEC) No 84/91 on the application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices concerning joint planning and coordination of capacity, consultations on passenger and cargo tariffs on scheduled air services and slot allocation at airports (→ point 1.3.45);

Decision under Articles 85 and 86 of the EEC Treaty (→ point 1.3.46);

Decision amending the Community support framework for Berlin (→ point 1.3.112);

Regulation (EEC) No 3665/90 amending Regulation (EEC) No 1859/82 concerning the selection of returning holdings for the purpose of determining incomes of agricultural holdings (→ point 1.3.184);

Regulation (EEC) No 3666/90 fixing the standard fee per farm return for the 1991 accounting year of the farm accountancy data network (→ point 1.3.185);

Decision 91/25/EEC altering the limits of the less-favoured areas in the United Kingdom within the meaning of Council Directive 75/268/EEC (→ point 1.3.186);

Decision 91/26/EEC altering the limits of the less-favoured areas in the Federal Republic of Germany within the meaning of Council Directive 75/268/EEC (→ point 1.3.187);

Regulation (EEC) No 3684/90 amending Regulation (EEC) No 623/86 determining the accession compensatory amounts applicable from 1 March 1986 to trade in goods covered by Regulations (EEC) Nos 3033/80 and 3035/80 (→ point 1.3.192);

Decision 91/13/EEC relating to trade in animals not vaccinated during the course of the last 12 months against foot-and-mouth disease (→ point 1.3.219);

Decision 91/8/EEC concerning the specific financial contribution from the Community for the eradication of African horse sickness in Spain (→ point 1.3.223);

Decision 91/9/EEC on specific financial contributions from the Community for the eradication of Newcastle disease in Ireland (→ point 1.3.225);

Decision 91/21/EEC amending Decision 85/634/EEC authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of oakwood originating in Canada or the United States of America (→ point 1.3.226);

Decision 91/28/EEC amending Decision 80/862/EEC authorizing the Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of potato breeding material (→ point 1.3.227);

Tenth Directive 91/27/EEC amending certain annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (→ point 1.3.228);

Decision 91/40/EEC amending Decision 88/2/EEC recognizing certain Member States or regions of certain Member States as being free from *Quadrastipidiotus perniciosus* (San José scale) (→ point 1.3.229);

Decision 90/28/EEC authorizing certain Member States to provide for exceptions

from certain provisions of Directive 77/93/EEC in respect of potatoes for human consumption originating in Turkey (→ point 1.3.230);

Decision 91/41/EEC amending Decision 84/248/EEC authorizing the Federal Republic of Germany to adopt, when introducing into its territory plants or plant products, special plant health provisions for home-grown production of certain fruit plants intended for planting (→ point 1.3.231);

Decision laying down detailed rules for the application of Council Regulation (EEC) No 3153/90 on stepping up checks in Portugal on expenditure charged to the Guarantee Section of the European Agricultural Guidance and Guarantee Fund (→ point 1.3.232);

Regulation (EEC) No 3597/90 on the accounting rules for intervention measures involving the buying-in, storage and sale of agricultural products by intervention agencies (→ point 1.3.233);

Regulation (EEC) No 3714/90 on transitional measures on trade in certain fishery products with the USSR after the unification of Germany (→ point 1.3.263);

Opinion 90/662/Euratom concerning the extension of the fuel element fabrication plant of Advanced Nuclear Fuels GmbH in Lingen in accordance with Article 37 of the Euratom Treaty (→ point 1.3.293);

Decision on emergency aid for the families of earthquake victims in Sicily (→ point 1.3.303);

Decision on deliveries of humanitarian food aid to the people of Eastern Europe (→ point 1.4.3);

Decision on emergency aid to the people of the Soviet Union, Bulgaria and Romania (→ point 1.4.5);

Decision on the conclusion of an Agreement in the form of an exchange of letters on a standstill declaration between the EEC and the member countries of the Charter of the Cooperation Council for the Arab States of the Gulf (→ point 1.4.32).

Measures proposed

1.8.26. Proposals to be adopted under the cooperation procedure:

Re-examined proposal for a Directive amending Directive 81/851/EEC on the approximation of the laws of the Member States relating to veterinary medicinal products (→ point 1.3.35);

Re-examined 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 (→ point 1.3.39);

Amended proposal for a Regulation on the application of Article 85(3) of the EEC Treaty to certain categories of agreements, decisions and concerted practices in the insurance sector (→ point 1.3.44);

Amended proposal for a Decision adopting a specific research and technological development programme in the field of information technology (1990-94) (→ point 1.3.125);

Amended proposal for a Decision adopting a specific research and technological development programme in the field of communications technology (1990-94) (→ point 1.3.126);

Amended proposal for a Decision adopting a specific research and technological programme in the field of telematic systems in areas of general interest (1990-94) (→ point 1.3.128);

Amended proposal for a Decision adopting a specific research and technological development programme in the field of life sciences and technologies for developing countries (1990-94) (→ point 1.3.131);

Amended proposal for a Decision adopting a specific research and technological development programme in the field of biomedicine and health (1990-94) (→ point 1.3.132);

Amended proposal for a recommendation on the coordinated introduction of digital European cordless telecommunications (DECT) in the Community (→ point 1.3.133);

Amended proposal for a Directive on the frequency bands to be designated for the coordinated introduction of digital European cordless telecommunications (DECT) in the Community (→ point 1.3.134);

Amended proposal for a Regulation on substances that deplete the ozone layer (→ point 1.3.145);

Amended proposal for a Regulation on action by the Community for the protection of the environment in the Mediterranean region (Medspa) (→ point 1.3.1578);

Second amended proposal for a fifth Directive based on Article 54 of the EEC Treaty concerning the structure of public limited companies and the powers and obligations of their organs (→ point 1.3.173).

1.8.27. Other proposals and recommendations:

Proposal for a Council resolution adopting a programme of priority projects on trans-European networks (→ point 1.3.7);

Proposal for a Directive on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances (→ point 1.3.8);

Amended proposal for a Regulation amending Annex I to Regulation (EEC) No 288/82 on common rules for imports in respect of products subject to national quantitative restrictions (→ point 1.3.18);

Proposal for a Regulation amending Regulation (EEC) No 802/68 on the common definition of the concept of the origin of goods (petroleum products) (→ point 1.3.20);

Proposal for a Decision on the adoption of a programme of Community action on the subject of the vocational training of customs officials (Matthaeus programme) (→ point 1.3.27);

Proposal for a Directive on the establishment of a European Works Council in Community-scale undertakings or groups of undertakings for the purpose of informing and consulting employees (→ point 1.3.93);

Proposal for a Directive concerning the minimum requirements for the provision of safety and/or health signs at work (ninth individual Directive within the meaning of Directive 89/391/EEC) (→ point 1.3.102);

Proposal for a Directive concerning minimum requirements for improving the safety and health protection of workers in the extractive industries (individual Directive within the meaning of Directive 89/391/EEC) (→ point 1.3.103);

Proposal for a Decision amending Decision 89/657/EEC establishing an action programme to promote innovation in the field of vocational training resulting from technological change (Eurotecnet) and Decision 90/267/EEC establishing an action programme for the development of continuing vocational training in the Community (Force) in order to establish the Advisory Committee for Continuing Education and Training embracing Force and Eurotecnet (→ point 1.3.106);

Proposal for a Regulation on the application of the provision of Community law to the Canary Islands (→ point 1.3.108);

Proposal for Decision establishing a programme of measures specific to the remote and insular nature of the Canary Islands (Poseican), and a programme of measures specific to the remote and insular nature of the Azores and Madeira (Poseima) (→ point 1.3.108);

Proposal for a Decision on the dissemination and exploitation of knowledge resulting from the specific programmes (→ point 1.3.122);

Proposal for a Decision concerning the conclusion of the amendment to the Montreal Protocol on substances that deplete the ozone layer as adopted in June 1990 in London by the parties to the Protocol (→ point 1.3.144);

Proposal to amend Regulation (EEC) No 1734/88 concerning exports from and imports into the Community of certain dangerous chemicals, in order to include the principle of 'prior informed consent' (→ point 1.3.146);

Proposal for a Regulation on specific action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean (Norspa) (→ point 1.3.159);

Commission recommendation on the application of Article 37 of the Euratom Treaty (→ point 1.3.163);

Proposal for a Regulation on certificates of specific character for foodstuffs (→ point 1.3.166);

Proposal for a Regulation on the protection of geographical indications and designations of origin for agricultural products and foodstuffs (→ point 1.3.166);

Proposal for a Decision concerning the accession of the Member States to the Berne Convention for the Protection of Literary and Artistic Works, as revised by the Paris Act of 24 July 1971, and the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) of 26 October 1961 (→ point 1.3.169);

Proposal for a Directive on rental right, lending right and certain rights related to copyright (→ point 1.3.170);

Proposal for a Directive amending Directive 77/91/EEC on the formation of public limited liability companies and the maintenance and alteration of their capital (→ point 1.3.172);

Proposal for a Decision amending Decision 90/424/EEC on expenditure in the veterinary field (→ point 1.3.220);

Proposal for a Decision amending Decision 90/218/EEC concerning the administration of bovine somatotropin (BST) (→ point 1.3.221);

Proposal for a Regulation fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished (→ point 1.3.248);

Proposal for a Regulation fixing catch possibilities for 1991 for certain fish stocks and groups of fish stocks in the regulatory

area as defined in the NAFO Convention (→ point 1.3.250);

Proposal for a Regulation laying down for 1991 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guiana (→ point 1.3.251);

Proposal for a Regulation fixing, for 1991, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Portugal (→ point 1.3.252);

Proposal for a Regulation fixing, for 1991, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of Portugal in waters falling under the sovereignty or within the jurisdiction of a Member State, apart from Spain and Portugal (→ point 1.3.252);

Proposal for a Regulation fixing, for 1991, certain measures for the conservation and management of fishery resources, applicable to vessels flying the flag of a Member State, other than Spain and Portugal, in waters falling under the sovereignty or within the jurisdiction of Spain (→ point 1.3.252);

Proposal for a Regulation amending for the 11th time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources (→ point 1.3.253);

Proposal for a Regulation allocating, for 1991, Community catch quotas in Greenland waters (→ point 1.3.254);

Proposal for a Regulation allocating, for 1991, certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen (→ point 1.3.255);

Proposal for a Regulation laying down for 1991 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway (→ point 1.3.255);

Proposal for a Regulation laying down for 1991 certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faeroe Islands (→ point 1.3.256);

Proposal for a Regulation allocating, for 1991, certain catch quotas between Member States for vessels fishing in Faeroese waters (→ point 1.3.256);

Proposal for a Regulation laying down for 1991 certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden (→ point 1.3.257);

Proposal for a Regulation allocating, for 1991, catch quotas between Member States for vessels fishing in Swedish waters (→ point 1.3.257);

Proposal for a Decision on the development of a European high-speed rail network (→ point 1.3.271);

Proposal for a Regulation on common rules for the allocation of slots at Community airports (→ point 1.3.276);

Proposal for a Regulation on the operation of air freight services (→ point 1.3.278);

Proposal for a Decision concerning the European system for observing the markets for the inland carriage of goods (→ point 1.3.280);

Proposal for a Decision of the Council and the Ministers for Health of the Member States meeting within the Council adopting a plan of action in the framework of the 1991 to 1993 'Europe against AIDS' programme (→ point 1.3.300);

Amended proposal for a resolution of the Council and of the representatives of the Governments of the Member States, meeting within the Council, on improving the prevention and treatment of acute human poisoning (→ point 1.3.306);

Proposal for a Regulation introducing a Community guarantee for exports of foodstuffs from the European Community to the USSR (→ point 1.4.2);

Proposal for a Regulation on urgent action to supply agricultural products to the USSR, Romania and Bulgaria (→ point 1.4.2);

Proposal for a Regulation extending the trade arrangements with Malta beyond the date of expiry of the first stage of the Association Agreement (→ point 1.4.25);

Recommendation for a Decision on the conclusion of the third Protocol on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic (→ point 1.4.27);

Proposal for a Decision on the general guidelines for financial and technical cooperation with the developing countries of Latin America and Asia in the 1991-95 period (→ point 1.4.34);

Proposal for a Regulation amending Regulations in respect of the system of generalized tariff preferences applied to certain products originating in Bolivia, Colombia, Ecuador and Peru (→ point 1.4.40);

Proposal for a Decision of the representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, amending the Decision in respect of the system of generalized tariff preferences applied to certain iron and steel products originating in Bolivia, Colombia, Peru and Ecuador (→ point 1.4.40);

Recommendation for a Decision authorizing the Commission to negotiate a Cooperation Agreement between the European Economic Community and Paraguay (→ point 1.4.44);

Recommendation for a Decision authorizing the Commission to negotiate a framework Cooperation Agreement between the European Economic Community and Uruguay (→ point 1.4.46);

Proposal for Decisions on the provisional application of the Agreed Minutes amending the Agreements between the European Economic Community and Hungary, Romania, Poland, Bulgaria, and the Czech and Slovak Federal Republic on outward processing traffic (→ point 1.4.92);

Proposal for a Decision on the conclusion of the protocol of accession of Venezuela to the General Agreement on Tariffs and Trade (→ point 1.4.97).

Communications and reports

1.8.28. In December the Commission adopted the following for transmission to the institutions concerned:

Annual Economic Report 1990-91 (→ point 1.3.1);

communication on trans-European networks (→ point 1.3.7);

communication concerning Directive 79/693/EEC on the approximation of the laws of the Member States relating to fruit jams, jellies and marmalades and chestnut purée, as amended by Directive 80/593/EEC (→ point 1.3.34);

communication laying down guidelines for operational programmes/global grants which Member States are invited to establish within the framework of Community initiatives for strengthening human resources — Euroform, NOW, Horizon (→ point 1.3.97);

Fourth periodic report on the social and economic situation and development of the regions of the Community (→ point 1.3.107);

notice concerning information and publicity relating to assistance from the ERDF (→ point 1.3.113);

working paper on policy options with a view to a Community target for the stabilization of carbon dioxide emissions (→ point 1.3.142);

communication concerning the adoption of a Decision authorizing the Commission to negotiate a draft OECD decision-recommendation on the reduction of trans-frontier movements of waste (→ point 1.3.148);

European Community forest health report (→ point 1.3.154);

communication on the quality of and the protection of geographical indications for agricultural products (→ point 1.3.166);

report to the Council on the risk of damage to hearing resulting from noise emitted by toys (→ point 1.3.167);

communication entitled 'Follow-up to the Green Paper: Working programme of the Commission in the field of copyright and neighbouring rights' (→ point 1.3.168);

forward programme for steel for the first quarter of 1991 and outlook for 1991 (→ point 1.3.175);

communication concerning the improvement of the conditions under which fishery and aquaculture products are processed and marketed (→ point 1.3.265);

eleventh report on the annual accounts of railway undertakings (→ point 1.3.283);

draft aviation agreement between the Community, Norway and Sweden (→ point 1.3.286);

draft report on the market for solid fuels in the Community in 1990 and the outlook for 1991 (→ point 1.3.289);

report on State aid to the coal industry in 1988 drawn up under Commission Decision No 2064/86/ECSC establishing Community rules for State aid to the coal industry (→ point 1.3.290);

communication on trade between the Community and Iraq and Kuwait (→ point 1.4.17);

agreement in principle on a Community contribution to a repatriation and reintegration programme for Vietnamese exiles not regarded as refugees (→ point 1.4.35).

Community lawcourts

1.8.29. Rules of Procedure of the Court of First Instance.

- **References:**

Decision 88/591/ECSC, EEC, Euratom establishing a Court of First Instance: OJ L 319, 25.11.1988; Bull. EC 10-1988, point 2.4.7

Draft Rules of Procedure: OJ C 136, 5.6.1990

Approved by the Council on 21 December.

1.8.30. Amendments to the Rules of Procedure of the Court of Justice.

- **Rules of Procedure (consolidated version):** OJ C 39, 15.2.1982

Approved by the Council on 21 December. The amendments approved reflect the Court's concern to speed up procedures and to clarify, in the light of experience, the meaning of certain provisions.

New cases

1.8.31. The following cases came before the Court of Justice in December either as references for preliminary rulings or as actions brought direct.

Customs union

Case C-338/90 *Hamlin Electronics v HZA Darmstadt*

Basis: Article 177 of the EEC Treaty

Is the wording of Table II of Regulation No 3696/88 and the Annex to Regulation No 1656/89 temporarily suspending the autonomous Common Customs Tariff duty on certain industrial products (in the microelectronics and related sectors) to be interpreted as meaning that the presence or absence of mercury in reed switches falling within CN heading ex 8536 50 00 determines whether they qualify for the suspension of duty?

Freedom of establishment and freedom to provide services

Case C-330/90 *Ministerio Fiscal v Lopez Brea*

Basis: Article 177 of the EEC Treaty

Interpretation of Articles 2, 3 and 5 of Directive 67/43/EEC concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of self-employed persons in the real estate sector, with special reference to national rules giving a particular professional group the exclusive right to carry out such activities.

Case C-331/90 *Ministerio Fiscal v Hidalgo Palacios*

Basis: Article 177 of the EEC Treaty

Subject-matter identical with Case C-330/90 above.

Competition

Case C-337/90 *Musso & Parker v HZA Gronau*

Basis: Article 177 of the EEC Treaty

Is the constructed normal value, as that term is defined in Article 2(3) of Regulation No 3017/79 on protection against dumped or subsidized imports from non-member countries, to be determined on the basis of the conditions prevailing when the goods were exported or those prevailing when customs import formalities were completed?

Appeals against judgments of the Court of First Instance

Cases C-372/90P and C-372/90P-R *SEP v Commission*

Basis: Article 168a of the EEC Treaty (C-372/90 P)

Articles 185 and 186 of the EEC Treaty (C-372/90 P-R)

Application for suspension of the operation of the Commission Decision of 2 August 1990 concerning a proceeding under Article 11(5) of Regulation No 17 (SEP/Gasunie) (Case C-372/90 P).

Further application for interim measures (Case C-372/90 P-R).

State aid

Cases C-356/90 and C-356/90 R *Belgium v Commission*

Basis: Articles 173 and 174 of the EEC Treaty (C-356/90)

Articles 185 and 186 of the EEC Treaty (C-356/90 R)

Application for annulment of Commission Decision C(90) 1900 of 4 July 1990 concerning loans granted by the Belgian authorities to two shipyards for the purchase of vessels (Case C-356/90);

Application for suspension of the operation of the Decision and for the reopening of the Article 93(2) procedure (Case C-356/90 R).

Case C-364/90 *Italy v Commission*
Basis: Article 173 of the EEC Treaty

Application for annulment of Articles 1, 2, 3 and 4 of the Commission Decision adopted on 25 July 1990 under Article 93 of the Treaty, concerning aid which the Italian Government had granted to certain parts of the Mezzogiorno affected by natural disasters.

Free movement of persons

Case C-340/90 *Bosman v Football Club de Liège and Union royale belge des sociétés de football ASBL*
Basis: Article 177 of the EEC Treaty

Is it permissible under Articles 3(c) and 48 of the Treaty that the rules adopted by a private association (a football federation) should require a worker currently free from any employment relationship to pay a transfer fee in order to gain access to employment in a Member State?

OJ C 4, 8.1.1991

Agriculture

Case C-352/90 *Hansen v Council*
Basis: Second paragraph of Article 215 of the EEC Treaty

Claim for damages on the grounds that 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 Regulation No 764/89, and Regulation No 1371/84 laying down detailed rules for the application of the levy are invalid in that they do not provide for the allocation of a reference quantity to producers who did not deliver milk during the reference year selected by the Member State concerned, in fulfilment of an undertaking given pursuant to Regulation No 1078/77 introducing a system of premiums for the non-marketing of milk and milk

products and for the conversion of dairy herds.

Case C-358/90 and C-358/90 R *Compagnia Italiana Alcool SAS di Mario Mariano v Commission*

Basis: Articles 173 and second paragraph of Article 215 of the EEC Treaty (C-358/90) Article 186 of the EEC Treaty (C-358/90 R)

Application for annulment of the Commission Decision of 11 October 1990 to block tendering procedures Nos 5/90 and 6/90 for the sale of large quantities of alcohol for use as fuel, together with a claim for damages (Case C-358/90);

Application for interim measures suspending the operation of the Decision (Case C-358/90 R).

Case C-367/90 *Kalck v Council and Commission*

Basis: Second paragraph of Article 215 of the EEC Treaty

Subject-matter identical with Case C-352/90 above

Infringements

Case C-349/90 *Commission v Luxembourg*
Basis: Article 169 of the EEC Treaty

Failure to comply with Directive 84/5/EEC on insurance against civil liability in respect of the use of motor vehicles and Directive 84/641/EEC amending Directive 73/239/EEC on the taking-up and pursuit of the business of direct insurance other than life assurance.

OJ C 4, 8.1.1991

Case C-350/90 *Commission v Belgium*
Basis: Article 169 of the EEC Treaty

Failure to comply with Directive 85/374/EEC concerning liability for defective products.

OJ C 4, 8.1.1991

Case C-351/90 *Commission v Luxembourg*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by failing to ensure that the national rule whereby persons practising the professions of medicine, dentistry or veterinary medicine must have a single practice does not prevent nationals of Member States who are established or employed in another Member State and who wish to set up or work as employed persons in Luxembourg from maintaining their practice or continuing to be employed in a Member State other than Luxembourg, Luxembourg has failed to fulfil its obligations under the EEC Treaty.

OJ C 326, 28.12.1990

Case C-355/90 *Commission v Spain*
Basis: Article 169 of the EEC Treaty

Failure to comply with Article 4 of Directive 79/409/EEC on the conservation of wild birds.

OJ C 12, 18.1.1991

Case C-357/90 *Commission v Italy*
Basis: Article 169 of the EEC Treaty

Failure to comply with Directive 85/577/EEC to protect the consumer in respect of contracts negotiated away from business premises.

OJ C 16, 24.1.1991

Case C-359/90 *Commission v Ireland*
Basis: Article 169 of the EEC Treaty

Failure to comply with the seventh and eighth Directives based on Article 54(3)(g) of the EEC Treaty, namely Directive 83/349/EEC on consolidated accounts and Directive 84/253/EECD on the approval of persons responsible for carrying out the statutory audits of accounting documents.

Case C-361/90 *Commission v Portugal*
Basis: Article 169 of the EEC Treaty

Seeking a declaration that, by failing to adjust progressively the monopoly in alcohol, Portugal has failed to fulfil its obligations under Article 208(1) of the Act of Accession.

Case C-374/90 *Commission v Greece*
Basis: Article 169 of the EEC Treaty

Failure to comply with Directive 87/54/EEC on the legal protection of topographies of semiconductor products.

Case C-375/90 *Commission v Greece*
Basis: Article 169 of the EEC Treaty

Failure to comply with Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat.

Case C-376/90 *Commission v Belgium*
Basis: Article 169 of the EEC Treaty

Failure to comply with Articles 10(2), 44 and 45 of Directive 80/836/Euratom amending the Directives laying down the basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation.

Disputes between the Community and its staff

v Commission:

Case C-346/90P *Ferrandi*

OJ C 4, 8.1.1991

1.8.32. The following actions were brought before the court of First Instance in December.

Disputes between the Community and its staff

v Commission:

Cases T-50/90 and T-50/90R *White*

OJ C 16, 24.1.1991

Case T-51/90 *Moretti*

OJ C 16, 24.1.1991

v Parliament:

Cases T-52/90 *Volger*

OJ C 16, 24.1.1991

Judgments

1.8.33. Decisions were given by the Court of Justice in the following cases in December.

Free movement of goods

12.12.1990: Case C-270/86 *Cholay and Bizon's Club v Sacem*

Articles 30 and 36 of the EEC Treaty must be interpreted as not precluding the application of national legislation authorizing a national performing rights society to collect, on account of the public performance of sound recordings, a supplementary mechanical reproduction fee in addition to the royalties for the performing rights, even when such an additional fee is not provided for in the Member State in which those sound recordings have been lawfully marketed.

OJ C 12, 18.1.1991

12.12.1990: Case C-302/88 *Hennen Olie v Stichting Interim Centraal Orgaan Voorraadvorming Aardolieprodukten and Netherlands State*

Article 34 of the EEC Treaty must be interpreted as meaning that it does not preclude traders who are not affiliated to an organization established for the purpose of performing the legal obligations imposed on its members under the law implementing Directive 68/414/EEC and who wish to export products purchased on the domestic market from not being able to obtain the refund of contributions made to that body or from being able to do so only under certain conditions, provided that there is no difference in treatment between products intended for export and products placed on the domestic market of the Member State concerned.

12.12.1990: Case C-241/89 *SARPP v Chambre syndicale des raffineurs et conditionneurs de sucre de France and Others*

1. The provisions of Directive 79/112/EEC on the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer, and in particular Articles 2 and 5, must be interpreted as meaning that they preclude the application, to national and imported products, of national provisions which prohibit any reference in the labelling of artificial sweeteners to the word 'sugar' or to the physical, chemical or nutritional properties which artificial sweeteners also possess.

2. Articles 30 and 36 of the EEC Treaty must be interpreted as meaning that they preclude the application, to imported products, of national provisions which prohibit any reference in the advertising of artificial sweeteners to the word 'sugar' or to the physical, chemical or nutritional properties which artificial sweeteners also possess.

OJ C 10, 16.1.1991

13.12.1990: Case C-238/89 *Criminal proceedings v Bellon*

On a correct interpretation, Articles 30 and 36 of the EEC Treaty do not prevent a Member State from prohibiting the marketing of a foodstuff which has been imported from another Member State where it is lawfully produced and marketed and to which one of the substances listed in Annex I to Directive 64/54/EEC concerning the preservatives authorized for use in foodstuffs intended for human consumption has been added, provided that the marketing of that foodstuff in the Member State of importation is permitted under a procedure which is readily accessible to traders and which can be completed within a reasonable period, when the addition of the substance in question meets a genuine need — in particular a technological need — and entails no risk to public health. It is incumbent on the competent national authorities to demonstrate in each case, by reference to national eating habits and the results of international scientific research, that their legislation is needed to give effective protection to the interests set out in Article 36 of the Treaty.

Customs union

4.12.1990: Case C-218/89 *Shimadzu Europa v Oberfinanzdirektion Berlin*

The Combined Nomenclature in the Annex to Regulation No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff must be interpreted as meaning that equipment which measures or checks electrical quantities only for the purpose of collecting, evaluating and processing data in the field of chromatography does not fall within CN heading No 9030.

OJ C 4, 8.1.1991

6.12.1990: Case C-343/89 *Witzemann v HZA München-Mitte*

1. Under Community law, no customs debt may be incurred when counterfeit currency is imported into the customs territory of the Community.

2. Under Article 2 of the sixth Directive on the harmonization of the laws of the Member States relating to turnover taxes — Common system of

value-added tax: uniform basis of assessment (Directive 77/388/EEC), properly construed, VAT on importation may not be levied on the importation of counterfeit currency into the Community.

Taxation

4.12.1990: Case C-186/89 *Van Tiem v Staatssecretaris van Financiën*

1. The granting by the owner of immovable property to another person of building rights in respect of that property, by authorizing that person to use the immovable property for a specified period in return for payment, must be regarded as exploitation of tangible property for the purpose of obtaining income therefrom on a continuing basis within the meaning of the second sentence of Article 4(2) of the sixth Directive relating to turnover taxes (Directive 77/388/EEC).

2. In so far as a Member State has made use of the possibility provided by Article 5(3)(b) of the sixth Directive to consider rights *in rem* giving the holder thereof a right of user to the tangible property, the term 'transfer' used in Article 5(1) must be interpreted as also covering the creation of such a right.

3. The answer to Question 1 does not depend on the answer to Question 2.

OJ C 326, 28.12.1990

Competition

21.11.1990: Case C-160/90 *Alfa Famarceutici and Others v Syntex Pharmaceuticals International and Others*

Removed from the Court Register.

(Interpretation of Article 85 of the EEC Treaty — Compatibility with Article 85 of a contract between a patentholder and a competitor requiring the competitor, in return for the patentholder's undertaking not to bring infringement proceedings, to reveal its manufacturing processes and to allow experts to inspect its factories — Undertaking not to manufacture a product not protected by a patent without the authorization of the other party.)

OJ C 4, 8.1.1991

State aid

6.12.1990: Case C-180/88 *Wirtschaftsvereinigung Eisen- und Stahlindustrie v Commission*

The application was dismissed as inadmissible.

(Application for annulment of the Commission's Decision of 26 May 1988 whereby it refused to order the repayment of State aids granted to BSC.)

OJ C 10, 16.1.1991

12.12.1990: Case C-172/89 *Vandermoortele v Commission*

The Commission decision notified by telex on 15 March 1989 withholding the sum of ECU 56 463 from the amount due to the applicant for the supply of Community food aid was declared void.

OJ C 15, 23.1.1991

Agriculture

11.12.1990: Case C-189/89 *Spagl v HZA Rosenheim*

1. The first indent of Article 3a(1) of Regulation No 857/84, as amended by Regulation No 764/89, is invalid in so far as it excludes from the grant of a special reference quantity under that provision producers whose period of non-marketing or conversion, pursuant to the undertaking given under Regulation No 1078/77, expires after 31 December 1983 or, in some cases, 30 September 1983.

2. Article 3a(2) of Regulation No 857/84, as amended by Regulation No 764/89, is invalid in so far as it restricts the special reference quantity provided for in that provision to 60% of the quantity of milk delivered or the quantity of milk equivalent sold by the producer during the 12 calendar months preceding the month in which the application for the non-marketing or conversion premium was made.

OJ C 12, 18.1.1991

11.12.1990: Case C-217/89 *Pastätter v HZA Bad Reichenball*

Ruling identical with paragraph 2 of the judgment given in Case C-189/89 above.

OJ C 12, 18.1.1991

12.12.1990: Case C-285/89 *van der Laan-Velzeboer and van der Laan v Minister van Landbouw en Visserij*

The concept of 'appropriation' within the meaning of Article 3 of 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 covers the case in which a producer concludes an agreement with a public utility undertaking in order to avoid the unilateral imposition of an

obligation to tolerate a public utility on his holding, if the agreement concerns a considerable part of the utilizable agricultural area of the holding and involves a temporary reduction in its fodder area.

OJ C 12, 18.1.1991

12.12.1990: Case C-22/89 *Netherlands v Commission*

The application is dismissed.

(Application for annulment of Commission Decision 88/630/EEC on the clearance of the accounts presented by the Member States in respect of EAGGF Guarantee Section expenditure for 1986.)

OJ C 15, 23.1.1991

External relations

12.12.1990: Joined Cases C-100/89 and C-101/89 *Kaefer and Procacci v France*

The sphere of application of Article 176 of Decision 86/283/EEC on the association of the overseas countries and territories with the European Economic Community does not extend to cover decisions taken by the competent authorities of the Member States in regard to entry and residence of nationals of the other Member States in an overseas territory, except where such decisions concern the nationals of other Member States who exercise or seek to exercise the right of establishment or the freedom to provide services in such a territory.

The prohibition of discrimination laid down by Article 176 of the Decision may be relied on before the competent authorities of a country or a territory by a national of a Member State, other than the one with which that country or territory maintains special relations, for the purpose of establishing himself or providing services there, once the person concerned satisfies the conditions required of nationals not established in that country or territory and if the Member State of which he is a national accords the same treatment to persons from the country or territory in question.

Infringements

5.12.1990: Case C-92/90 *Commission v Greece*

Removed from the Court Register.

(The applicant sought a declaration that, by granting a monopoly on supplies to welfare institutions and bodies to an intermediary not designated by

those institutions or bodies, Greece had failed to fulfil its obligations under Community law, and in particular Article 3 of Regulation No 2374/79.)

6.12.1990: Case C-208-88 *Commission v Denmark*

By introducing and maintaining in force an allowance limited to 10 litres for beer imported in travellers' personal luggage, contrary to the provisions of Directive 69/169/EEC on exemption from turnover tax and excise duty on imports in international travel, as amended by Directive 87/189/EEC, Denmark has failed to fulfil its obligations under the EEC Treaty.

OJ C 4, 8.1.1991

6.12.1990: Case C-367/88 *Commission v Ireland*

By introducing and maintaining in force an allowance limited to 12 litres for beer imported in travellers' personal luggage, contrary to the provisions of Directive 69/169/EEC on exemption from turnover tax and excise duty on imports in international travel, as amended by Directive 85/348/EEC, Ireland has failed to fulfil its obligations under the EEC Treaty.

11.12.1990: Case C-47/88 *Commission v Denmark*

By imposing a registration duty on imported used motor vehicles based on a flat-rate value which is higher than the real value of the vehicle, with the result that imported used motor vehicles are taxed more heavily than used motor vehicles which are sold on the domestic market after being registered in Denmark, Denmark has failed to fulfil its obligations under Article 95 of the EEC Treaty.

12.12.1990: Case C-263/88 *Commission v France*

By failing to adopt the measures needed to allow nationals of other Member States in possession of the requisite French qualification to establish themselves or provide services as doctors, general nurses, midwives, dentists or veterinary surgeons in the overseas territory of French Polynesia, and by failing to adopt within the prescribed period the necessary provisions regarding the occupation of veterinary surgeon in New Caledonia and its dependencies, France has failed to fulfil its obligations under Article 137 of Decision 80/1186/EEC and Article 176 of Decision 86/283/EEC on the association of the overseas countries and territories with the European Economic Community.

OJ C 10, 16.1.1991

13.12.1990: Case C-347/88 *Commission v Greece*

1. By adopting Law No 1571/85 and the measures for its implementation, which maintain in effect the State's import and marketing rights for petroleum products, subject the distribution companies' annual procurement programmes and any amendments thereof to the approval of the Greek authorities and establish a system of marketing quotas, Greece has failed to fulfil its obligations under Articles 30, 34 and 37(1) of the EEC Treaty.

2. The remainder of the application is dismissed.

13.12.1990: Case C-70/89 *Commission v Italy*

Failure to comply with Directive 83/513/EEC on limit values and quality objectives for cadmium discharges.

13.12.1990: Case C-240-89 *Commission v Italy*

Failure to comply with Directive 83/477/EEC on the protection of workers from the risks relating to exposure to asbestos at work, except as regards activities relating to asbestos mining.

1.8.34. Decisions were given by the Court of First Instance in the following cases in December.

Competition

13.12.1990: Case T-113/89 *Nefarma and Others v Commission*

The application is dismissed as inadmissible.

(Application for the annulment of a letter sent by Sir Leon Brittan, a Vice-President of the Commission, to the Netherlands authorities concerning an agreement on the price of medicines, notified to the Commission by the Dutch pharmaceutical industry association.)

OJ C 15, 23.1991

13.12.1990: Case T-114/89 *Vereniging van Nederlandse Ziekenfondsen and Others v Commission*

The application is dismissed as inadmissible.

(Subject-matter identical with Case T-113/89 above.)

OJ C 15, 23.1991

13.12.1990: Case T-116/89 *Vereniging Prodifarma and Others v Commission*

The application is dismissed as inadmissible.

(Subject-matter identical with Case T-113/89 above.)

OJ C 15, 23.1.1991

Disputes between the Community and its staff

v Commission:

6.12.1990: Case T-130/89 *Mme B*

The application is dismissed as inadmissible.

OJ C 1, 3.1.1991

6.12.1990: Case T-6/90 *Petrilli*

The application is dismissed as inadmissible.

OJ C 1, 3.1.1991

13.12.1990: Case T-20/90 *Moritz*

The application is dismissed.

OJ C 16, 24.1.1991

13.12.1990: Case T-29/89 *Moritz*

The application is dismissed.

OJ C 16, 24.1.1991

v Council:

14.12.1990: Case T-75/89 *Brems*

The decision of the General Secretariat of the Council refusing to treat the applicant's son as a dependent child is annulled.

v Parliament:

13.12.1990: Case T-115/89 *González Holguera*

The application is dismissed.

OJ C 16, 24.1.1991

v Court of Justice:

13.12.1990: Joined Cases T-160/89 and T-161/89 *Kalavros*

1. In Case T-161/89 the application is dismissed.

2. In Case T-160/89 it is unnecessary to give a decision on the conclusions in the application.

Analysis of judgments delivered between 1 July and 31 December 1990

General principles

Substances with a hormonal effect — Validity of Directive 88/146/EEC — General principles of Community law

1.8.35. Judgment of 13 November in Case C-331/88 *The Queen v Minister for Agriculture, Fisheries and Food and Secretary of State for Health, ex parte Fedesa*.

- Reference: Council Directive 88/146/EEC prohibiting the use in livestock farming of certain substances having a hormonal action: OJ L 70, 16.3.1988

In considering the various grounds for invalidity alleged against Council Directive 88/146/EEC the Court clarified, in its *Fedesa* judgment, the scope in Community law of the fundamental principles of legal certainty, proportionality, equal treatment and the non-retroactive nature of legislation.

The principle of legal certainty required the courts to assume that any measure taken by the Community institutions was enacted on a rational and objective basis, so that judicial review had to be confined, in the light of the Council's recognized discretionary power concerning the implementation of the common agricultural policy, to ascertaining whether or not the measure challenged was obviously mistaken or involved misuse of power or whether or not the institution in question had manifestly exceeded the bounds of its discretionary power.

The principle of proportionality meant that the lawfulness of prohibiting a particular economic activity was conditional upon the prohibition measures being appropriate and essential to the achievement of their legitimate objectives, bearing in mind that, where a choice had to be made between a

number of appropriate measures, the least onerous should be selected and the resultant disadvantages should not be disproportionate to the aims in view.

OJ C 306, 6.12.1990

Judicial review and fulfilment by the Member States of their obligations

Agriculture — Common organization of the market in wine — National coercive measures

1.8.36. Judgment of 10 July 1990 in Case C-217/88 *Commission v Germany*.

- Reference: Council Regulation (EEC) No 337/79 on the common organization of the market in wine: OJ L 54, 5.3.1979

This case raised the question of the suspensory effect of actions brought by individuals in the national courts against administrative acts based on Community law.

The Court held that the failure of the Federal Republic of Germany to use the coercive measures available under German law (immediate enforcement) against producers who had refused to deliver table wine for compulsory distillation was contrary to Article 5 of the EEC Treaty and Article 64(1) of Regulation No 337/79 on the common organization of the market in wine.

The objective of the compulsory distillation measures could only be attained if they were implemented within a specific timescale (which, in the case in point, had been determined by the Commission) and it was therefore incumbent on Member States to take whatever measures were necessary to ensure that producers delivered their wine for distillation within the period prescribed, even where the producers concerned had successfully brought an action in the national courts to suspend the enforcement of notices of liability for compulsory distillation.

OJ C 193, 2.8.1990

**Company law — Horizontal effect
of Community directives —
Interpretation in conformity
with national law**

1.8.37. Judgment of 13 November 1990 in Case C-106/89 *Marleasing v La Comercial Internacional de Alimentación*.

• **References:**

Case 14/83 *Von Volson and Kamann v North-Rhine Westphalia* [1984] ECR 1891

Council Directive 68/151/EEC on coordination of safeguards which, for the protection of the interests of members and others, are required by Member States of companies within the meaning of the second paragraph of Article 58 of the Treaty, with a view to making such safeguards equivalent throughout the Community: OJ L 65, 14.3.1968

The Court ruled that a national court called on to determine a dispute in a matter falling within the sphere of application of a directive is obliged to interpret its national law in the light of the wording and purpose of that directive — in the case at issue, to prevent the nullity of a limited liability company from being declared on a ground other than those listed in Article 11 of Directive 68/151/EEC. The Court pointed out that Member States are under an obligation to achieve the results provided for in directives and are required by Article 5 of the Treaty to take all appropriate measures, whether general or particular, to ensure the performance of this obligation. The obligation was incumbent on all the authorities of the Member States, including — within the bounds of their jurisdiction — the courts.

This judgment represents an important development in case-law for, although the Court formally upholds the principle that Community directives have no horizontal effect, it nevertheless obliges national courts to interpret their national law in conformity with the directive concerned (even if the national law predates the directive) and thus, in practice, confers on directives a force approximating closely to horizontal effect.

OJ C 306, 6.12.1990

Free movement of goods

**Plant-health checks on grapefruit —
Prohibition of imports through
inland-border crossing-points**

1.8.38. Judgment of 12 July 1990 in Case C-128/89 *Commission v Italy*.

This case provided the Court with an opportunity to clarify its past rulings on the relationship between Articles 30 and 36 of the EEC Treaty, on the one hand, and harmonization directives, on the other.

Having found that Italy's prohibition on imports of grapefruit through its inland borders had the effect of making imports from other Member States difficult if not impossible, in contravention of Article 30, the Court went on to consider whether the measures at issue nevertheless fell within the Member States' powers to regulate trade on grounds of plant health protection.

Where a Community directive provides, pursuant to Article 100, for the harmonization of health protection measures and lays down Community procedures for its enforcement, Member States are entitled to adopt protective measures only within the limits specified in the directive.

The purpose of such directives is to promote the free movement of goods by eliminating or at least reducing any obstacles resulting from national health protection measures taken under Article 36 (see ground 30 of the judgment given in Case 45/76 *Baubuis* [1975] ECR 5).

Any national rules or practices adopted for a purpose specified in Article 36 are therefore incompatible with the Treaty if they go beyond the limits of what is appropriate and necessary to achieve the desired result (see grounds 16 and 17 of the judgment given in Case 104/75 *De Peijper* [1975] ECR 613).

In this particular case the Court held that the legislation in question went beyond the permissible limits since the Italian authorities had been unable to show that it was

impossible to carry out health checks on the grapefruit at inland borders.

OJ C 198, 7.8.1990

Trade marks — Hag ruling

1.8.39. Judgment of 17 October 1990 in Case C-10/89 *CNL-Sucal v Hag GF*.

- **Reference:** Case 192/73 *Van Zuylen v Hag* [1974] ECR 731

The judgment handed down by the Court completely reversed that given on the same matter in 1974. The Court justified this about-turn by reference to the case-law which had gradually developed on the relationship between industrial and commercial property and the general rules of the Treaty, particularly in the area of free movement of goods (ground 10).

The central issue was whether Articles 30 and 36 of the Treaty precluded national legislation from allowing a firm which held a trade mark in one Member State (in this case Hag GF) from opposing the importation from another Member State of similar products lawfully bearing an identical trade mark in the latter State even though the mark had originally belonged to a subsidiary (Café Hag) of the firm opposing the imports in question and had been acquired by a third firm (now CNL-Sucal), the subsidiary having been sequestered as enemy property by the Belgian authorities in 1944.

The Court concluded that the essential function of the trade mark would be compromised if the holder could not avail himself of the possibility offered to him under national law of opposing the importation of a similar product under a name that could be confused with his own mark, because consumers would no longer be able to identify with any certainty the origin of the product bearing the mark and the holder could find that a poor-quality product for which he was in no way responsible was attributed to him.

OJ C 285, 13.11.1990

Prohibition on the marketing of cheeses not conforming to Italian rules

1.8.40. Judgment of 11 October in Case C-210/89 *Commission v Italy*.

The Court held that Italy was in breach of Article 30 of the EEC Treaty by making the importation of cheeses from other Member States where they were lawfully manufactured and marketed conditional upon compliance with national legislation prohibiting the manufacture and marketing of cheeses with a lower fat content than that stipulated by the Italian rules.

The Court took the view that the legislation in question constituted a measure with equivalent effect within the meaning of Article 30.

Although Member States were free to lay down rules whereby national producers could use the description 'cheese' only for products with a minimum fat content, it was incompatible with Article 30 and the objectives of the common market to extend the application of such rules to imported cheeses lawfully manufactured and marketed under that description in another Member State but having a lower fat content, as long as the consumer was fully informed of the facts (ground 13).

OJ C 280, 8.11.1990

Trade marks — Misleading advertising

1.8.41. Judgment of 13 December in Case C-238/89 *Pall v P. J. Dahlhausen*.

- **References:**
Case 120/78 *Rewe* [1979] ECR 649
Case 8/74 *Dassonville* [1974] ECR 837

The Court held that a prohibition, within the territory of a Member State, on the marketing of a product bearing the letter R in a circle beside the trade mark, where the mark is not registered in that State but is registered in another Member State, was liable to hinder intra-Community trade even if it applied without distinction to domestic and imported products.

Such a prohibition could oblige the owner of a trade mark registered in a single Member State to vary the presentation of his products according to the place of marketing and to set up separate channels of distribution.

In line with its earlier rulings the Court took the view that a prohibition of this kind could not be justified by the imperative need to protect the consumer (who was more interested in the nature of the product than in the place where the trade mark was registered or to ensure fair trading.

OJ C 15, 23.1.1991

**Article 95 of the EEC Treaty —
Registration tax —
No national production**

1.8.42. Judgment of 11 December in Case C-47/88 *Commission v Denmark*.

The Court rejected the argument that the Danish registration tax on new motor vehicles was in breach of Article 95 of the EEC Treaty. This Article could not be relied upon as against domestic taxation on imported products where there was no similar or competing national production. In particular, it did not permit taxation levied by Member States on given products to be held to be excessive where there was no discriminatory or protective effect.

At the moment there is in Denmark no national production of motor cars or products likely to compete with motor cars.

On the other hand, the Court held that the provisions of Article 95 did apply to the registration tax on imported used cars, which were in competition with second-hand cars purchased in Denmark. It should be mentioned that registration tax is not charged anew on the sale of vehicles already registered in Denmark. Consequently, the charging of a registration tax on the basis of a value equal to at least 90% of the value of the vehicle when new would generally constitute an obvious over-taxation of the vehicles concerned as compared to the residual value of the registration tax paid

at an earlier date on used cars purchased on the Danish market, regardless of their age or degree of previous use.

The Court ruled that such discriminatory taxation on imported used cars was contrary to Article 95 of the EEC Treaty.

OJ C 10, 16.1.1991

Free movement of persons

**Free movement of workers —
Non-discrimination —
Child of a migrant worker —
Training grants**

1.8.43. Judgment of 13 November in Case C-308/89 *Di Leo v Land Berlin*.

- Reference: Case 66/77 *Kuyken* [1977] ECR 2711

The Court held that the right to equality of treatment, as provided for in Article 12 of Regulation No 1612/68, must also be extended to any Community worker's child who follows a training course outside the host country — in particular in the Member State of which he or she is a national.

The Court based its ruling mainly on the purpose of the Regulation — freedom of movement for workers. If this was to be guaranteed without any infringement of individual liberty or dignity, the families of Community workers had to be integrated as fully as possible into the society of the host country. And this in turn required that the children of Community workers living with their family in a Member State other than their own had to be able to choose their course of studies on the same terms as children who were nationals of that Member State.

OJ C 306, 6.12.1990

**Right of residence —
Establishment and provision of services —
Overseas countries and territories**

1.8.44. Judgments of 12 December in Joined Cases C-100/89 and C-101/89 *Kaefer*

and Procacci v France; Case C-263/88 Commission v France.

● **References:**

Council Decision 86/283/EEC on the association of the overseas countries and territories with the EEC: OJ L 175, 1.7.1986

Council Decision 80/1186/EEC on the association of the overseas countries and territories with the EEC: OJ L 361, 31.12.1980

These two judgments deal with the application of the rules governing the right of establishment and the right to provide services in the overseas countries and territories.

In *Kaefer* the Court pointed out that Article 176 of Decision 86/283/EEC, taken in the context of Part Four of the EEC Treaty (and Article 136 in particular), obliged the competent authorities in the OCTs to treat nationals of other Member States on a non-discriminatory basis in matters relating to establishment and the provision of services, including the right of entry and the right of residence (but not as regards the rights of entry and residence in general), provided that reciprocal arrangements of the kind described in Article 176 were in force.

The Court also concluded that the provisions in question were directly applicable on the grounds that, once the reciprocity requirement was met, the obligation to provide non-discriminatory treatment was subject to no further conditions under Article 176 of the Decision, thus leaving the Member States no margin of discretion.

Case C-263/88 was the first in which a Member State was found to have failed to comply with its obligation under the Council Decision on the association of the OCTs with the EEC as regards establishment and provision of services (doctors, nurses, midwives, dentists and veterinary surgeons).

OJ C 12, 18.1.1991

Competition

Relationship between Articles 85 and 86 of the EEC Treaty — Block exemption and applicability of Article 86

1.8.45. Judgment of 10 July in Case T-51/89 *Tetra Pak Rausing v Commission*.

The Court of First Instance was asked to rule on whether the Commission could still decide that there had been abuse of a dominant position within the meaning of Article 86 of the EEC Treaty when the conduct in question involved the use of an exclusive patent licence for which the Commission had already granted block exemption.

Tetra Pak's main argument was that it was a manifest contradiction for the Commission to prohibit under Article 86 conduct which it had declared compatible with Article 85 and that this constituted an improper assessment of the relationship between Articles 85 and 86.

The Court of First Instance held, however, that the applicant's position was tantamount to claiming exemption under Article 86 whereas the wording of Article 86 made it clear that the prohibition on the abuse of dominance was unconditional; Articles 85 and 86 were independent and complementary provisions designed, in general, to regulate distinct situations by different rules.

OJ C 103, 2.8.1990

State aid — Recovery — Legitimate expectation — time-limit

1.8.46. Judgment of 20 September in Case C-5/89 *Commission v Germany*.

This judgment sets out the conditions under which a firm may rely on the argument of legitimate expectations to contest a Commission decision ordering the recovery of illegal State aid. According to the Court, firms should assume that, as a rule, any aid which has not been notified to the Commission will have to be repaid. Firms cannot claim, as an argument against a decision

ordering repayment, that they were entitled to presume that aid granted was lawful since they are usually in a position to ascertain whether the Article 93 procedure has been duly observed.

Only in exceptional cases may firms contest the repayment order on grounds of legitimate expectation. Member States, in any event, are never entitled to invoke the legitimate expectation of the recipients of aid as grounds for non-compliance with a Commission decision ordering its repayment, irrespective of any national rules concerning such matters.

In this particular case the German Government, having infringed Article 93(3) of the Treaty (whereby prior notification must be given), was not entitled to rely on Baden-Württemberg legislation on the protection of acquired rights in order to free itself from its obligation.

OJ C 261, 16.10.1990

Equal treatment for men and women

**Equal treatment —
Refusal to employ a pregnant woman —
Conditions governing dismissal —
Absence due to illness originating
in pregnancy or confinement**

1.8.47. Judgments of 8 November in Cases C-177/88 *Dekker v VJV-Centrum Plus* and C-179/88 *Handels- og Kontorfunktionærernes Forbund i Danmark v Dansk Arbejdsgiverforening*.

In Case C-177/88 the Court held that, under Directive 76/207/EEC, the refusal to engage a female worker because of her pregnancy constituted direct discrimination on grounds of sex. A refusal to engage a woman because of the financial consequences which would follow from her absence during pregnancy must be considered as motivated essentially by the fact of her pregnancy, even if national law treats pregnancy on the same basis as illness.

In Case C-179/88, on the other hand, the Court ruled that the dismissal of a female worker because of repeated absences resulting from an illness due to pregnancy or confinement did not constitute direct discrimination on the grounds of sex. A pathological condition of that kind, if it developed after maternity leave, was covered by the general rules applicable to any illness. The only question was whether the woman had been dismissed on the grounds of absence due to illness in the same way as a man would have been dismissed.

OJ C 304, 4.12.1990; OJ C 301, 30.11.1990

Agriculture

**Internal instruction —
EAGGF controls —
Taking and analysis of samples**

1.8.48. Judgment of 9 October in Case C-366/88 *France v Commission*.

• **References:**

Internal instructions concerning certain administrative and technical procedures to be followed by officials given powers by the Commission concerning sampling and analysis of products for the purposes of the management and control of the European Agricultural Guidance and Guarantee Fund: OJ C 264, 11.11.1988

Council Regulation (EEC) No 729/70 on the financing of the common agricultural policy: OJ L 94, 28.4.1970

The Court declared void, on grounds of lack of competence, the Commission's internal instructions entitling its staff to take and analyse samples independently of the Member States for EAGGF management and control purposes and laying down the procedures to be followed in this context.

The Court held that no such powers had been conferred on the Commission by Regulation No 729/70 on the financing of the CAP and that only the Council was competent, under Article 9(3) of the Regulation, to lay down general rules for verifying whether the operations financed by the

EAGGF had in fact been carried out in the proper manner.

The effect of the control arrangements established by Article 9 of the Regulation was that, if the taking and analysis of samples proved necessary, such work had to be carried out by the Member State, either on its own initiative pursuant to Article 8(1) or at the request of the Commission in accordance with the third subparagraph of Article 9(2) (ground 22).

OJ C 274, 31.10.1990

Financial compensation in respect of certain fishery products — Penalties commensurate with the offence

1.8.49. Judgment of 24 October in Case C-301/88 *The Queen v Intervention Board for Agricultural Produce, ex parte the Fish Producers' Organization and the Grimsby Fish Producers' Organization*.

In this case, which concerned the question of penalties proportional to infringements of the common fisheries policy, the Court found that, given the importance of quality standards in the market organization for fishery products, any significant failure by a producers' organization to comply with these standards (in respect of fish put up for sale and not withdrawn from the market, but belonging to the same species as other fish withdrawn during the same period) should rule out the payment of any financial compensation to the organization for the fish withdrawn.

The Court rejected the argument that the financial compensation should merely be reduced in proportion to the quantities which failed to meet the standards.

OJ C 288, 16.11.1990

Additional milk levy

1.8.50. Judgments of 11 December in Cases C-189/89 *Spagl v HZA Rosenheim*

and C-217/89 *Pastätter v HZA Bad Reichenhall*.

• **References:**

Council Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/86 in the milk and milk products sector, as amended by Regulation (EEC) No 764/89: OJ L 90, 1.4.1984

Council Regulation No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds: OJ L 131, 26.5.1977

Case 120/86 *Mulder* [1988] ECR 2321 and

Case 170/86 *Von Deetzen* [1988] ECR 2355

By these judgments the Court declared void the first indent of Article 3a(1) and Article 3a(2) of Regulation No 857/84. The provisions in question had been inserted into the Regulation as a result of the *Mulder* and *Von Deetzen* rulings, which had declared the relevant Community rules invalid because they failed to observe the principle of legitimate expectation by not providing for the allocation of a reference quantity to those producers who had delivered no milk during the reference year for the calculation of quotas (the so-called 'SLOM producers'), in accordance with an undertaking given under Regulation No 1078/77. Under these provisions, however, the producers in question had regained their entitlement to a quota only if certain conditions were met.

The Court held that Article 3a subjected SLOM producers to restrictions which affected them specifically, precisely because of the undertaking which they had given under Regulation No 1078/77. Such specific restrictions, which could not be justified in terms of the general interest, went against the legitimate expectations which the producers concerned might have as to the limited nature of undertakings given before the rules on the additional milk levy came into force.

OJ C 12, 18.1.1991

External relations

EEC-Turkey Association Agreement — Direct effect

1.8.51. Judgment of 20 September 1990 in Case C-192/89 *Service v Staatssecretaris van Justitie*.

● **References:**

Decisions 2/76 and 1/80 of the Association Council set up by the EEC-Turkey Association Agreement signed in Ankara on 12 September 1963

Case 12/86 *Demirel* (1987) ECR 3719

In this case the Court clarified the meaning of 'direct effect' in the context of association agreements, ruling that the interpretation of Association Council Decision 2/76 and 1/80 fell within the scope of Article 177 of the EEC Treaty.

The Court had consistently held that the provisions of any agreement concluded by the Council under Articles 228 and 238 of the Treaty formed an integral part of Community law. The same had to apply to the decisions of an Association Council since they followed direct from the Agreement which they implemented. Since the Court had jurisdiction to give a preliminary ruling on the Agreement as an act of a Community institution, it was also competent to rule on the interpretation of decisions taken by an executive body set up by the Agreement.

The Court concluded that Articles 2(1)(b) and 7 of Decision 2/76 and Articles 6(1) and 13 of Decision 1/80 had direct effect in the Member States, thus guaranteeing that Turkish workers who had been in legal employment in a Member State for a certain number of years would have free access to any paid employment of their choice in that State and requiring Member States not to introduce any new restrictions on access to employment.

This conclusion was based on an examination of the clear, precise and unconditional terms in which the provisions in question were couched and took account of the nature and purpose of both the decisions and the Agreement.

In this connection the Court made the point that although Article 12 of the Agreement and Article 36 of the Additional Protocol served essentially to set out a programme, this did not preclude Decisions 2/76 and 1/80, which were intended to implement the said Articles in particular respects, from having direct effect, even where national

legislation laid down detailed rules concerning the rights enjoyed by Turkish workers.

OJ C 261, 16.10.1990

Institutional matters

**Obligation to cooperate—
Supply of documents by the Commission to the national authorities and testimony before such authorities**

1.8.52. Order of 13 July in Case C-2/88 *Zwartveld and Others*

The order made by the Court recalled that Article 5 of the EEC Treaty placed the Community institutions too under an obligation of reasonable cooperation with the national authorities, requiring them to make documents available and to authorize the examination of officials as witnesses before the national courts. Departures from this principle could only be allowed where there were imperative reasons arising from the need to avoid any hindrance to the functioning and independence of the Communities, which it was the specific purpose of Article 1 of the Protocol on Privileges and Immunities to protect.

OJ C 199, 8.8.1990

Court of Auditors

1.8.53. Special report No 5/90 by the Court of Auditors on the implementation of Council Regulation (EEC) No 815/84 on exceptional support in favour of Greece in the social field.

- **Basic Regulation:** Council Regulation (EEC) No 815/84 (OJ L 88, 31.3.1984; Bull. EC 3-1984, point 2.1.71), amended by Regulation (EEC) No 4130/88: OJ L 362, 30.12.1988; Bull. EC 12-1988, point 2.1.156

Adopted by the Court on 6 December. This report was drawn up in accordance with Regulation (EEC) No 815/84 relating to the

Community's contribution to the public costs of building, fitting out and equipping vocational training centres, as well as centres for the rehabilitation of the mentally and physically ill and handicapped, with a view to helping them return to gainful employment, and deals in particular with Community measures concerning the mental hospital in Leros. After establishing the largely inadequate nature of patient care in terms of both health and welfare, the report concludes that the case of the hospital brings all the risks and difficulties into focus as regards not only the inadequate preparation of the projects, but also the confused conditions in which they were executed and the ineffectiveness of the results.

In general, the report points out that the programme for the rehabilitation of the mentally and physically ill and handicapped with a view to helping them return to gainful employment put the accent on a reduction in the role of internment and envisaged increased use of treatment methods involving integration in the social environment; in view of the fact that the projects were not carried out or were completed behind schedule and in order to avoid any deviation of Community measures from their proper aims, the report concludes that it is important that the objectives of this programme, as regards methods for providing care, should be clearly reaffirmed and that commitments entered into should be met in a manner that is in accordance with those objectives.

As far as the training centres are concerned, the report states that execution of the projects continues to be slow and claims that a considerable effort is needed to carry out the investments and ensure that good use is made of them subsequently.

OJ C 331, 31.12.1990

Economic and Social Committee

282nd plenary session

1.8.54. The 282nd plenary session of the Economic and Social Committee was held

in Brussels on 18 and 19 December with Mr Staedelin in the chair.

1.8.55. The Committee debated and adopted opinions on the following:

access to the international road haulage market (→ point 1.2.3);

the advertising of medicinal products for human use (→ point 1.3.37);

the *Nineteenth Report on competition policy* (→ point 1.3.43);

the organization of working time (→ point 1.3.100).

1.8.56. The Committee adopted opinions on the following without debate:

the elimination of controls and formalities in respect of cabin or checked baggage (→ point 1.3.11);

the single administrative document (→ point 1.3.12);

the Community Customs Code (→ point 1.3.14);

the lot identification of foodstuffs (→ point 1.3.33);

procurement procedures in the water, energy, transport and telecommunications sectors (→ point 1.3.40);

the action programme for the European Year of Safety, Hygiene and Health Protection at Work (→ point 1.3.101);

the standardization of environment reports (→ point 1.3.161);

the organization of veterinary checks on products from non-member countries (→ point 1.3.178);

Community protection of plant variety rights (→ point 1.3.183);

the diagnosis of brucellosis and enzootic bovine leucosis (→ point 1.3.222);

transfers of ships from one Community register to another (→ point 1.3.284).

ECSC Consultative Committee

288th meeting (opening meeting of new business year)

1.8.57. Luxembourg, 17 December.

Chairman: Mr Joseph Windisch (Board member of IG Bergbau und Energie) was unanimously elected Chairman for 1990-91.

Vice-Chairmen: Mr Yves-Pierre Soulé, outgoing Chairman (steel producers), was unanimously elected Vice-Chairman; Mr Mario Cimenti, Vice-Chairman (coal users), was unanimously re-elected.

289th meeting (ordinary)

1.8.58. Luxembourg, 18 December.

Chairman: Mr Windisch.

Items discussed

Forward steel programme for the first quarter of 1991 and forecasts for 1991: consultation (→ point 1.3.175).

Problems arising from the conclusion, within GATT, of a multilateral arrangement for steel: resolution (→ point 1.4.86).

Amended draft ECSC operating budget for 1991: resolution on the ECSC levy rate (→ point 1.6.6).

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

December 1990¹

BFR/ LFR	Belgian franc and Luxembourg franc	42.2728
DKR	Danish krone	7.87305
DM	German mark	2.04268
DR	Greek drachma	212.611
ESC	Portuguese escudo	181.072
FF	French franc	6.93748
HFL	Dutch guilder	2.30453
IRL	Irish pound	0.767444
LIT	Italian lira	1 540.13
PTA	Spanish peseta	130.475
UKL	Pound sterling	0.709311
AUD	Australian dollar	1.77732
CAD	Canadian dollar	1.58632
FMK	Finnish markka	4.93043
NKR	Norwegian krone	8.01130
NZD	New Zealand dollar	2.29112
OS	Austrian schilling	14.3696
SFR	Swiss franc	1.74616
SKR	Swedish krona	7.68299
USD	United States dollar	1.36721
YEN	Japanese yen	182.676

¹ Average for the month; OJ C 1, 3.1.1991.

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

December 1990		
National currency/sector		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc All products	48.5563
DKR	Danish krone All products	8.97989
DM	German mark Cereals Other products	2.37360 2.35418
DR	Greek drachma Sheepmeat and goatmeat Structural measures Pigmeat	216.902 230.337 240.052 on 24.12.1990
	Tobacco, cereals, sugar, wine	230.472
	Olive oil	232.153
	Eggs and poultrymeat	212.503
	Fishery products	181.094
	Other crop products	222.905
	Other products	204.710
ESC	Portuguese escudo Sheepmeat and goatmeat, fishery products Other products	200.843 208.676
FF	French franc Sheepmeat and goatmeat, fishery products Other products	7.74081 7.89563
HFL	Dutch guilder Cereals Other products	2.66089 2.65256
IRL	Irish pound Sheepmeat and goatmeat, fishery products Other products	0.861545 0.878776
LIT	Italian lira Sheepmeat and goatmeat, fishery products Other products	1 718.00 1 761.45

December 1990		
National currency/sector		Value in national currency of ECU 1
PTA	Spanish peseta Sheepmeat and goatmeat Milk and milk products, structural measures, eggs and poultrymeat Pigmeat	153.315 154.794 147.393 on 17.12.1990
	Wine, olive oil	151.927
	Other livestock products	155.786
	Tobacco	153.498
	Rice, wine, oilseeds	152.896
	Other crop products	154.213
UKL	Pound sterling Cereals, sugar, olive oil Beef and veal Pigmeat	0.779553 0.795232 0.800520 on 17.12.1990
	Sheepmeat and goatmeat	0.702276
	Other crop products	0.704335
	Other products	0.758185

2. Meeting of Immigration Ministers

Official statement

2.2.1. At their meeting in Rome on 7 December the Ministers responsible for immigration adopted the following statement:

'The Ministers concerned with immigration met in Rome on 7 December 1990 under the chairmanship of Mr Scotti, Minister for the Interior of the Italian Republic. This was the ninth official meeting of the Ministers concerned with immigration.

At the meeting the Ministers discussed the main events since their meeting in Dublin on 15 June 1990 and took stock of the work done to implement the conclusions adopted by the European Council at its Strasbourg and Dublin meetings.

Asylum

Owing to imminent political elections, which precluded any commitment on the part of the future Government, Denmark has been unable to sign the Convention laying down criteria determining the State responsible for examining applications for asylum lodged in one of the Member States, signed by the other EEC Member States in Dublin on 15 June 1990.

The Ministers hoped that Denmark would very soon be in a position to sign the Convention.

Borders

The Ministers expressed their satisfaction with the significant progress made by the Italian Presidency on the work on the draft Convention on the crossing of external borders.

The Ministers felt that, in spite of all the effort made, it would not be possible to sign the Convention before the end of 1990.

The Ministers accordingly adopted a statement agreeing to inform the European Council meeting in Rome on 14 and 15 December of the results of their proceedings, and decided to invite the *ad hoc* group on immigration and the subgroup on borders to continue discussing the problems out-

standing, having regard to the measures that need to be taken to achieve an area without internal frontiers within the meaning of Article 8a of the Treaty establishing the European Economic Community.

Immigration

The Ministers discussed the problems arising in connection with immigration.

They established the outline of a common position of the 12 Member States for the Ministerial Conference on the movement of persons coming from Central and Eastern European countries, which is to be held in Vienna on 24 and 25 January 1991, and for the Conference on north-south migration, to be held in Rome in March 1991.

Visas

The Ministers noted that nationals of 55 countries required visas for the EEC Member States taken as a whole.

They stressed the importance of establishing a common visa policy.

Contacts with the European Parliament, the countries of the Nordic Union and the Office of the UN High Commissioner for Refugees

The Ministers took note of statements by:

- (i) the Irish Presidency on its contacts with the European Parliament following the procedure adopted in April;
- (ii) the Italian Presidency on its contacts with the countries of the Nordic Union and the Office of the UN High Commissioner for Refugees.

The Minister called upon future presidencies to continue those contacts.

Next meeting

The Ministers agreed to hold their next meeting in Luxembourg on 13 June 1991.'

3. EC-EFTA ministerial meeting

Joint Declaration

2.3.1. At the conclusion of the meeting between ministers of the EFTA countries and Liechtenstein and ministers of the Community Member States and the Commission of the European Communities, which took place in Brussels on 19 December, the participants adopted the following Joint Declaration:

'Bearing in mind the political dialogue envisaged at their last joint meeting, they assessed developments in Europe and the ongoing negotiations between the Community and the EFTA countries on an agreement establishing the European economic area (EEA).

They underlined that since their last meeting a year ago to the day, Europe has witnessed the most profound transformations in its recent history. The political and economic reforms in Central and Eastern Europe and the unification of Germany have opened, for the first time during this century, the prospect of a new and lasting era of peace, democracy, respect for human rights, economic prosperity and social justice for all Europeans in the framework of the CSCE process.

In view of the difficult economic situation in the countries of Central and Eastern Europe, including the Soviet Union, Ministers saw an urgent need for increased solidarity with these countries and their peoples. Ministers agreed to a continuation of joint action within the framework of the Group of 24 and other forums as well as to close coordination of their efforts to strengthen trade links and cooperation with these countries.

They confirmed the high priority they attach to the privileged relationship between the Community, its Member States and the EFTA countries, which is based on proximity, longstanding common values and European identity. They underlined the important contribution which the EEA as a concrete expression of these relations would make as a building block in the new European architecture. In this context they stressed the significance of further development of the European Community in the interest of Europe as a whole.

Recalling their joint declaration of December 1989, they therefore reiterated their firm political commitment to the rapid conclusion of a comprehensive EEA agreement based on equality which should ensure the greatest possible mutual interest for the parties concerned as well as the global and balanced character of their cooperation.

Having heard the respective reports on the current state of the negotiations, they noted with satisfaction that considerable progress has been achieved since the launching of the EEA negotiations on 20 June 1990, and welcomed the strong convergence of views already reached on several important issues. They also acknowledged that on other important points, negotiations have not yet sufficiently advanced and that further work is required. They noted that final agreement is dependent on a mutually acceptable solution to all the questions covered by the negotiations, both substantive and institutional, as well as on overall balance of rights and obligations.

They noted with satisfaction that the joint identification of the relevant *acquis communautaire* to be integrated into the EEA agreement as a common legal basis for the free movement of goods, services, capital and persons has largely been completed. The identified *acquis* comprises, in addition to the relevant content of the EEC Treaty, approximately 1 400 legal acts. Further efforts were still required to complete the identification of the relevant *acquis* on some issues. They encouraged their negotiators actively to seek solutions to the outstanding issues.

They noted that in certain areas which were crucial for the global and balanced character of the agreement as well as for ensuring an overall balance of benefits for the parties concerned, major negotiation efforts were still needed. This was in particular the case for fisheries. Further progress was also necessary in the field of agriculture.

With respect to cooperation outside the four freedoms (flanking and horizontal policies), they emphasized that the EEA agreement should provide a firm legal basis for a comprehensive and dynamic cooperation. It should also promote the development of actions of common interest. Ministers emphasized the common objective to preserve, protect and improve the quality of the environment.

They agreed that negotiations should now be actively pursued on adequate ways and means in the context of the EEA to reduce regional economic and social disparities so as to ensure an overall balance of benefits for all contracting parties.

The questions such as steel, energy, anti-dumping rules, rules of origin, remain to be considered further.

Recalling that the decision-making autonomy of the parties should be fully respected, and that procedures should be provided for which effectively ensure that their views are taken into account, so as to facilitate the reaching of a consen-

sus in decisions relating to the EEA, they noted that significant progress has been achieved in the field of legal and institutional issues.

It was accepted that there should be equal opportunities for input by experts from the Contracting Parties in the preparation of the EC proposals on new legislation on matters relevant to the EEA. The contracting parties will, by a continuous information and consultation process in the decision-shaping phase, use their best efforts, after identifying an issue as an EEA matter, to promote, in good faith, a common understanding. During this process they shall have the possibility to raise a matter of concern at any moment and at any level without causing additional delays (*droit d'évocation*). Decisions at EEA level would be taken by consensus, the EFTA countries speaking with one voice, and have the character of public international law; no transfer of legislative power to the EEA as such is needed. All contracting parties should implement EEA rules in such a manner that, for the sake of homogeneity, they will be effectively applicable at the same time throughout the EEA. Further negotiations will take place on how to deal with the consequences arising if an agreement on new EEA rules cannot be reached.

They furthermore stressed the importance of legal homogeneity of EEA rules, in order that individuals and economic operators should benefit throughout the EEA from EEA rules which produce the same legal results, and from equal conditions and treatment. To this end, they emphasized in particular the crucial importance of equally strong and reliable surveillance and enforcement throughout the whole EEA, comprising an efficient

EEA surveillance system and an EEA judicial mechanism.

The institutional set-up of the decision-making process will comprise:

(i) An EEA Council composed of the Members of the EC Council, Members of the EC Commission and Ministers of the EFTA countries, responsible in particular for:

- (a) the general political guidelines and impulse;
- (b) the global assessment of the functioning and the development of the agreement, including if necessary the possibility of raising a matter of concern (*droit d'évocation*);
- (c) the political decisions leading to the EEA agreement modifications.

(ii) An EEA joint body responsible for the implementation and operation of the agreement including the decisions regarding the EEA, to be taken by consensus of the EC on one side and the EFTA countries speaking with one voice on the other side.

They urged their negotiators to settle the other outstanding issues for a comprehensive agreement on the modalities of EEA decision making. Tasks carried out by EC committees will also be taken into consideration.

Ministers expressed their desire to see the EEA agreement enter into force on 1 January 1993. In the light of the ratification procedures needed they felt that all efforts should be made to sign the EEA agreement before the summer of 1991. They instructed their negotiators to intensify the negotiations to that end.'

4. Community-Rio Group Ministerial Conference

Rome Declaration

2.4.1. The following declaration was adopted at the close of the Ministerial Conference held in Rome on 20 December.

'Rome Declaration on relations between the European Community and the Rio Group adopted at the Rome Conference of 20 December 1990 by the representatives of the European Community and its Member States and the member countries of the Rio Group

Those taking part in the Conference were for the European Community:

HE Mr Gianni De Michelis
Minister for Foreign Affairs of Italy
President of the Council

HE Mr Jacques F. Poos
Deputy Prime Minister and Minister for Foreign Affairs of Luxembourg

HE Mr Piet Dankert
State Secretary for Foreign Affairs of the Netherlands

HE Mr João de Deus Pinheiro
Minister for Foreign Affairs of Portugal

HE Mr Tristan Garel-Jones
Minister of State, Foreign Affairs and Commonwealth Office of the United Kingdom

HE Mr Mark Eyskens
Minister for Foreign Affairs of Belgium

HE Mr Benny Kimberg
State Secretary for Foreign Affairs of Denmark

HE Mr Reinhard Schlagintweit
Director-General of the Ministry for Foreign Affairs of Germany

HE Mr Andonis C. Samaras
Minister for Foreign Affairs of Greece

HE Mr Francisco Fernández Ordóñez
Minister for Foreign Affairs of Spain

HE Mr Roland Dumas
Minister for Foreign Affairs of France

HE Mr Gerard Collins
Minister for Foreign Affairs of Ireland

HE Mr Abel Matutes
Member of the Commission

for the Rio Group:

HE Mr Domingo F. Cavallo
Minister for Foreign Affairs of Argentina

HE Mr Francisco Rezek
Minister for Foreign Affairs of Brazil

HE Mr Carlos Iturralde Ballivián
Minister for Foreign Affairs of Bolivia

HE Mr Enrique Silva Cimma
Minister for Foreign Affairs of Chile

HE Mr Luis Fernando Jaramillo Correa
Minister for Foreign Affairs of Colombia

HE Mr Diego Cordovéz
Minister for Foreign Affairs of Ecuador

HE Mr Fernando Solana
Secretary for Foreign Affairs of Mexico

HE Mr Alexis Frutos Vaesken
Minister for Foreign Affairs of Paraguay

HE Mr Luis Marchand Stens
Minister for Foreign Affairs of Peru

HE Mr Héctor Gros Espiell
Minister for Foreign Affairs of Uruguay

HE Mr Reinaldo Figueredo Planchart
Minister for Foreign Affairs of Venezuela

Preamble

(1) The European Community and its Member States and the members of the Rio Group, signatories to this Declaration, adopted at the Rome Conference of 20 December 1990;

(2) noting with satisfaction that the political dialogue begun four years ago between the European Community and the Rio Group has contributed significantly to a better understanding among the parties;

(3) recalling the conclusions of the Ministers and the representatives of the Governments of the Member States on the relations between the European Community and Latin America of 22 June 1987, and in particular the conviction explicitly recognized in that document that the European Community and Latin America were called to jointly play an active role in the reconstruction of the international society of the future;

(4) mindful of historical, political and economic links between the countries of both regions, of

their common cultural heritage, and of the depths of friendship which unite their peoples;

(5) bearing in mind the 500th anniversary, in 1992, of the relations which have developed between the two regions;

(6) reaffirming the universal values and ideals which are shared by their peoples and governments and which have their expression in the respect for human dignity;

(7) expressing their conviction that the protection and promotion of human rights is a cornerstone of democratic societies and that the effective exercise of human rights and fundamental freedoms is the legitimate concern of the international community and inseparable from the pursuit of international peace and security;

(8) reaffirming the necessity of respect for international law and, in particular, of support for the United Nations;

(9) recalling their commitment to build, consolidate, and strengthen democratic institutions founded on the rule of law;

(10) recognizing that peace and security cannot be isolated from equitable and generalized opportunities for economic and social development;

(11) noting with satisfaction the reduction of tensions on the international level and the commitment to arms reduction;

(12) convinced that the attainment of satisfactory living and working conditions and the promotion of social justice are of paramount importance if States are to discharge their responsibilities towards all their citizens and recognizing the importance of international cooperation towards the achievement of such goals;

(13) recalling international interdependence and the co-responsibility of the whole international community to shape their mutual relations on the basis of cooperation and solidarity;

(14) wishing to encourage current multilateral efforts towards the liberalization of trade and investment, and hoping that such efforts will contribute to the fight against protectionist and discriminatory economic and trade policies, in accordance with GATT rules;

(15) welcoming efforts developed in Latin America towards a more open insertion of their economies in the world economy;

(16) recognizing that the European Community is playing a growing role in international political and economic affairs;

(17) noting that by the dimensions of their economies, the size of their populations, the variety of their natural resources and nature of their dynamic relations with the other parts of the world, the members of the Rio Group have the potential to increase their role as partners in international relations;

(18) recognizing that forms of regional integration are being developed among groups of countries in Latin America, with the consequent prospect of having an increasingly clear and influential voice in world affairs;

(19) noting with satisfaction that various forms of economic cooperation have been put in place between the European Community and its Member States and Latin American countries;

(20) ready to further strengthen the links and cooperation that have developed between the European Community and Latin America, in particular the contractual arrangements that have been put in place between the Community and different Latin America countries or organizations;

(21) recognizing that the illicit production, trafficking and consumption of narcotic drugs are international problems which can only be resolved through international cooperation in a spirit of common responsibility;

(22) have agreed by the present Declaration to extend and deepen their relations in all fields.

Overall objectives

(23) The European Community and its Member States and the member countries of the Rio Group, parties to this Declaration, solemnly reaffirm their determination to reinforce their relationship, with a view to;

(24) supporting democracy and the rule of law, respect for human rights and promotion of social justice, respect for sovereignty, self-determination and non-intervention, and working together to create adequate conditions to eliminate poverty and all forms of racial, political, religious and cultural discrimination;

(25) working together to uphold within the different forums the purposes and principles of the UN Charter;

(26) encouraging the reduction of armaments and, in particular, associating themselves with efforts to exercise restraint in exporting armaments to areas where they would be likely to exacerbate a conflict;

(27) underlining the need to prevent the dissemination of instruments of mass destruction, includ-

ing the need to conclude rapidly a global agreement on a total ban on chemical weapons;

(28) promoting an open and increasingly productive and equitable international economy, in which specific attention will be given to the interests of the less developed countries;

(29) encouraging policies aimed at achieving better living standards for all, in particular through greater integration in the multilateral trade system and strengthened development cooperation;

(30) providing for adequate measures to increase international cooperation, in a spirit of shared responsibility, in all the appropriate forums, in order to alleviate the burden of external debt, so as to promote the resumption of growth in countries affected and to encourage adequate financial flows between developed and developing countries;

(31) promoting economic development through environmentally sound and sustainable managements as it refers both to human and natural resources;

(32) protecting the environment through appropriate domestic measures and adequate regional and international cooperation;

(33) promoting inter-regional artistic and cultural exchanges, and cooperation for the protection of cultural assets.

Fields of cooperation

(34) The parties will give particular attention to defining appropriate responses to the following challenges which require international cooperation:

Trade

(35) The parties will endeavour to make the fullest contribution possible towards a successful conclusion of the Uruguay Round. They particularly reject all forms of protectionism and will make efforts to reduce present barriers in mutual trade. They both consider that an improved use of the GSP may make a useful contribution to expand trade. While recognizing the interests each party has to expand intra-regional trade, they expect intra-regional trade agreements not to reduce access for third countries. They build on the confidence that the European single market will provide wider and better opportunities for international trade and welcome similar results in respect to intra-regional integration efforts in Latin America.

General economic cooperation

(36) The European Community and its Member States welcome the efforts which are being made by Latin American countries to bring about more modern economic structures and administrative practices. The European parties shall endeavour to cooperate with the Rio Group counterparts in such efforts which are recognized to be in their common interest.

Science and technology

(37) The European Community and its Member States will consider making available more extended opportunities of scientific and technological cooperation with the Rio Group countries and of educational and training programmes for them. The parties agree on the importance of promoting programmes of cooperation in science and technology among the Rio Group countries in which joint efforts would be made in selected fields with the support of the European Community and its Member States.

Investments

(38) The European Community and its Member States have undertaken to consider ways and means of improving the flow of European financial resources, official and private, Community and national, to the Rio Group countries. To this effect the possibility of using all appropriate financial mechanisms of the Community and its Member States will be further studied. It is recognized that appropriate consideration should be given to ways of improving the investment climate in Latin American countries. This could be achieved through appropriate means such as bilateral investment promotion and protection agreements and agreements avoiding double taxation between Member States of the European Community and Rio Group countries. On the other hand, appropriate initiatives on the European side could be considered in order to pave the way for a resumption and expansion of private financing and investments.

Debt

(39) The parties affirm that the quality they are seeking in their relations should have a positive impact in all sectors of direct cooperation between them, and that, in this context, it is necessary to give adequate attention, in all the appropriate forms to the heavy burden of foreign debt service for the political, economic and social development of Latin American countries and for the defence of stability and consolidation of democracy. An

approach consistent with this important link must take into account, among other considerations, the inter-relation which exists between debt, commerce, development and investment, and commit mutual efforts for effective and concrete measures towards a reduction of the external debt burden.

Development aid

(40) The parties acknowledge the importance of development aid from all sources as an indispensable complement to the efforts of Latin American countries towards the improvement of living conditions of broad sectors of their population, particularly in the rural areas, and they agree to keep and increase cooperation programmes, including food and emergency aid.

Regional cooperation and integration

(41) The parties note with satisfaction the broad network of cooperation agreements that has already been established between the Community and Latin American countries and express their determination to continue to build further upon it. They attach importance to adding a global dimension to their relations, such as to underline their solidarity. They reaffirm, in this context, the usefulness of the experience that has been gained from the relations between the European Community and different Latin American groupings and countries.

In order to maximize the effectiveness of the existing agreements and programmes between the Community and its Member States on one side and the Latin American countries and relevant regional organizations on the other side, the European Community and its Member States will undertake a strengthened coordination of their action, especially with reference to regional programmes of cooperation. In this context they will also study ways and means to improve their coordination, in particular within international organizations.

Priority will be given, in the light of previous experience, to the development of projects of regional interest. In order to provide a more suitable framework to assist in the better implementation of such projects, efforts will be made to study the feasibility of specific agreements between the European Community and the appropriate regional multilateral counterpart.

Environment

(42) The parties recognize the foremost importance of the protection of the environment on a global scale; they agree to improve national poli-

cies towards environmental protection and to strengthen regional and international cooperation; priority attention is to be given to those environmental problems which urgently require adequate measures, such as the deterioration of the ozone layer, global warming, the international transfer of toxic wastes, acid rain, and the protection of tropical forests and marine resources.

Drugs

(43) The parties undertake to cooperate in the struggle against the illicit production, illegal traffic, sale, distribution and consumption of narcotics, including the traffic of precursors and the laundering of money, in line with the provisions of the 1988 Vienna Convention.

The parties recognize:

- (i) that an effective approach to the problem of drugs requires cooperation in the relevant fields, such as in alternative development, with the countries affected;
- (ii) that appropriate legislation and close practical cooperation between law enforcement agencies is essential to combat drug trafficking and consumption, and that prevention and education as well as treatment and rehabilitation programmes are vital in reducing the demand for drugs.

Terrorism

(44) The European Community and its Member States and the countries of the Rio Group reaffirm their firmest condemnation of terrorism in all its manifestations and agree to give priority to define appropriate responses.

Consultations on global matters

(44) The European Community and its Member States and the countries of the Rio Group reaffirm their firmest condemnation of terrorism in all its manifestations and agree to give priority to define appropriate responses.

Consultations on global matters

(45) Direct cooperation between the European Community and its Member States and the members of the Rio Group will be complemented as necessary by consultation on international economic, financial and development issues. Among the principal objectives of such consultations will be the strengthening of an open, multilateral trade system and the promotion of financial flows. Euro-Latin American cooperation can also play a significant part in improving the efficiency and effective-

ness of UN organizations devoted to international development questions. It is understood that the range of questions which may be the object of consultations and concertation between the two parties is not limited by present identified priorities and shall be, in itself, the object of periodic consultations between the parties. The areas mentioned can be completed and revised according to future political and economic developments in Europe and Latin America, as well as the relations between both regions.

Projects of cooperation

(46) Priority will be given to the development of projects and joint initiatives in areas such as:

- (i) cooperation in the financial and investment field;
- (ii) possibilities of access of Latin American countries to certain Community scientific and technological programmes in accordance with Community internal procedures, and promotion and support of joint projects among Latin American countries in the field of science and technology;
- (iii) education and training of administrators and entrepreneurs in Latin America;
- (iv) the training of personnel with background and experience in questions related to regional integration, in those countries engaged in the process of regional or subregional integration in Latin America.

Future institutional mechanisms

(47) The parties to this Declaration express their determination that their commitment to greater *rapprochement* on political and economic matters

and to a heightened degree of cooperation should be served by adequate institutional arrangements.

(48) To this end, they have agreed on the following dispositions:

- (i) an annual ministerial-level conference, which in principle will be hosted alternately by either side;
- (ii) experts' meetings, to ensure adequate preparation of the conference;
- (iii) a meeting during the UN General Assembly, at ministerial level;
- (iv) consultations, if necessary, through the appropriate channels, on matters of common interest;
- (v) a commitment to develop and deepen these procedures for consultation so as to reflect the evolution of the European Community and the Rio Group, with a view to identifying further arrangements. The parties will work together on specific proposals to be carried on at future ministerial meetings.

(49) The parties to this Declaration agree to give further consideration to involving parliaments in the process of EC-Latin American dialogue and cooperation.

Next meeting of the Conference

(50) The parties agree that the first ministerial-level conference, according to the provisions of the present Declaration, will be held in Luxembourg on 26 and 27 April 1991.

(51) The undersigned High Representatives of the European Community and its Member States and of the member countries of the Rio Group, conscious of the great political significance which they attach to the results of the Rome Conference, have appended their signatures to this document.'

5. Infringement proceedings

Initiation of proceedings for failure to implement directives

Letters of formal notice

2.5.1. In December the Commission sent letters of formal notice for failure to inform it of any national implementing measures in the following cases:

Internal market

Council Directive 88/182/EEC of 22 March 1988 amending Directive 83/189/EEC laying down a procedure for the provision of information in the field of technical standards and regulations (Portugal)

OJ L 81, 26.3.1988

Council Directive 88/320/EEC of 9 June 1988 on the inspection and verification of good laboratory practice (GLP) (Portugal)

OJ L 145, 11.6.1988

Council Directive 67/427/EEC of 27 June 1967 on the use of certain preservatives for the surface treatment of citrus fruit and on the control measures to be used for the qualitative and quantitative analysis of preservatives in and on citrus fruit (Portugal).

OJ L 148, 11.7.1967

Council Directive 80/777/EEC of 15 July 1980 on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters (Portugal)

OJ L 229, 30.8.1980

Council Directive 81/432/EEC of 29 April 1981 laying down the Community method of analysis for the official control of vinyl chloride released by materials and articles into foodstuffs (Portugal)

OJ L 167, 24.6.1981

Council Directive 82/711/EEC of 18 October 1982 laying down the basic rules for testing migration of the constituents of plastic materials and articles intended to come into contact with foodstuffs (Portugal)

OJ L 297, 23.10.1982

Council Directive 83/229/EEC of 25 April 1983 on the approximation of the laws of the Member States relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs (Portugal)

OJ L 123, 11.5.1983

Commission Directive 86/388/EEC of 23 July 1986 amending Council Directive 83/229/EEC on the approximation of the laws of the Member States relating to materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs (Portugal)

OJ L 228, 14.8.1986

Commission Directive 87/250/EEC of 15 April 1987 on the indication of alcoholic strength by volume in the labelling of alcoholic beverages for sale to the ultimate consumer (Portugal)

OJ L 113, 30.4.1987

First Commission Directive 87/524/EEC of 6 October 1987 laying down Community methods of sampling for chemical analysis for the monitoring of preserved milk products (Portugal)

OJ L 306, 28.10.1987

Council Directive 89/396/EEC of 14 June 1989 on indications or marks identifying the lot to which a foodstuff belongs (Portugal)

OJ L 186, 30.6.1989

Council Directive 89/397/EEC of 14 June 1989 on the official control of foodstuffs (Portugal)

OJ L 186, 30.6.1989

Council Directive 89/398/EEC of 3 May 1989 on the approximation of the laws of the Member States relating to foodstuffs intended for particular nutritional uses (Portugal)

OJ L 186, 30.6.1989

Council Directive 80/781/EEC of 22 July 1980 amending Directive 73/173/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (solvents) (Portugal)

OJ L 229, 30.8.1980

Commission Directive 81/916/EEC of 5 October 1981 adapting to technical progress Council Directive 77/728/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of paints, varnishes, printing inks, adhesives and similar products (Portugal)

OJ L 342, 28.11.1981

Commission Directive 82/473/EEC of 10 June 1982 adapting to technical progress Council Directive 73/173/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of dangerous preparations (solvents) (Portugal)

OJ L 213, 21.7.1982

Council Directive 83/265/EEC of 16 May 1983 amending Directive 77/728/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of paints, varnishes, printing inks, adhesives and similar products (Portugal)

OJ L 147, 6.6.1983

Commission Directive 86/508/EEC of 7 October 1986 adapting to technical progress for the second time Council Directive 77/728/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of paints, varnishes, printing inks, adhesives and similar products (Portugal)

OJ L 295, 18.10.1986

Commission Directive 89/451/EEC of 17 July 1989 adapting to technical progress for the third time Council Directive 77/728/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to the classification, packaging and labelling of paints, varnishes, printing inks, adhesives and similar products (Portugal)

OJ L 216, 27.7.1989

Council Directive 87/402/EEC of 25 June 1987 on roll-over protection structures mounted in front of the driver's seat on narrow-track wheeled agricultural and forestry tractors (Italy)

OJ L 220, 8.8.1987

Council Directive 71/319/EEC of 26 July 1971 on the approximation of the laws of the Member States relating to meters for liquids other than water (Portugal)

OJ L 202, 6.9.1971

Council Directive 71/347/EEC of 12 October 1971 on the approximation of the laws of the Member States relating to the measuring of the standard mass per storage volume of grain (Portugal)

OJ L 239, 25.10.1971

Council Directive 71/348/EEC of 12 October 1971 on the approximation of the laws of the Member States relating to ancillary equipment for meters for liquids other than water (Portugal)

OJ L 239, 25.10.1971

Council Directive 71/349/EEC of 12 October 1971 on the approximation of the laws of the Member States relating to the calibration of the tanks of vessels (Portugal)

OJ L 239, 25.10.1971

Council Directive 73/361/EEC of 19 November 1973 on the approximation of the laws, regulations

and administrative provisions of the Member States relating to the certification and marking of wire-ropes, chains and hooks (Portugal)

OJ L 335, 5.12.1973

Council Directive 75/106/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to the making-up by volume of certain pre-packaged liquids (Portugal)

OJ L 42, 15.2.1975

Council Directive 75/107/EEC of 19 December 1974 on the approximation of the laws of the Member States relating to bottles used as measuring containers (Portugal)

OJ L 42, 15.2.1975

Council Directive 75/324/EEC of 20 May 1975 on the approximation of the laws of the Member States relating to aerosol dispensers (Portugal)

OJ L 147, 9.6.1975

Council Directive 76/211/EEC of 20 January 1976 on the approximation of the laws of the Member States relating to the making-up by weight or by volume of certain pre-packaged products (Portugal)

OJ L 46, 21.2.1976

Commission Directive 76/434/EEC of 13 April 1976 adapting to technical progress the Council Directive of 19 November 1973 on the approximation of the laws of the Member States relating to the certification and marking of wire-ropes, chains and hooks (Portugal)

OJ L 122, 8.5.1976

Council Directive 76/765/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to alcoholometers and alcohol hydrometers (Portugal)

OJ L 262, 27.9.1976

Council Directive 76/766/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to alcohol tables (Portugal)

OJ L 262, 27.9.1976

Council Directive 76/767/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to common provisions for pressure vessels and methods for inspecting them (Portugal)

OJ L 262, 27.9.1976

Council Directive 76/889/EEC of 4 November 1976 on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment (Portugal)

OJ L 336, 4.12.1976

Council Directive 76/890/EEC of 4 November 1976 on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters (Portugal)

OJ L 336, 4.12.1976

Commission Directive 78/891/EEC of 28 September 1978 adapting to technical progress the Annexes to Council Directives 75/106/EEC and 76/211/EEC on pre-packaging (Portugal)

OJ L 311, 4.11.1978

Council Directive 78/1031/EEC of 5 December 1978 on the approximation of the laws of the Member States relating to automatic check-weighing and weight grading machines (Portugal)

OJ L 364, 27.12.1978

Council Directive 79/830/EEC of 11 September 1979 on the approximation of the laws of the Member States relating to hot-water meters (Portugal)

OJ L 259, 15.10.1979

Council Directive 79/1005/EEC of 23 November 1979 amending Directive 75/106/EEC on the approximation of the laws of the Member States relating to the making-up by volume of certain pre-packaged liquids (Portugal)

OJ L 308, 4.12.1979

Council Directive 80/232/EEC of 15 January 1980 on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain pre-packaged products (Portugal)

OJ L 51, 25.2.1980

Commission Directive 82/499/EEC of 7 June 1982 adapting to technical progress Council Directive 76/889/EEC on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment (Portugal)

OJ L 222, 30.7.1982

Commission Directive 82/500/EEC of 7 June 1982 adapting to technical progress Council Directive 76/890/EEC on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters (Portugal)

OJ L 222, 30.7.1982

Commission Directive 82/624/EEC of 1 July 1982 adapting to technical progress Council Directive 76/765/EEC on the approximation of the laws of the Member States relating to alcoholometers and alcohol hydrometers (Portugal)

OJ L 252, 27.8.1982

Commission Directive 82/625/EEC of 1 July 1982 adapting to technical progress Council Directive 77/313/EEC on the approximation of the laws of the Member States relating to measuring systems for liquids other than water (Portugal)

OJ L 252, 27.8.1982

Commission Directive 83/447/EEC of 18 August 1983 adopting the measures provided for in Article 3(3) of Directive 76/889/EEC on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment and of Directive 76/890/EEC on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters (Portugal)

OJ L 247, 7.9.1983

Council Directive 83/575/EEC of 26 October 1983 amending Directive 71/316/EEC on the approximation of the laws of the Member States relating to common provisions for both measuring instruments and methods of metrological control (Portugal)

OJ L 332, 28.11.1983

Commission Directive 84/47/EEC of 16 January 1984 adapting to technical progress Council 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 (Portugal)

OJ L 31, 2.2.1984

Council Directive 84/525/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, steel gas cylinders (Portugal)

OJ L 300, 19.11.1984

Council Directive 84/526/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to seamless, unalloyed aluminium and aluminium alloy gas cylinders (Portugal)

OJ L 300, 19.11.1984

Council Directive 84/527/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to welded unalloyed steel gas cylinders (Portugal)

OJ L 300, 19.11.1984

Council Directive 84/528/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for lifting and mechanical handling appliances (Portugal)

OJ L 300, 19.11.1984

Council Directive 84/529/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to electrically operated lifts (Portugal)

OJ L 300, 19.11.1984

Council Directive 84/532/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to common provisions for construction plant and equipment (Portugal)

OJ L 300, 19.11.1984

Council Directive 84/539/EEC of 17 September 1984 on the approximation of the laws of the Member States relating to electromedical equipment used in human or veterinary medicine (Portugal)

OJ L 300, 19.11.1984

Council Directive 85/10/EEC of 18 December 1984 amending Directive 75/106/EEC on the approximation of the laws of the Member States relating to the making-up by volume of certain pre-packaged liquids (Portugal)

OJ L 4, 5.1.1985

Council Directive 86/96/EEC of 18 March 1986 amending Directive 80/232/EEC on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain pre-packaged products (Portugal)

OJ L 80, 25.3.1986

Council Directive 86/217/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to tyre pressure gauges for motor vehicles (Portugal)

OJ L 152, 6.6.1986

Council Directive 86/295/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to roll-over protective structures (ROPS) for certain construction plant (Portugal)

OJ L 186, 8.7.1986

Council Directive 86/296/EEC of 26 May 1986 on the approximation of the laws of the Member States relating to falling-object protective structures (FOPS) for certain construction plant (Portugal)

OJ L 186, 8.7.1986

Commission Directive 86/312/EEC of 18 June 1986 adapting to technical progress Council Directive 84/529/EEC on the approximation of the laws of the Member States relating to electrically operated lifts (Portugal)

OJ L 384, 31.12.1986

Council Directive 86/663/EEC of 22 December 1986 on the approximation of the laws of the

Member States relating to self-propelled industrial trucks (Portugal)

OJ L 384, 31.12.1986

Commission Directive 87/308/EEC of 2 June 1987 adapting to technical progress Council Directive 76/889/EEC on the approximation of the laws of the Member States relating to radio interference caused by electrical household appliances, portable tools and similar equipment (Portugal)

OJ L 155, 16.6.1987

Commission Directive 87/310/EEC of 3 June 1987 adapting to technical progress Council Directive 76/890/EEC on the approximation of the laws of the Member States relating to the suppression of radio interference with regard to fluorescent lighting luminaires fitted with starters (Portugal)

OJ L 155, 16.6.1987

Council Directive 87/354/EEC of 25 June 1987 amending certain directives on the approximation of the laws of the Member States relating to industrial products with respect to the distinctive numbers and letters indicating the Member States (Portugal)

OJ L 192, 11.7.1987

Council Directive 87/356/EEC of 25 June 1987 amending Directive 80/232/EEC on the approximation of the laws of the Member States relating to the ranges of nominal quantities and nominal capacities permitted for certain pre-packaged products (Portugal)

OJ L 192, 11.7.1987

Council Directive 87/404/EEC of 25 June 1987 on the harmonization of the laws of the Member States relating to simple pressure vessels (Portugal)

OJ L 220, 8.8.1987

Council Directive 88/316/EEC of 7 June 1988 amending Directive 75/106/EEC on the approximation of the laws of the Member States relating to the making-up by volume of certain pre-packaged liquids (Portugal)

OJ L 143, 10.6.1988

Commission Directive 88/571/EEC of 10 November 1988 adapting to technical progress Council 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 (Portugal)

OJ L 311, 17.11.1988

Commission Directive 89/240/EEC of 16 December 1988 adapting to technical progress Council Directive 86/663/EEC on the approxi-

mation of the laws of the Member States relating to self-propelled industrial trucks (Portugal)
OJ L 100, 12.4.1989

Employment and social affairs

Council Directive 88/364/EEC of 9 June 1988 on the protection of workers by the banning of certain specified agents and/or certain work activities (fourth individual Directive within the meaning of Article 8 of Directive 80/1107/EEC) (Portugal)
OJ L 179, 9.7.1988

Agriculture

Council Directive 66/401/EEC of 14 June 1966 on the marketing of fodder plant seed (consolidated version up to December 1973: OJ C 66, 8.6.1974) (Portugal)
OJ L 125, 11.7.1966

Council Directive 69/63/EEC of 18 February 1969 amending the Council Directive of 14 June 1966 on the marketing of fodder plant seed (Portugal)
OJ L 48, 26.2.1969

Council Directive 71/162/EEC of 30 March 1971 amending the Directives of 14 June 1966 on the marketing of beet seed, fodder plant seed, cereal seed and seed potatoes, the Directive of 30 June 1969 on the marketing of seed of oil and fibre plants and the Directive of 29 September 1970 on the marketing of vegetable seed (Portugal)
OJ L 87, 17.4.1971

Council Directive 72/274/EEC of 20 July 1972 amending the Directives of 14 June 1966 on the marketing of beet seed, fodder plant seed, cereal seed and seed potatoes, the Directive of 30 June 1969 on the marketing of seed of oil and fibre plants and the Directives of 29 September 1970 on the marketing of vegetable seed and on the common catalogue of varieties of agricultural plant species (Portugal)
OJ L 171, 29.7.1972

Council Directive 72/418/EEC of 6 December 1972 amending the Directives of 14 June 1966 on the marketing of beet seed, fodder plant seed, cereal seed and seed potatoes, the Directive of 30 June 1969 on the marketing of seed of oil and fibre plants and the Directives of 29 September 1970 on the marketing of vegetable seed and on the common catalogue of varieties of agricultural plant species (Portugal)
OJ L 287, 26.12.1972

Council Directive 73/438/EEC of 11 December 1973 amending the Directives of 14 June 1966 on

the marketing of beet seed, fodder plant seed, cereal seed and seed potatoes, the Directive of 30 June 1969 on the marketing of seed of oil and fibre plants, and the Directives of 29 September 1970 on the marketing of vegetable seed and on the common catalogue of varieties of agricultural plant species (Portugal)
OJ L 356, 27.12.1973

Council Directive 75/444/EEC of 26 June 1975 amending Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 66/403/EEC and 69/208/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes and seed of oil and fibre plants (Portugal)
OJ L 196, 26.7.1975

Council Directive 78/55/EEC of 19 December 1977 amending Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 68/193/EEC, 69/208/EEC, 70/458/EEC and 70/457/EEC on the marketing of beet seed, fodder plant seed, cereal seed, material for the vegetative propagation of the vine, seed of oil and fibre plants, vegetable seed and on the common catalogue of varieties of agricultural plant species (Portugal)
OJ L 16, 20.1.1978

First Commission Directive 78/386/EEC of 18 April 1978 amending the Annexes to Directive 66/401/EEC on the marketing of fodder plant seed (Portugal)
OJ L 113, 25.4.1978

Council Directive 78/692/EEC of 25 July 1978 amending Directives 66/400/EEC, 66/401/EEC, 66/402/EEC, 68/193/EEC, 69/208/EEC and 70/458/EEC on the marketing of beet seed, fodder plant seed, cereal seed, seed potatoes, material for the vegetative propagation of the vine, seed of oil and fibre plants and vegetable seed (Portugal)
OJ L 236, 26.8.1978

Council Directive 78/1020/EEC of 5 December 1978 amending Directives 66/401/EEC, 66/402/EEC and 69/208/EEC on the marketing of fodder plant seed, cereal seed and seed of oil and fibre plants (Portugal)
OJ L 350, 14.12.1978

Council Directive 79/373/EEC of 2 April 1979 on the marketing of compound feedingstuffs (Portugal)
OJ L 86, 6.4.1979

Commission Directive 79/641/EEC of 27 June 1979 amending Council Directives 66/401/EEC, 66/402/EEC, 69/208/EEC and 70/458/EEC on the marketing of fodder plant seed, cereal seed, seed of oil and fibre plants and vegetable seed (Portugal)
OJ L 183, 19.7.1979

Council Directive 79/692/EEC of 24 July 1979 amending Directives 66/401/EEC, 66/402/EEC, 70/457/EEC and 70/458/EEC on the marketing of fodder plant seed, cereal seed and vegetable seed and on the common catalogue of varieties of agricultural plant species (Portugal)

OJ L 205, 13.8.1979

Commission Directive 79/700/EEC of 24 July 1979 establishing Community methods of sampling for the official control of pesticide residues in and on fruit and vegetables (Portugal)

OJ L 207, 15.8.1979

First Commission Directive 80/509/EEC of 2 May 1980 amending the Annex to Council Directive 79/373/EEC on the marketing of compound feedingstuffs (Portugal)

OJ L 126, 21.5.1980

Second Commission Directive 80/695/EEC of 27 June 1980 amending the Annex to Council Directive 79/373/EEC on the marketing of compound feedingstuffs (Portugal)

OJ L 188, 22.7.1980

Commission Directive 80/754/EEC of 17 July 1980 amending Annex II to Council Directive 66/401/EEC on the marketing of fodder plant seed (Portugal)

OJ L 207, 9.8.1980

Commission Directive 81/126/EEC of 16 February 1981 amending the Annexes to Council Directives 66/401/EEC, 66/402/EEC and 69/208/EEC on the marketing of fodder plant seed, cereal seed and seed of oil and fibre plants respectively and Directives 78/386/EEC and 78/388/EEC (Portugal)

OJ L 67, 12.3.1981

Commission Directive 82/287/EEC of 13 April 1982 amending the Annexes to Council Directives 66/401/EEC, and 69/208/EEC on the marketing of fodder plant seed and seed of oil and fibre plants respectively and Directives 78/386/EEC and 78/388/EEC (Portugal)

OJ L 131, 13.5.1982

Commission Directive 82/475/EEC of 23 June 1982 laying down the categories of ingredients which may be used for the purposes of labelling compound feedingstuffs for pet animals (Portugal)

OJ L 213, 21.7.1982

Third Commission Directive 82/957/EEC of 22 December 1982 amending the Annex to Council Directive 79/373/EEC on the marketing of compound feedingstuffs (Portugal)

OJ L 386, 31.12.1982

Commission Directive 82/116/EEC of 8 March 1983 amending Directive 82/287/EEC, amending

the Annexes to Council Directives 66/401/EEC and 69/208/EEC on the marketing of fodder plant seed and seed of oil and fibre plants respectively and Directives 78/386/EEC and 78/388/EEC (Portugal)

OJ L 76, 22.3.1983

Commission Directive 85/38/EEC of 14 December 1984 amending Annexes I and II to Council Directive 66/401/EEC on the marketing of fodder plant seed (Portugal)

OJ L 16, 19.1.1985

Commission Directive 86/109/EEC of 27 February 1986 limiting the marketing of seed of certain species of fodder plants and oil and fibre plants to seed which has been officially certified as 'basic seed' or 'certified seed' (Portugal)

OJ L 93, 8.4.1986

Council Directive 86/155/EEC of 22 April 1986 amending, on account of the accession of Spain and Portugal, certain directives concerning the marketing of seeds and plants (Portugal)

OJ L 118, 7.5.1986

Commission Directive 86/174/EEC of 9 April 1986 fixing the method of calculation for the energy value of compound poultryfeed (Portugal)

OJ L 130, 16.5.1986

Council Directive 86/363/EEC of 24 July 1986 on the fixing of maximum levels for pesticide residues in and on foodstuffs of animal origin (Portugal)

OJ L 221, 7.8.1986

Commission Directive 87/120/EEC of 14 January 1987 amending various Council Directives on the marketing of seeds and propagating materials (Portugal)

OJ L 49, 18.2.1987

Commission Directive 87/235/EEC of 31 March 1987 amending the Annex to Council Directives 79/373/EEC, on the marketing of compound feedingstuffs (Portugal)

OJ L 102, 14.4.1987

Fifth Commission Directive 88/271/EEC of 5 April 1988 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Portugal)

OJ L 116, 4.5.1988

Seventh Commission Directive 88/430/EEC of 1 July 1988 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Portugal)

OJ L 208, 2.8.1988

Council Directive 88/572/EEC of 14 November 1988 amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Portugal)

OJ L 313, 19.11.1988

Commission Directive 89/100/EEC of 20 January 1989 amending Annex II to Council Directive 66/401/EEC on the marketing of fodder plant seed (Portugal)

OJ L 38, 10.2.1989

Council Directive 89/439/EEC of 26 June 1989 amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Portugal)

OJ L 212, 22.7.1989

Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat (Portugal)

OJ L 55, 8.3.1971

Council Directive 75/431/EEC of 10 July 1975 amending Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat (Spain, Portugal)

OJ L 192, 24.7.1975

Council Directive 78/50/EEC of 13 December 1977 supplementing, as regards the chilling process, Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat (Portugal)

OJ L 15, 19.1.1978

Council Directive 80/213/EEC of 22 January 1980 amending Directive 72/461/EEC on animal health problems affecting intra-Community trade in fresh meat (Portugal)

OJ L 47, 21.2.1980

Council Directive 80/216/EEC of 22 January 1980 amending Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat (Portugal)

OJ L 47, 21.2.1980

Commission Directive 80/879/EEC of 3 September 1980 on health marking of large packagings of fresh poultrymeat (Portugal)

OJ L 251, 24.9.1980

Council Directive 80/1100/EEC of 11 November 1980 amending Directive 80/215/EEC with regard to swine vesicular disease and classical swine fever (Portugal)

OJ L 325, 1.12.1980

Council Directive 82/894/EEC of 21 December 1982 on the notification of animal diseases within the Community (Portugal)

OJ L 378, 31.12.1982

Commission Directive 83/201/EEC of 12 April 1983 establishing exceptions from Council Directive 77/99/EEC for certain products which contain other foodstuffs and only a small percentage of meat or meat products (Portugal)

OJ L 112, 28.4.1983

Council Directive 85/326/EEC of 12 June 1985 amending Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat (Portugal)

OJ L 168, 28.6.1985

Council Directive 85/327/EEC of 12 June 1985 amending Directive 77/99/EEC on health problems affecting intra-Community trade in meat products (Portugal)

OJ L 168, 28.6.1985

Council Directive 85/358/EEC of 16 July 1985 supplementing Directive 81/602/EEC concerning the prohibition of certain substances having a hormonal action and of any substances having a thyrostatic action (Portugal)

OJ L 191, 23.7.1985

Council Directive 85/397/EEC of 5 August 1985 on health and animal-health problems affecting intra-Community trade in heat-treated milk (Spain and Portugal)

OJ L 226, 24.8.1985

Council Directive 85/511/EEC of 18 November 1985 introducing Community measures for the control of foot-and-mouth disease (Portugal)

OJ L 315, 26.11.1985

Council Directive 85/586/EEC of 20 December 1985 introducing technical adjustments, on account of the accession of Spain and Portugal, to Directives 64/432/EEC, 64/433/EEC, 77/99/EEC, 77/504/EEC, 80/217/EEC and 80/1095/EEC relating to the veterinary field (Portugal)

OJ L 372, 31.12.1985

Council Directive 86/587/EEC of 18 November 1986 amending Annex I to Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat (Portugal)

OJ L 339, 2.12.1986

Council Directive 87/491/EEC of 22 September 1987 amending Directive 80/215/EEC on animal health problems affecting intra-Community trade in meat products (Portugal)

OJ L 279, 2.10.1987

Council Directive 88/299/EEC of 17 May 1988 on trade in animals treated with certain substances having a hormonal action and their meat, as referred to in Article 7 of Directive 88/146/EEC (Portugal)

OJ L 128, 21.5.1988

Council Directive 88/407/EEC of 14 June 1988 laying down the animal health requirements applicable to intra-Community trade in and imports of deep-frozen semen of domestic animals of the bovine species (Portugal)

OJ L 194, 22.7.1988

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 (Portugal)

OJ L 153, 6.6.1989

Commission Directive 89/362/EEC of 26 May 1989 on general conditions of hygiene in milk production holdings (Portugal)

OJ L 156, 8.6.1989

Council Directive 90/120/EEC of 5 March 1990 amending 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 (Portugal)

OJ 71, 17.3.1990

Transport

Council Directive 74/562/EEC of 12 November 1974 on admission to the occupation of road passenger transport operator in national and international transport operations (Portugal)

OJ L 308, 19.11.1974

Council Directive 89/438/EEC of 21 June 1989 amending Directive 74/561/EEC on admission to the occupation of road haulage operator in national and international transport operations, Directive 74/562/EEC on admission to the occupation of road passenger transport operator in national and international transport operations and Directive 77/796/EEC aiming at the mutual recognition of diplomas, certificates and other evidence of formal qualifications for goods haulage operators and road passenger transport operators, including measures intended to encourage these operators effectively to exercise their right to freedom of establishment (Portugal)

OJ L 212, 22.7.1989

Council Directive 89/463/EEC of 18 July 1989 amending Directive 83/416/EEC concerning the authorization of scheduled inter-regional air ser-

vices for the transport of passengers, mail and cargo between Member States (Portugal)

OJ L 226, 3.8.1989

Environment

Council Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry (Portugal)

OJ L 54, 25.2.1978

Council Directive 82/883/EEC of 3 December 1982 on procedures for the surveillance and monitoring of environments concerned by waste from the titanium dioxide industry (Portugal)

OJ L 378, 31.12.1982

Council Directive 88/609/EEC of 24 November 1988 on the limitation of emissions of certain pollutants into the air from large combustion plants (Portugal)

OJ L 336, 7.12.1988

Council Directive 86/609/EEC of 24 November 1986 on the approximation of the laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes (Portugal)

OJ L 358, 18.12.1986

Commission Directive 89/514/EEC of 2 August 1989 adapting to technical progress Council Directive 86/662/EEC on the limitation of noise emitted by hydraulic excavators, rope-operated excavators, dozers, loaders and excavator-loaders (Portugal)

OJ L 253, 30.8.1989

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 (Portugal)

OJ L 181, 4.7.1986

Council Directive 87/18/EEC of 18 December 1986 on the harmonization of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances (Portugal)

OJ L 15, 17.1.1987

Financial institutions and company law

Council Directive 86/524/EEC of 27 October 1986 amending Directive 77/780/EEC in respect of the

list of permanent exclusions of certain credit institutions (Portugal)

OJ L 309, 4.11.1986

Council Directive 87/343/EEC of 22 June 1987 amending, as regards credit insurance and suretyship insurance, first Directive 73/239/EEC on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance (Portugal)

OJ L 185, 4.7.1987

Council Directive 87/344/EEC of 22 June 1987 on the coordination of laws, regulations and administrative provisions relating to legal expenses insurance (Portugal)

OJ L 185, 4.7.1987

Second Council Directive 88/357/EEC of 22 June 1988 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 (Portugal)

OJ L 172, 4.7.1988

Energy

Council Directive 78/170/EEC of 13 February 1978 on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings (Portugal)

OJ L 52, 23.2.1978

Council Directive 82/885/EEC of 10 December 1982 amending Directive 78/170/EEC on the performance of heat generators for space heating and the production of hot water in new or existing non-industrial buildings and on the insulation of heat and domestic hot-water distribution in new non-industrial buildings (Portugal)

OJ L 378, 31.12.1982

Council Directive 75/339/EEC of 20 May 1975 obliging the Member States to maintain minimum stocks of fossil fuel at thermal power stations (Portugal)

OJ L 153, 13.6.1975

Council Directive 75/405/EEC of 14 April 1975 concerning the restriction of the use of petroleum products in power stations (Portugal)

OJ L 178, 9.7.1975

Consumers

Council Directive 86/197/EEC of 26 May 1986 amending Directive 79/112/EEC on the approximation of the laws of the Member States relating to the labelling, presentation and advertising of foodstuffs for sale to the ultimate consumer (Portugal)

OJ L 144, 29.5.1986

Council Directive 87/102/EEC of 22 December 1986 on the approximation of the laws, regulations and administrative provisions of the Member States concerning consumer credit (Portugal)

OJ L 42, 12.2.1987

Council Directive 88/667/EEC of 21 December 1988 amending for the fourth time Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products (Portugal)

OJ L 382, 21.12.1988

Eleventh Commission Directive 89/174/EEC of 21 February 1989 adapting to technical progress Annexes II, III, IV, V, VI and VII to Council Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products (Portugal)

OJ L 64, 8.3.1989

Reasoned opinions

2.5.2. In December the Commission delivered reasoned opinions for failure to inform it of any national implementing measures in the following cases:

Internal market

First Commission Directive 87/524/EEC of 6 October 1987 laying down Community methods of sampling for chemical analysis for the monitoring of preserved milk products (Belgium, Germany, France, Netherlands)

OJ L 306, 28.10.1987

Agriculture

Fifth Commission Directive 88/271/EEC of 5 April 1988 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Greece)

OJ L 116, 4.5.1988

Seventh Commission Directive 88/430/EEC of 1 July 1988 amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Greece)

OJ L 208, 2.8.1988

Council Directive 88/572/EEC of 14 November 1988 amending Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products (Greece)

OJ L 313, 19.11.1988

Environment

Council Directive 86/662/EEC of 22 December 1986 on the limitation of noise emitted by hydraulic excavators, rope-operated excavators, dozers, loaders and excavator-loaders (Belgium)

OJ L 384, 31.12.1986

Council Directive 87/18/EEC of 18 December 1986 on the harmonization of laws, regulations and administrative provisions relating to the application of the principles of good laboratory practice and the verification of their applications for tests on chemical substances (Ireland)

OJ L 15, 17.1.1987

6. Additional references in the Official Journal

2.6.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

Bull. EC 1/2-1990

Point 1.1.134

Proposal for a Council Directive on the operational protection of outside workers exposed to ionizing radiation during their activities in installations in which such radiation is used and the date of publication

OJ C 321, 21.12.1990

Bull. EC 12-1990

Bull. EC 7/8-1990

Point 1.3.296

Commission Decision 91/3/ECSC of 25 July 1990 ruling on financial measures by Spain in respect of the coal industry in 1988, 1989 and 1990

OJ L 5, 8.1.1991

Bull. EC 9-1990

Point 1.2.2

Proposal for a Council Directive on the general arrangements for products subject to excise duty and on the holding and movement of such products

OJ C 322, 21.12.1990

Point 1.2.3

Proposal for a Council Directive on the harmonization of the structures of excise duties on alcoholic beverages and on the alcohol contained in other products

OJ C 322, 21.12.1990

Point 1.2.4

Proposal for a Council Directive amending Council Directives 72/464/EEC and 79/32/EEC on taxes

other than turnover taxes which are levied on the consumption of manufactured tobacco
OJ C 322, 21.12.1990

Point 1.2.5

Proposal for a Council Directive on the harmonization of the structures of excise duties on mineral oils
OJ C 322, 21.12.1990

Bull. EC 10-1990

Point 1.3.52

Proposal for a Council Decision amending Decision 87/569/EEC concerning an action programme for the vocational qualification of young people and their preparation for adult and working life
OJ C 322, 21.12.1990

Point 1.3.67

Council Decision 90/647/EEC of 24 September 1990 concerning the conclusion of the Agreement between the European Economic Community and the People's Republic of China on trade in textile products
OJ L 352, 15.12.1990

Point 1.3.68

Council Decision 90/648/EEC of 24 September 1990 concerning the conclusion of the Agreement between the European Economic Community and the Islamic Republic of Pakistan on trade in textile products
OJ L 352, 15.12.1990

Point 1.3.69

Council Decision 90/649/EEC of 24 September 1990 concerning the conclusion of a supplementary Protocol to the Cooperation Agreement between the European Community and the Socialist Federal Republic of Yugoslavia on trade in textile products
OJ C 352, 15.12.1990

Point 1.3.98

Proposal for a Council Directive on the liability of suppliers of services
OJ C 12, 18.1.1991

Point 1.3.99

Proposal for a Council Directive on the approximation of the laws of the Member States relating to cosmetic products
OJ C 322, 21.12.1990

Point 1.3.104

Amended proposal for a Council Directive on the legal protection of computer programs
OJ C 320, 20.12.1990

Bull. EC 11-1990

Point 1.2.4

Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 3164/76 on access to the market in the international carriage of goods by road

Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 4059/89 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State
OJ C 323, 22.12.1990

Point 1.3.1

Proposal for a Council Regulation (EEC) laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products

Proposal for a Council Directive amending Directives 65/65/EEC, 75/318/EEC and 75/319/EEC in respect of medicinal products

Proposal for a Council Directive amending Directives 81/851/EEC and 81/852/EEC in respect of veterinary medicinal products

Proposal for a Council Directive repealing Directive 87/22/EEC on the approximation of national measures relating to the placing on the market of high-technology medicinal products, particularly those derived from biotechnology
OJ C 330, 31.12.1990

Point 1.3.50

Council Directive 90/679/EEC of 26 November 1990 on the protection of workers from risks related to exposure to biological agents at work

(seventh individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC)
OJ L 374, 31.12.1990

Point 1.3.66

Council Decision 90/664/EEC of 26 November 1990 adopting a specific programme concerning the preparation of the development of an operational Eurotra system
OJ L 358, 21.12.1990

Point 1.3.70

Amendment to the proposal for a Council Decision concerning a specific programme of research and technological development in the field of telematic systems in areas of general interest (1990-94)
OJ C 327, 29.12.1990

Point 1.3.73

Amended proposal for a Council Decision adopting a specific research and technological development programme in the field of environment (1990-

94)
OJ C 327, 29.12.1990

Point 1.3.74

Amended proposal for a Council Decision adopting a specific research and technological development programme in the field of marine science and technology (1990-94)
OJ C 321, 21.12.1990

Point 1.4.5

Council Decision 90/674/EEC of 19 November 1990 on the conclusion of the Agreement establishing the European Bank for Reconstruction and Development
OJ L 372, 31.12.1990

Point 1.4.18

Council Decision 90/680/EEC of 26 November 1990 on the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Principality of Andorra
OJ L 374, 31.12.1990

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