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## References in the text

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

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



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- \*5/93 The challenge of enlargement — Commission opinion on the application by the Republic of Cyprus for membership

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\* In preparation.



# I — Copenhagen European Council

## **Copenhagen, 21 and 22 June**

*1.1.* The meeting of Heads of State or Government was chaired by Mr Rasmussen, President of the Council and Prime Minister of Denmark, and attended by Mr Delors, President of the Commission, and Mr van den Broek, Member of the Commission. During his customary meeting with the members of the European Council, Mr Klepsch, President of the European Parliament, gave a rundown of Parliament's position on the main items on the summit agenda, with particular reference to the economic and social situation in the Community. He called upon the Member States to review their position with regard to the duties of the Ombudsman and the regulations governing their performance. Mr Klepsch urged the national parliaments to press ahead with ratification not only of the Treaty on European Union but also of the Agreement setting up the European Economic Area and the 'Europe Agreements' with the countries of Central and Eastern Europe.

Unemployment and the economic recession eclipsed all other issues at Copenhagen, with the European Council demonstrating its resolve to tackle the problems at Community level through a series of short- and long-term measures. Backing Mr Delors's analysis of the strengths and weaknesses of the European economy, the European Council approved the points for consideration put forward by the Commission President and instructed the Commission to present a White Paper on a long-term strategy to promote growth, competitiveness and employment to the European Council in Brussels next December. The European Council acknowledged the necessity of immediate measures to kick-start the economy. In this context it invited the EIB, in cooperation with the Commission, to increase by ECU 3 billion the temporary facility of ECU 5 billion agreed in Edinburgh and to extend its duration beyond 1994. This would be used to

develop the trans-European networks (ECU 2 billion) and to strengthen the competitiveness of small and medium-sized enterprises (ECU 1 billion). The European Council also welcomed the suggestion put forward by Mr Delors for a ECU 5 billion bridging facility to boost investment projects under the Structural Funds.

The European Council stressed the overriding importance of creating such economic and budgetary conditions as will permit a rapid cut in interest rates in Europe, a fundamental prerequisite for economic recovery and the promotion of investment.

Having confirmed that the accession of Austria, Finland, Sweden and Norway is to be accomplished by 1 January 1995, the European Council welcomed the adoption by the Commission of its opinions in respect of the membership applications from Cyprus and Malta.

The European Council also conveyed a very explicit political message to the countries of Central and Eastern Europe by providing them with the assurance that, in accordance with the Commission communication 'Towards a closer association with the countries of Central and Eastern Europe', associated countries that wish to become full members of the Union will be admitted as soon as they satisfy the requisite political and economic conditions. In this context, the European Council acknowledged the need for a reinforced and extended multilateral dialogue and concertation on matters of common interest as well as the need to accelerate efforts to open up Community markets. It also acknowledged the necessity of providing adequate support for Albania and endorsed the implementation of free-trade agreements with the Baltic States, as a prelude to the conclusion of Europe Agreements once the necessary conditions have been met. The European Council welcomed the progress made in the negotiations on a partnership agreement with Russia.

After reviewing the situation in the former Yugoslavia, the European Council encouraged the negotiators at the International Conference on the former Yugoslavia to pursue their efforts to promote a fair and viable settlement acceptable to all three constituent peoples of Bosnia-Herzegovina. It decided to respond positively to the request of the UN Secretary-General and to provide men and money to help implement the UN Security Council resolutions on safe areas.

Reiterating the guidelines laid down at its meeting in Lisbon, the European Council reaffirmed the need to intensify cooperation and further develop relations with Turkey with a view to establishing a customs union between that country and the Community. Underlining its determination to see the Community's relationship with the Maghreb countries placed at a level of importance and intensity which corresponds to the close links which have been formed by geography and history, the European Council invited the Council to approve the draft directives currently being examined for a partnership agreement with Morocco, noting with satisfaction the Commission's intention to submit draft directives for the negotiation of a similar agreement with Tunisia.

The European Council took note of the conclusions adopted by Foreign Ministers concerning Africa (South Africa, Sudan, Somalia, Angola, Mozambique, Liberia, Malawi, Zaire and Nigeria), the Middle East, Central America and Cambodia.

The European Council strongly condemned the attacks on immigrants and refugees in a number of Member States and pledged to use all available means to combat such manifestations of racism and intolerance.

With regard to subsidiarity and openness, the European Council welcomed the action taken by the Commission, particularly in the area of public access to Community documents, and invited the Council and the European Parliament to settle any outstanding issues relating to the establishment of the European Ombudsman.

## Conclusions of the Presidency

### Introduction

*1.2.* The European Council welcomed the outcome of the Danish referendum and the prospect of a rapid completion of ratification procedures on the Maastricht Treaty in all Member States. It is determined that this important step should mark the ending of a prolonged period of uncertainty on the Community's direction and be the occasion for the Union to meet with renewed vigour and determination the many challenges with which it is faced internally and externally, making full use of the possibilities offered by the new Treaty. The principles spelled out by the European Councils in Birmingham and Edinburgh regarding democracy, subsidiarity and openness will guide the implementation of the new Treaty with a view to bringing the Community closer to its citizens.

The European Council in Copenhagen gave special attention, on the one hand, to action aimed at tackling the economic and social problems faced by the Community and particularly the unacceptably high level of unemployment and, on the other hand, to the wide range of issues relating to peace and security in Europe. It recognizes that only by proving that the Community is instrumental in contributing to the security and well-being of all the citizens can the Community count on continued public support for the construction of Europe.

The members of the European Council held an exchange of views with the President of the European Parliament. The discussion took place against the background of the increased political and legislative role which the European Parliament will have under the Treaty of Maastricht. The European Council underlined the importance of making the best possible use of those provisions while fully respecting the institutional balance set out in the Maastricht Treaty. It at the same time stressed the need for national Parliaments to be more closely involved in the Community's activities. It welcomed the growing contacts between national parliaments and the European Parliament.

### Growth, competitiveness and unemployment

#### References:

Proposal for an addition to the Protocol on the Statute of the European Investment Bank empowering

the EIB Board of Governors to establish a European Investment Fund; proposal for a Council Decision on Community membership of the European Investment Fund: OJ C 37, 11.2.1993; COM(93) 3; Bull. EC 1/2-1993, point 1.2.40

Commission working paper and Council conclusions on the Edinburgh declaration on promoting economic recovery in Europe: Bull. EC 4-1993, points 1.2.27 and 1.2.28

Proposal for a Council Regulation amending Regulation (EEC) No 2052/88 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments; proposal for a Council Regulation amending Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88; proposal for a Council Regulation amending Regulation (EEC) No 4254/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund; proposal for a Council Regulation amending Regulation (EEC) No 4255/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund; proposal for a Council Regulation amending Regulation (EEC) No 4256/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the EAGGF Guidance Section; proposal for a Council Regulation laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the financial instrument for fisheries guidance: Bull. EC 5-1993, point 1.2.83

Commission communication on transport infrastructure accompanied by a proposal for a Regulation amending Council Regulation No 3359/90 for an action programme in the field of transport infrastructure with a view to the completion of the integrated transport market in 1992, a proposal for a Council Decision on the trans-European road network and a proposal for a Council Decision on the development of a European inland waterway network: COM(92) 230; Bull. EC 6-1992, point 1.3.73

Commission communication to the European Parliament and to the Council on trans-European data-communications networks between administrations accompanied by a proposal for a Council Decision on a series of guidelines on trans-European data-communications networks between administrations and a proposal for a Council Decision adopting a multiannual Community programme to support the implementation of trans-European networks for the interchange of data between administrations (IDA): OJ C 105, 16.4.1993; COM(93) 69; Bull. EC 3-1993, point 1.2.61

Proposal for a Council Decision on inter-administration telematics networks for statistics relating to the trading of goods between Member States (Comedi — Commerce electronic data interchange): OJ C 87, 27.3.1993, COM(93) 73; Bull. EC 3-1993, point 1.2.62

1.3. The European Council is deeply concerned about the present unemployment situation and the grave dangers inherent in a development where an

increasing number of people in the Community are becoming permanently detached from the labour market. The European Council pledged the determination of the Community and its Member States to restore confidence through the implementation of a clear strategy — covering both the short term and medium to long term — to restore sustainable growth, reinforce the competitiveness of European industry and reduce unemployment.

### *Short-term measures*

1.4. The European Council agreed that concerted economic action based on the principles set out in 'The plan of action of Member States and the Community to promote growth and to combat unemployment' established by the European Council in Edinburgh, should continue to be given the highest priority. It welcomed the initial package of national and Community measures established by the Council (economic and financial affairs) at its meeting on 19 April and noted with satisfaction that some Member States have since then implemented new and additional measures with the same objective in mind.

The promotion of investment is crucial.

The European Council agreed that on the national level this objective should be given particular importance by Member States in their national budget planning for 1994. The bringing forward in time of public investment, in particular on infrastructure, environment protection and urban renewal, as well as the promotion of private investment (with special attention to small and medium-sized enterprises and housing), are of particular importance in the present phase of the economic cycle in Europe. However, lower taxes on labour would enhance European industrial competitiveness. In connection with this, consideration should also be given to fiscal measures to reduce consumption of scarce energy resources.

Although further national action will depend on each Member State's room for manoeuvre, full account should be taken of the multiplier effect of the internal market, which supports national policy aimed at economic recovery, and of the positive effects on national budgets which would result from increased growth.

On the Community level the European Council invited the EIB, in cooperation with the Commission, to increase by ECU 3 billion the temporary facility of ECU 5 billion agreed in Edinburgh and to extend its duration beyond 1994; ECU 2 billion would be for the trans-European networks and

ECU 1 billion for strengthening the competitiveness of European small and medium-sized enterprises. The Council is invited to examine how the part available for small and medium-sized enterprises could benefit from interest-rate subsidies to a maximum of three percentage points over five years. The interest subsidy would be linked to employment creation (similar to existing ECSC loans) and would be funded within existing financial perspectives. The European Council will review the amount for the small and medium-sized enterprises facility at its meeting in December in the light of its utilization.

The European Council underlined the importance of a rapid implementation of the Community's structural policy programme for the period 1994-99. The implementation of this ECU 160 billion programme (equal in real terms to three times the Marshall Aid programme) is essential for cohesion, as well as for growth and employment creation not only in the less favoured areas of the Community but throughout the Community. The European Council therefore called on the institutions to ensure the formal adoption before the end of July 1993 of the Structural Funds Regulations. It noted that the President of the European Parliament agreed with this objective. The legal texts as well as the practical implementation should fully respect the agreement reached on the Delors II package in Edinburgh.

In addition, and in order to boost ahead of schedule the investment projects under the Structural Funds, the European Council agreed that the Council will examine a proposal from the Commission that would enable Member States to draw on a Community 'bridging facility' at market interest rates up to a maximum of ECU 5 billion available until the end of 1995. Repayment of this Community loan would be drawn from Structural Fund appropriations in subsequent years. Similar arrangements could be applied to the Cohesion Fund.

The European Council underlined the importance of fully exploiting the new provisions in the Maastricht Treaty relating to the promotion of Trans-European networks of the highest quality, in the context of promoting economic and industrial growth, cohesion, the effective functioning of the internal market and encouraging European industry to make full use of modern information technology. The European Council invited the Commission and the Council to complete by early 1994 the network plans in all the relevant sectors (transport, telecommunications and energy) while noting with satisfaction the progress made on high-speed trains, roads, inland waterways and combined transport. It also called on the Council to consider rapidly the Commission proposals on telematic networks. The

Council will also examine, on a proposal from the Commission, the link up between the peripheral Member States and the central regions of the Community.

The extended duration and the increased amount of the Edinburgh temporary facility now agreed will permit a further important contribution to these networks. Trans-European projects which have received the endorsement of the Community through a 'Declaration of Community interest' will be privileged under this instrument and other Community financial instruments.

### *Medium and long-term measures to promote competitiveness and employment*

1.5. The European Council agreed that macro-economic policy should be supplemented by structural measures in each Member State adapted to their individual characteristics in order to achieve a significant reduction of the unacceptably high level of unemployment in particular among young people, those unemployed for a long time and the most socially excluded.

The European Council heard an analysis by the President of the Commission on the competitive situation of the European economy. It fully endorsed his diagnosis.

The European Council welcomed the presentation by President Delors of a medium-term European plan for economic revival, 'Entering the 21st century', attached to these conclusions (see Annex I). The European Council invited the Commission to present a white paper on a medium-term strategy for growth, competitiveness and employment for consideration at its meeting of December 1993. Member States will submit to the Commission, before 1 September, proposals for specific elements which might be included in this initiative. The European Council invited the Commission to prepare its white paper in good time for it to be taken into consideration in the preparatory work to be done by the Council with regard to the broad guidelines for economic policy for the Community and its Member States. The social partners will be consulted by the Commission.

The European Council recalled that under the provisions of the Treaty on European Union it has to examine such guidelines. It invited the Council, on a proposal from the Commission, to submit to the European Council in Brussels in December draft guidelines based on the objectives set out in the



previous paragraphs concerning both short-term and medium-term aspects, with a view to promoting sustainable non-inflationary growth respecting the environment.

### *Monetary and exchange-rate policy*

*I.6.* Monetary policy and exchange-rate stability are key factors in both the short and medium-term components of a strategy to restore growth and reduce unemployment. The European Council agreed on the overriding importance of creating the budgetary and economic conditions for rapidly bringing interest rates in Europe down, thereby narrowing the existing gap between interest rates in Europe and interest rates in other major industrial countries. Movements in this direction will be essential for economic recovery and in order to promote investment in Europe.

The European Council reviewed recent developments in the exchange-rate situation. It felt that the orientations agreed at the informal meeting of Economic and Finance Ministers in Kolding in relation to the EMS go in the right direction. The European Council recalled that the exchange-rate policy of all Member States is a matter of common interest. It underlined the essential role to be played by the European Monetary Institute (EMI) in this area. It invited the Commission to present proposals on all the necessary implementing measures relating to Stage II of economic and monetary union, so that they can be adopted by the Council as soon as possible after entry into force of the Treaty and before 1 January 1994.

### *International aspects*

*I.7.* The effect of action by the Community and its Member States will be increased through international coordination of policy. In this connection, the European Council welcomed the outcome of the joint EC-EFTA meeting of Economic and Finance Ministers held in April and invited the Council (economic and financial affairs) to continue to maintain close contacts with the EFTA countries in this area. With regard to the global economy the European Council looks to the G7 summit in Tokyo to provide an agreed basis for a determined effort to promote growth in the world economy.

## **The single market and common policies**

**Reference:** Council conclusions on road transport taxation: point 1.2.111 of this Bulletin

*I.8.* At a time when the problems of creating economic growth and stimulating employment are of increasing concern, the existence of a large single market of 350 million people is a major asset for the Community.

The European Council welcomed the recent decisions of the Council (internal market) and called on it to adopt rapidly the last remaining measures, which are of major importance for the proper operation of the single market.

On transport, the European Council noted with satisfaction that the recent agreement on road transport taxation has cleared the way for full liberalization of the activities of road hauliers within the Community to take its place beside the existing liberalization of air and maritime transport.

The single market has been a legal reality since 1 January 1993; it is essential that it should also become a smoothly-running practical reality, improving the competitiveness of the European economy and yielding maximum economic and social benefit for the citizen. To that end, the European Council called on all concerned, and in particular the Commission and the competent authorities of the Member States, to work together to ensure that the single market is administered efficiently with as little red tape as possible.

The European Council stressed that the single market cannot be brought about without the full implementation of free movement of persons as well as of goods, services and capital, in accordance with Article 8a of the Treaty. This requires measures in particular with regard to cooperation aimed at combating crime and drug trafficking and ensuring effective control of the external borders.

The European Council invited the responsible Ministers to bring their work on these measures forward as a matter of great urgency. With regard to the last outstanding issue on the External Frontiers Convention, the European Council noted with satisfaction that the Member States concerned have expressed their determination to make every effort to reach a mutually acceptable solution as soon as possible.

## **GATT**

*I.9.* The European Council welcomed the Commission's report on progress in the Uruguay Round to date. It underlined the need for the Community to continue to play an active part in achieving further

progress while preserving the European identity throughout the negotiations.

The European Council stressed that it was essential to relaunch the multilateral process in Geneva as soon as possible on all topics, including agriculture, in order to complete a comprehensive, durable and balanced agreement before the end of the year. This was urgently needed in order to create the new, rules-based world trading system in which unilateral action is ruled out. A round concluded on this basis will promote the durable expansion of international trade which is a key to the promotion of economic growth and job creation in Europe and throughout the world.

Early identification of the main elements of a large market access component and real progress on services and intellectual property, including contributions from all GATT partners, would help to maintain momentum and pave the way for the conclusion in time of the final package.

### Enlargement

**Reference:** Ministerial conferences on the accession of Austria, Finland, Norway and Sweden to the European Union: points 1.3.2 to 1.3.5 of this Bulletin

*1.10.* The European Council took note of progress in the enlargement negotiations with Austria, Finland, Sweden and Norway. It noted that the initial difficulties encountered in launching the negotiations had now been overcome and that the pace of the negotiations was speeding up. It recalled that the negotiations will, to the extent possible, be conducted in parallel, while dealing with each candidate on its own merit.

The European Council invited the Commission, the Council, and the candidate countries to ensure that the negotiations proceed constructively and expeditiously. The European Council is determined that the objective of the first enlargement of the European Union in accordance with the guidelines laid down by the Lisbon and Edinburgh European Councils should become a reality by 1 January 1995.

### Relations with Malta and Cyprus

**References:**

Commission opinion on Cyprus's membership application: COM(93) 313; point 1.3.6 of this Bulletin  
Commission opinion on Malta's membership application: COM(93) 312; point 1.3.7 of this Bulletin

*1.11.* The European Council considered that its guidelines with regard to enlargement with the EFTA countries shall be without prejudice to the situation of other countries which have applied to join the Union. The Union will consider each of these membership applications on its own merits.

The European Council welcomed the Commission's intention to present shortly its opinions on Malta and on Cyprus. These opinions will be examined rapidly by the Council taking into consideration the particular situation of each of the two countries.

### Relations with Turkey

**Reference:** Conclusions of the Lisbon European Council: Bull. EC 6-1992, point I.4

*1.12.* With regard to Turkey, the European Council asked the Council to ensure that there is now an effective implementation of the guidelines laid down by the European Council in Lisbon on intensified cooperation and development of relations with Turkey in line with the prospect laid down in the Association Agreement of 1964 and the Protocol of 1970 as far as it relates to the establishment of a customs union.

### Relations with the countries of Central and Eastern Europe

**References:**

Commission communication 'Towards a closer association with the countries of Central and Eastern Europe': Bull. EC 4-1993, point 1.3.5

Council conclusions on financial assistance to Albania: point 1.6.34 of this Bulletin

### *The associated countries*

*1.13.* The European Council held a thorough discussion on the relations between the Community and the countries of Central and Eastern Europe with which the Community has concluded or plans to conclude Europe agreements ('associated countries'), on the basis of the Commission's communication prepared at the invitation of the Edinburgh European Council.

The European Council welcomed the courageous efforts undertaken by the associated countries to modernize their economies, which have been weakened by 40 years of central planning, and to ensure

a rapid transition to a market economy. The Community and its Member States pledge their support to this reform process. Peace and security in Europe depend on the success of those efforts.

The European Council today agreed that the associated countries in Central and Eastern Europe that so desire shall become members of the European Union. Accession will take place as soon as an associated country is able to assume the obligations of membership by satisfying the economic and political conditions required.

Membership requires that the candidate country has achieved stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities, the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces within the Union. Membership presupposes the candidate's ability to take on the obligations of membership including adherence to the aims of political, economic and monetary union.

The Union's capacity to absorb new members, while maintaining the momentum of European integration, is also an important consideration in the general interest of both the Union and the candidate countries.

The European Council will continue to follow closely progress in each associated country towards fulfilling the conditions of accession to the Union and draw the appropriate conclusions.

The European Council agreed that the future cooperation with the associated countries shall be geared to the objective of membership which has now been established. In this context the European Council approved the following:

□ The Community proposes that the associated countries enter into a structured relationship with the institutions of the Union within the framework of a reinforced and extended multilateral dialogue and concertation on matters of common interest. The arrangements, which are set out in Annex II to these conclusions, include dialogue and concertation on a broad range of topics and in several forums. Where appropriate — in addition to regular meetings between the President of the European Council and the President of the Commission with their counterparts from the associated countries — joint meetings of all the Heads of State or Government can be held to discuss specific predetermined issues.

□ The European Council, recognizing the crucial importance of trade in the transition to a market economy, agreed to accelerate the Community's efforts to open up its markets. It expected this step forward to go hand in hand with further develop-

ment of trade between those countries themselves and between them and their traditional trading partners. It approved the trade concessions established by the Council (general affairs) at its meeting on 8 June. It invited the Council to adopt, on a proposal from the Commission, the necessary legal texts before the summer holidays.

□ The Community will continue to devote a considerable part of the budgetary resources foreseen for external action to the Central and East European countries, in particular through the PHARE programme. The Community will also make full use of the possibility foreseen under the temporary lending facility of the EIB to finance trans-European network projects involving the countries of Central and Eastern Europe. Where appropriate, part of the resources under the PHARE programme may be used for major infrastructural improvements, in accordance with the arrangements agreed by the Council on 8 June.

□ The European Council, welcoming the possibility offered to the associated countries to participate in Community programmes under the Europe Agreements, invited the Commission to make proposals before the end of the year for opening up further programmes to the associated countries, taking as a point of departure those programmes which are already open for participation by the EFTA countries.

□ The European Council underlined the importance of approximation of laws in the associated countries to those applicable in the Community, in the first instance with regard to distortion of competition and, in addition — in the perspective of accession — to protection of workers, the environment and consumers. It agreed that officials from the associated countries should be offered training in Community law and practice and decided that a task force composed of representatives of the Member States and the Commission shall be established to coordinate and direct this work.

□ The precise modalities regarding the above matters are set out in Annex II.

### *Other Central and East European countries*

1.14. The European Council discussed the economic situation in Albania. It welcomed the conclusions of the Council (economic and financial affairs) on 7 June and the recognition by the Community of the need to ensure adequate support, through grants, loans or both to Albania. The European Council also underlined the importance of making full use of the provisions relating to political

dialogue foreseen under the present agreement with Albania.

In order to strengthen the trade and commercial links between the three Baltic States and the Community, the European Council invited the Commission to submit proposals for developing the existing trade agreements with the Baltic States into free-trade agreements. It remains the objective of the Community to conclude Europe Agreements with the Baltic States as soon as the necessary conditions have been met.

## **Pact on stability in Europe**

*1.15.* The European Council discussed the French proposal for an initiative to be taken by the European Union in favour of a pact on stability in Europe. This initiative is directed towards assuring in practice the application of the principles agreed by European countries with regard to respect for borders and rights of minorities. The European Council agreed that recent events in Europe have shown that action in these areas is timely and appropriate. It welcomed the idea of using the instrument of 'joint action' in accordance with the procedures provided for in the common foreign and security policy.

The European Council invited the Council (general affairs) to examine the proposal and report to its meeting in December 1993 with a view to convening a preparatory conference on the pact.

## **Russia**

### **References:**

Council Decision amending the negotiating directives for the partnership and cooperation agreement with Russia: Bull. EC 4-1993, point 1.3.18

Proposal for a Council Decision amending Decision 77/270/Euratom to authorize the Commission to contract Euratom borrowings in order to contribute to the financing required for improving the degree of efficiency and safety of nuclear power stations in certain non-member countries: point 1.5.6 of this Bulletin

*1.16.* The European Council welcomed the new initiatives in the area of political reforms in Russia undertaken by President Yeltsin. It hopes these efforts will be successful and contribute to consolidating democracy and a market economy.

The European Council welcomed the progress made recently in the negotiations on a partnership and cooperation agreement with Russia. It expressed its hope for an early conclusion of such an agreement, in the context of creating a contractual relationship between the Community and Russia which reflects the political and economic role which Russia plays on the international scene and where consultations — also at the highest level — are a regular feature of the relationship.

The European Council is looking forward to continuing the close cooperation with Russia in the political field and to jointly contributing to the solution of international crises. This is seen as an essential contribution to peace and stability in Europe and the world. The European Council agreed to propose regular Community meetings between its President, the President of the Commission and the Russian President.

The European Council expressed its readiness to continue and enhance its support for the Russian reform process. The coming G7 summit is seen as a timely opportunity to further the substantial efforts already made to support the reform measures underway in Russia as well as other countries of the former Soviet Union. The European Council took stock of the preparation of the discussion at the G7 summit on aid to Russia. The Community and its Member States attached particular importance to progress in Tokyo on issues relating to nuclear safety (power stations, nuclear waste, and dismantling of nuclear weapons). It welcomed in this context the substantial follow-up now being given to the guidelines laid down by the European Council in Lisbon including the agreement recently reached by the Council (economic and financial affairs) on Euratom loans aimed at improving safety in nuclear power stations in former Soviet Union republics as well as in Central and East European countries.

The European Council also stressed the importance of putting the European Energy Charter into practical reality.

The European Council pledged the support of the Community to other concrete steps to promote the efficiency of aid directed towards Russia and to concrete projects aimed at accelerating the process of privatization, in particular through appropriate training of Russian entrepreneurs in the context of technical assistance. The European Council emphasized that the effectiveness of aid efforts depends on the existence of stability-oriented economic policies in Russia.

## Ukraine

*1.17.* The European Council expressed keen interest in expanding cooperation with Ukraine. Substantial progress towards the fulfilment by Ukraine of its commitments under the Lisbon Protocol to ratify START I and to accede to the Non-Proliferation Treaty as a non-nuclear weapons State is essential for Ukraine's full integration into the international community and would promote the development of its relations with the Community and its Member States.

## Former Yugoslavia

*1.18.* The European Council adopted the declaration on Bosnia-Herzegovina set out in Annex III.

## Relations with the Maghreb countries

**Reference:** Recommendation for a Council Decision authorizing the Commission to open negotiations on a Euro-Maghreb association agreement with Morocco: Bull. EC 12-1992, point 1.4.20

*1.19.* The European Council recalled its determination to see the relationship with the Maghreb countries placed at a level of importance and intensity which corresponds to the close links which have been formed by geography and history. This should be done within the framework of an upgraded partnership between the Union and the individual Maghreb countries.

The European Council invited the Council to approve rapidly the draft directives presently being examined for a partnership agreement with Morocco.

It took note with satisfaction of the Commission's intention to submit rapidly draft directives for the negotiation of a similar agreement with Tunisia.

## Conclusions reached by Foreign Ministers

*1.20.* The European Council took note of the conclusions reached by Foreign Ministers on the issues set out in Annex IV.

## Common foreign and security policy — Preparatory work on security

*1.21.* The European Council noted the preparatory work already done by Foreign Ministers on security in connection with the mandate from the Edinburgh European Council and invited them to continue their work with a view to defining the necessary basic elements for a policy of the Union by the date of entry into force of the Treaty.

## A Community close to its citizens

### References:

Draft Commission opinion on the regulations and general conditions governing the performance of the Ombudsman's duties: Bull. EC 4-1993, point 1.1.1

Commission communication to the Council, Parliament and the Economic and Social Committee on public access to the institutions' documents: OJ C 156, 8.6.1993; COM(93) 191; Bull. EC 5-1993, point 1.1.1

*1.22.* The European Council invited all institutions to ensure that the principles of subsidiarity and openness are firmly anchored in all spheres of Community activity and fully respected in the day-to-day operations of the institutions.

As regards the principle of subsidiarity, the European Council noted with satisfaction that the Commission is now submitting proposals only when it considers that they fulfil the subsidiarity criteria, and welcomed in general the substantial reduction in the volume of Community legislation foreseen in the Commission's legislative programme for 1993 compared to earlier years. The wider consultation by the Commission before submitting important new proposals and, in particular, the use of 'green papers' relating to important new activities as well as a cost and benefit analysis of new proposals are also highly promising. It looked forward to the completion before the European Council in December of the Commission's review of existing and proposed legislation with regard to the subsidiarity principle.

The European Council noted with satisfaction that the Council and the Commission are now applying the principles, guidelines and procedures on subsidiarity decided at Edinburgh as an integral part of the decision-making procedure. It hopes that the European Parliament will soon be able to join in this effort.

On openness, the European Council noted the first steps taken in response to the conclusions of the

Edinburgh European Council regarding the opening of certain Council debates to the public, simplification and codification of Community legislation and information in general. It confirmed its commitment to continue the process of creating a more open and transparent Community.

In the area of public access to information, it invited the Council and the Commission to continue their work based on the principle of the citizens having the fullest possible access to information. The aim should be to have all necessary measures in place by the end of 1993.

The European Council invited the European Parliament and the Council to settle the last outstanding issues with regard to the establishment of the Ombudsman in time for the entry into force of the Maastricht Treaty.

## Fraud affecting the Community

I.23. The European Council underlined the importance of continuing to combat fraud and irregularities in connection with the Community budget, both in view of the sums involved and in order to promote confidence in the construction of Europe. It underlined the importance of fully implementing the provisions in the Maastricht Treaty according to which Member States are to take the same measures to counter fraud affecting the financial interests of the Community as they take to counter fraud affecting their own financial interests. It looked forward to the report on further developments in the Commission's anti-fraud strategy together with the related proposals. It invited the Commission to submit such proposals by March 1994 at the latest.

## Racism and xenophobia

I.24. The European Council strongly condemned the recent attacks on immigrants and refugees in its Member States and expressed its deep sympathy with the innocent victims of such aggression.

The European Council reiterated its strong resolve to fight by all available means intolerance and racism in all its forms. It stressed that such intolerance and racism is unacceptable in our present-day society.

The European Council confirmed the commitment to protect everybody, including immigrants and

refugees, against violations of fundamental rights and freedoms as embodied in constitutions and laws of Member States, the European Convention on Human Rights and other international conventions, including the United Nations Convention on the Elimination of All Forms of Racial Discrimination.

The European Council recalled its previous declarations on racism and xenophobia and decided to intensify the efforts to identify and to root out the causes. It pledged that Member States will do their utmost to protect immigrants, refugees and others against expressions and manifestations of racism and intolerance.

## Annex I

### Entering the 21st century — orientations for economic renewal in Europe

#### *Staying on course for economic and monetary union*

I.25. A single currency would:

- consolidate the single market and create the necessary conditions for fair and productive competition;
- make investment more attractive, both in the Community and outside, and generally stimulate saving to provide the necessary funds for major infrastructure projects;
- have a stabilizing effect on the international monetary system and discourage the speculation responsible for so much instability and uncertainty.

In order to achieve this, we must:

- get back on the road to convergence, which will boost growth and create jobs throughout the Community — a positive sum game;
- provide national policies and business strategies with a credible, clear and comprehensible perspective and to this end, make the single market productive;
- strengthen the link between European integration and the aspirations of ordinary people by pointing out the benefits to be gained from developing the Community and extending those benefits to other European countries, particularly those in Eastern and Central Europe, with their enormous potential for growth, which would benefit us all.

*The Community as an open and reliable partner in the world*

- The Community must keep up its efforts to bring the Uruguay Round to a swift conclusion with a balanced agreement covering all the problems now outstanding.
- The agreement must pave the way for the transition of a world trade organization to reflect the globalization of markets and business strategies.
- This organization must, without exception, be based on multilateralism, both in spirit and in practice. The way it operates must be determined by other economic realities such as currency movements, capital flows, the need to share the cost of environmental protection fairly and to deliver the social progress to which everyone has a right by a gradualist approach compatible with economic progress.

*Increased cooperation in the field of research and development*

We must:

- aim to devote 3% of GNP to research, development and innovation (as against 2% at present);
- concentrate Community action on what can complement and enhance the policies of Member States and businesses; and
- at European level and with the support provided by Community action, create frameworks for cooperation between businesses to help them harness innovation and adapt production processes.

*An efficient network of transport and telecommunications infrastructure*

- Making it easier and cheaper for people, goods and services to move around will increase the competitiveness of the European economy.
- Efficient infrastructure networks will be of inestimable value for regional planning and economic and social cohesion.
- We must give ourselves 10 years in which to stimulate the European industries involved in designing and building these networks (transport, construction, public works, etc.). An overall total of ECU 30 billion a year seems to be a realistic minimum target for expenditure in this field.

*Common information area: the new technological revolution*

- We must aim for a decentralized economy, with a properly trained workforce and an abundance of

small and medium-sized businesses all cooperating with one another.

- To achieve this, we need to create a 'European information infrastructure' to serve as the real arteries of the economy of the future and to stimulate the information industry (i.e. telecommunications, computers, fibre optics, etc.) with the prospect of abundant supply over a number of years. An initial investment of ECU 5 billion is required, followed by a ECU 5-8 billion-a-year programme.
- We must also set up European training courses for these new trades and professions and encourage distance working by computer (not only for people in the data-processing industry itself but also for those working in education, medicine, social services, environmental protection, urban planning ... and those involved in combating modern-day scourges such as disease, drug abuse and crime).

*Profound changes in our education systems*

The priorities here are:

- learning how to keep on learning throughout our lives; combining knowledge with know-how;
- developing each individual's creativity and initiative;
- establishing the right of each individual to life-long training (all young people would be given vouchers entitling them to initial education and/or training later on).

*Towards a new model of development*

- Taking into account the environment will create new jobs.
- Taxing scarce natural resources will make it possible to reduce excessive taxes on labour, thus enhancing Europe's economic competitiveness.
- Increases in productivity must be used to improve the quality of life and create new jobs; this is the dynamic view of work-sharing: increasing the number of jobs available to cover new qualitative demands, which provide a large range of still unexplored, if not unknown possibilities.

*More active policies towards the labour market*

- Priority must be given to providing everyone on the labour market with a job, activity or useful training.

- Rather than trying to hold back technological and economic change, we must anticipate it and deal with it in good time.
- The quality and the number of job agencies and similar bodies must be increased so as to provide effective help to every person out of work (expenditure needs to rise from 0.1% of Community GDP to 0.5%).

## *Annex II*

### **Cooperation with the associated countries geared to the objective of membership**

#### *Structured relationship with the institutions of the European Union*

I.26. With a view to accession and the relevant preparations — and alongside the bilateral structure of the Europe Agreements — there will be set up, with the countries of Central and Eastern Europe (CCEE) linked to the Community by Europe Agreements, a multilateral framework for a strengthened dialogue and consultation on matters of common interest.

The framework will involve the holding of meetings between, on the one hand, the Council of the Union and, on the other hand, all the associated CCEEs on matters of common interest, decided in advance, arising in the Union's areas of competence, i.e.:

- Community areas, especially with a trans-European dimension, including energy, environment, transport, science and technology, etc.;
- Common foreign and security policy;
- Home and judicial affairs.

These meetings will be of an advisory nature. No decisions would be taken. If conclusions requiring operational implementation were to emerge, they will be implemented in the appropriate institutional framework (ordinary Community procedure or Association Council with each of the associated States).

The meetings will be prepared for internally by the usual procedures, with the particular aim of establishing, according to the subjects discussed, the position to be taken. They will also be the subject of preparatory contacts with the CCEEs.

In addition to the application of the general structure for dialogue set out above, dialogue relating to foreign and security policy matters will also include the following arrangements:

- Holding of a Troika meeting at the level of Foreign Ministers and a meeting at the level of political directors during each Presidency;
- Briefing at secretariat level after each Council (general affairs) meeting and each meeting of the political directors.
- Holding one Troika meeting at working group level per Presidency for relevant working groups.

In addition regular Troika consultations with the associated countries will be held in advance of important meetings in the UN General Assembly and the CSCE.

#### *Improving market access*

(a) Customs duties on imports to the Community of sensitive basic industrial products originating in associated countries (Annex IIb to the Interim Agreements) will be abolished at the end of the second year after the entry into force of the Agreement (instead of the end of the fourth year).

(b) Customs duties on the imports of the industrial products concerned by the consolidation of GSP (Annex III to the Interim Agreements) will be abolished at the end of the third year (instead of the end of the fifth year).

(c) The amounts of the quotas and the ceilings of the above Annex III (consolidation of GSP) will be increased by 30% (Poland, the Czech Republic, Slovakia, Bulgaria, Romania), 25% (Hungary) per year starting from the second half of the second year after the entry into force of the Agreement (instead of 20% for Poland, the Czech Republic, Slovakia, Bulgaria, Romania and 15% for Hungary).

(d) Levies/duties within the quotas for agricultural products will be reduced by 60% six months earlier than foreseen in the Agreements. The 10% increase in the quotas, foreseen from the third year onwards, will be applied six months earlier than foreseen.

(e) The exemption from customs duties as from the beginning of 1994 for products concerned by outward processing operations and covered by Regulation No 636/82 will be extended in conformity with this Regulation, duly modified for this purpose.

(f) Customs duties on imports into the Community of textile products will be reduced in order to arrive at their elimination at the end of a period of five years starting from the entry into force of the Agreement (instead of six years).



(g) Customs duties on imports applicable in the Community on ECSC steel products originating in associated countries will be abolished at the latest at the end of the fourth year after the entry into force of the Agreement (instead of the end of the fifth year), subject to compliance with specific decisions relating to trade in steel products.

(h) The Council invites the Commission to effect a study of the feasibility and impact of cumulation of rules of origin for products from the associated countries of Central and Eastern Europe and the EFTA countries and, in the light of the findings, to submit to it appropriate proposals.

### *Making assistance more effective*

(a) The Community will support the development of infrastructure networks in Central and Eastern Europe, as decided in Edinburgh. The EIB, the EBRD and the other international financial institutions will take the leading role in this process.

(b) The Community will offer technical assistance through the PHARE programme to prepare and facilitate major infrastructure improvements in the countries of Central and Eastern Europe. Within existing budgetary limits, and without distorting the essential character of PHARE, the Community will also be willing, in response to requests from Central and East European partners, to provide from PHARE limited additional funds for capital expenditure resulting from these technical assistance activities, in specific cases where it is established that such additional funds are essential, and a necessary component of projects which:

- are jointly financed by the EIB and/or international financial institutions and beneficiary countries,
- cannot be privately financed,
- are of Community interest in particular as defined in relevant Community texts.

(c) These additional funds shall not exceed 15% of total annual PHARE commitments.

(d) The Commission will review the use of PHARE resources to support infrastructure development in Central and Eastern Europe on a case-by-case basis. It will take into account the financial situation of the beneficiary country on the basis of available analyses; the financial institutions making loans to projects will carry out their own assessments in the normal way. In each case the Commission will ensure that there is an adequate local contribution to project financing to ensure the commitment of the beneficiary government to the project.

The Commission will avoid undue concentration of the available PHARE funds for this purpose on individual recipient countries and will therefore avoid an unduly large proportion of national programmes being devoted to this purpose.

Proposals will be submitted to the PHARE management committee in the normal way.

### *Furthering economic integration*

Approximation of laws: the countries of Central and Eastern Europe undertook through the Europe Agreements to implement within three years from their entry into force rules parallel to those in the Treaty of Rome and to ban restrictive practices, abuse of dominant positions and public aid which distort or threaten to distort conditions of competition. In addition, it is particularly important, from the point of view of accession, that progress should be made in the other areas covered by the Europe Agreements, including those relating to the protection of workers, of the environment and of consumers.

Preparations for accession will also be helped if officials from the associated countries receive training in Community law and procedure.

The Commission and the relevant administrations in the Member States will be mobilized to further the approximation of legislation, including technical assistance for training officials. A task force of representatives of the Member States and the Commission will be set up to coordinate and direct the work.

The Commission will consider which Community programmes could be opened to participation by the countries of Central and Eastern Europe and will submit its proposals to the Council by the end of 1993.

## *Annex III*

### **Declaration on Bosnia-Herzegovina**

*I.27.* The European Council reviewed the extremely grave situation in the former Yugoslavia and the latest negotiations between the parties to the conflict in Bosnia-Herzegovina on the basis of a report by Lord Owen to Ministers.

The European Council expresses its full confidence in the Co-chairmen of the Steering Committee of the International Conference on the Former Yugoslavia and encourages them to pursue their efforts to pro-

mote a fair and viable settlement acceptable to all three constituent peoples of Bosnia-Herzegovina. It will not accept a territorial solution dictated by Serbs and Croats at the expense of the Bosnian Muslims.

The European Council reaffirms its conviction that a negotiated settlement has to be based on the principles of the London Conference, reflected in the Vance/Owen Peace Plan, particularly the independence, sovereignty, and territorial integrity of Bosnia-Herzegovina, the protection of human rights and the rights of minorities, the inadmissibility of acquisition of territory by force, the vital need for humanitarian aid to be provided and reach those in need, the prosecution of war crimes and breaches of international humanitarian law.

The European Council supports the call of the government of Bosnia-Herzegovina for an immediate cease-fire. It reaffirms the need for wider international support for humanitarian aid and for guaranteed safe passage of convoys.

Speedy implementation of UN Security Council resolutions on safe areas is an indispensable contribution to the implementation of the objectives mentioned above. The European Council decided to respond positively to the request of the UN Secretary-General for men and money. It urged Member States to comply with that request within their abilities. At the same time, it appeals to other members of the international community to do likewise.

Sanctions will remain in place and will be tightened until conditions for their lifting set by the United Nations and the European Community have been met. The Community and its Member States will contribute further resources to their strict enforcement.

#### *Annex IV*

*I.28.* The Foreign Ministers, meeting on the occasion of the European Council in Copenhagen on 21 and 22 June 1993, agreed on the following conclusions:

#### *Africa*

*I.29.* Europe is Africa's major partner, politically, economically, and with regard to development cooperation. The Community and its Member States underlined the importance of a continued cooperation based on solidarity.

In 1993 the Community and its Member States have taken a number of steps towards deeper and wider cooperation with Africa. They stressed the importance of further expansion of cooperation in democratization, peaceful development and development assistance.

The Community and its Member States are committed to supporting the democratization process which is gaining momentum in Africa, including support for good governance, sound economic management and respect for human rights. They recalled the resolution adopted by the Council (development) on 28 November 1991 on human rights, democracy and development.

The Community and its Member States have engaged themselves actively in supporting the election process in a number of African countries. They will continue their efforts to coordinate this assistance to ensure that all African countries in a transitional process towards democracy are offered the necessary support and attention.

The successful referendum on the independence of Eritrea after 30 years of civil war has raised hopes that conflicts in Africa can be solved in a peaceful manner.

The Community and its Member States welcomed the increasing engagement by African countries in solving crises and armed conflicts, as seen recently in a number of cases. They also hoped that Heads of State of the OAU at their forthcoming Cairo summit will address the important question of conflict prevention and resolution. A useful contact with the OAU was established during the visit to Copenhagen in June of the Secretary-General of this organization.

The Community and its Member States have further strengthened development cooperation with Africa. The Lomé Convention forms an important element in this cooperation. Effectiveness and speed in the implementation of the European Development Fund is increasing to the benefit of all parties.

Development Ministers have agreed on a special rehabilitation initiative for Africa. At least ECU 100 million will be allocated immediately to fast track rehabilitation programmes in selected sub-Saharan countries. The Council is examining a further special rehabilitation programme for developing countries.

#### **South Africa**

*I.30.* The Community and its Member States welcomed the recent major progress in the negotiation process in South Africa. They hoped that the parties

will reach an agreement in the very near future that will set South Africa firmly on the road towards democracy.

The establishment of a Transitional Executive Council will be a further step in the normalization and strengthening of political and economic relations between the Community and its Member States and South Africa.

The Community and its Member States reaffirmed their commitment to contribute to the economic and social development of the new South Africa. Reconstruction and sustainable economic growth will only come about in a democratic and non-violent environment. Therefore the Community and its Member States stand prepared to provide support to the first free elections foreseen in April 1994, including election observers, as well as to strengthen their assistance to the democratization process and the efforts to curb violence.

#### **Sudan**

*I.31.* The Community and its Member States expressed their concern with the continued civil war in Sudan between the government in Khartoum and the SPLA factions in the south. Some 500 000 people have already died and many more have been displaced. The Abuja talks between the parties have made little progress towards a solution. There is also serious concern for the human rights situation in Sudan including repression of civil society in northern Sudan by the government, killings, arrests and torture by government forces in the war zones and killings, arrests and executions by rebel forces. They urge the government of Sudan not to support activities which go against a constructive relationship with the Community and its Member States.

The Community and its Member States welcomed the increased attention which the international community is now directing to the humanitarian catastrophe unfolding in the country. An EC Troika mission of Development Ministers is currently visiting the Sudan to underline the seriousness with which the Community and its Member States view the humanitarian crisis and the urgent need for all parties to ensure a resolution of the problems. Following the report from the mission, the Community and its Member States will consider how they can best contribute further to an alleviation of the plight of the Sudanese people including restoration of respect for human rights.

#### **Somalia**

*I.32.* The Community and its Member States welcomed the major efforts of the United Nations to

contribute to the restoration of peace and security, to reconciliation and political settlement in Somalia and to prevent another human catastrophe. To this end, disarmament of factions and restoration of law and order are important goals. The Community and its Member States condemned the attack perpetrated on Pakistani UN soldiers which resulted in the deaths of 23 of them and the wounding of many more. Those responsible must be brought to justice. They also regretted all civilian casualties and extended their sympathy to all those affected by these tragic events. They called on all parties to comply fully with Security Council resolutions.

#### **Angola**

*I.33.* The Community and its Member States deeply regretted the suspension of the negotiations between the Angolan Government and UNITA, and UNITA's continued efforts to seize additional territory through military power. The Community and its Member States expressed their full support for Security Council Resolution 834 of 1 June 1993, in which the actions of UNITA were strongly condemned and an appeal was made to both parties for a return as soon as possible to the negotiating table and for the re-establishment of the cease-fire. They reaffirmed that in order to solve the present crisis a peaceful solution must be found based on national reconciliation and on the principles of the peace agreement. The Community and its Member States were extremely concerned with the humanitarian situation in Angola. They call upon UNITA to accept the UN plan for humanitarian relief. The Community and its Member States committed themselves to respond to the UN appeal for assistance following the Donors' Conference of 3 June.

#### **Mozambique**

*I.34.* The Community and its Member States regretted the serious delays in the peace process in Mozambique. While it is heartening that the cease-fire is holding, it is most disappointing that not much progress has been made in implementation of the peace agreement. The Community and its Member States called upon the government of Mozambique and Renamo to live up to the undertakings entered into when the peace agreement was signed. Furthermore, they restated their commitment to contribute to the rehabilitation and economic and social development of Mozambique.

#### **Liberia**

*I.35.* The Community and its Member States deplored the recent senseless killings of civilians in

Liberia. The killings underline the urgent need to find a political solution to the crisis. The Community and its Member States reaffirmed their belief that the Yamoussoukro IV Accord is the best possible framework for such a peaceful resolution of the Liberian conflict, and they urged all parties to support the efforts of the UN and OAU special representatives to bring a peaceful end to the civil war.

#### **Malawi**

*I.36.* The Community and its Member States welcomed the peaceful and efficient conduct of the referendum in Malawi on 14 June, including the substantial improvement in the conditions for the final stages of the campaigning period. They are convinced that the outcome fairly reflects the views of the Malawi people. They urged Malawi's political leaders to work closely together in the new circumstances to safeguard human rights, promote democracy and to deal with outstanding governance issues, thus opening the way to the resumption of full economic cooperation.

#### **Zaire**

*I.37.* The Community and its Member States reiterated their support for the process of national reconciliation and wished to express their concern at the deterioration of the situation in Zaire, which is marked by a halt to the democratization process and by repeated infringements of human rights, notably the arbitrary arrest and detention of persons for crimes of opinion.

The Community and its Member States also denounced any incitement to ethnic hatred as reflected in political violence and excesses in certain regions of the country, which are causing massive displacements of people. They reaffirmed their support to the President of the High Council of the Republic and urged him to continue his efforts.

#### **Nigeria**

*I.38.* The Community and its Member States took note, with great concern, of recent developments in Nigeria which could place in question the transition to civil rule after successful presidential elections on 12 June. They expressed the hope that the transition to civil rule will be allowed to continue so that full democracy can be introduced in Africa's largest nation without delay.

#### *Middle East*

*I.39.* The Community and its Member States welcomed the resumption of the bilateral talks aimed

at a just, lasting and comprehensive settlement of the Arab-Israeli conflict and the Palestinian question. They urged all parties concerned to build on the results already achieved and to press ahead with substantive negotiations in a spirit of goodwill and compromise.

The Community and its Member States once more called on all parties concerned to refrain from all actions which could undermine the peace process. They remained convinced that the confidence-building measures suggested by the Community and its Member States and significant improvements on the ground, including of the human rights situation, would be instrumental in moving the peace process towards a successful conclusion.

In accordance with their well-known positions of principle, the Community and its Member States will continue to play an active, constructive and balanced part in the Middle East peace process, in both its bilateral and multilateral aspects. They commended the untiring efforts of the co-sponsors to move the process forward and are prepared to participate in international arrangements in support of a peace settlement.

#### *Central America*

*I.40.* The Community and its Member States noted with satisfaction the progress made in Central America to attain peace, dialogue and reconciliation as well as the achievements in the consolidation of democracy and regional integration.

In this context, they welcomed progress in the implementation of the El Salvador peace agreements and called on the signatories to fulfil all the remaining commitments, including the recommendations of the *Ad Hoc* Commission and the Truth Commission, in order to complete the peace process and achieve national reconciliation.

The Community and its Member States expressed their satisfaction at the peaceful and constitutional outcome of the recent crisis in Guatemala and hope that the appointment of a new constitutional president will contribute to the strengthening of the democratic institutions, the full respect of human rights and fundamental freedoms and the resumption of the peace negotiations.

The Community and its Member States also welcomed the signing in San Salvador of the Cooperation Agreement between the European Community and the countries of the Central American Isthmus which will contribute to intensify and further increase their mutual cooperation.

## Cambodia

I.41. The Community and its Member States welcomed the holding of elections in Cambodia — thanks to the support of the United Nations — which have demonstrated the aspirations of the Cambodian people towards peace and democracy.

They noted the decision by the Constituent Assembly confirming Prince Norodom Sihanouk at the head of the State of Cambodia. They expressed the hope that the peace process may be concluded in the best possible conditions with the adoption within three months of a Constitution and the early formation of a government which will allow national reconciliation to begin.

## Follow-up to the Copenhagen European Council

I.42. Parliament resolution on the outcome of the Copenhagen European Council meeting of 21 and 22 June.

*Adopted on 24 June.* Noting the European Council's determination to reduce unemployment in the Community, Parliament endorsed its decision to increase the temporary loan facility agreed in Edinburgh and the proposal for a bridging facility to speed up progress with Structural Funds investment projects. The House also welcomed the suggestions made by

Mr Delors in his orientations for economic renewal in Europe, especially the proposal to increase funds for research and development.

Parliament agreed with the need to conclude a comprehensive, lasting and balanced agreement in the Uruguay Round and reiterated its view that GATT should take account of the social and ecological aspects of world trade.

Parliament welcomed the European Council decision to offer the prospect of membership, with due regard for the *acquis communautaire*, to the countries of Central and Eastern Europe which have signed or are in the process of negotiating Europe Agreements.

Parliament expressed anger at the persistent obstacles to the free movement of people. It also had reservations with regard to the institutional framework, lamenting in particular the lack of transparency, the obscure committee procedures and the failure to take account of its requests in connection with the duties of the Ombudsman and the regulations governing their performance. The House also condemned the absence of a European Council decision on the seats of the institutions and regretted that the decision to press ahead with the enlargement of the Community had not inspired serious consideration of the need for institutional change to ensure its smooth functioning.

OJ C 194, 19.7.1993



# **PART ONE**

## **ACTIVITIES IN JUNE 1993**

# News in brief

## **The single market and the Community economic and social area**

### *Internal market*

- The Commission adopts a communication on reinforcing the effectiveness of the internal market, accompanied by a working document on a strategic programme on the internal market (→ point 1.2.1).
- The Council adopts three Directives on approximation of the laws relating to medicinal products (→ point 1.2.11).
- The Council adopts three Directives relating to procedures for the award of public contracts (→ points 1.2.36 to 1.2.38).

### *Enterprise policy*

- The Council adopts a Decision on a multiannual programme of Community measures for SMEs (1993-96) (→ point 1.2.83).

### *Research and technology*

- The Commission adopts proposals for Decisions relating to the fourth framework programme in the field of research and technological development (→ point 1.2.86).

### *Energy*

- The Council agrees proposals for a Directive on the SAVE programme (→ point 1.2.103) and for a Decision on the Altener programme (→ point 1.2.105).

### *Transport*

- The Council adopts conclusions on the future development of the common transport policy (→ point 1.2.110) and on road transport taxation (→ point 1.2.111).
- The Council agrees a proposal for a Regulation laying down the definitive system under which non-resident carriers may operate domestic road haulage services within a Member State (→ point 1.2.113).



*Telecommunications, information services and industry*

- The Commission adopts a communication on guidelines for the development of Community postal services (→ point 1.2.120).
- The Council adopts a resolution on the situation in the telecommunications sector (→ point 1.2.122).

*Consumers*

- The Council adopts a Directive on approximation of the laws relating to cosmetic products (→ point 1.2.126).

*Economic and social cohesion: structural measures*

- The Commission adopts a communication on the future of Community initiatives under the Structural Funds (→ point 1.2.134).

*Social dimension*

- The Council adopts a common position on a proposal for a Directive concerning certain aspects of the organization of working time (→ point 1.2.148).

*Environment*

- The Commission adopts a proposal for a Regulation on substances that deplete the ozone layer (→ point 1.2.173).
- The Council adopts a Directive on the approximation of the laws relating to measures to be taken against air pollution by emissions from motor vehicles (→ point 1.2.171).

*Fisheries*

- The Council agrees a proposal for a Regulation establishing a control system applicable to the common fisheries policy (→ point 1.2.208).

*Audiovisual media, information, communication, culture*

- The Council agrees a resolution on the development of technology and standards in the field of advanced television services and a framework agreement for an action plan for their introduction in Europe (→ point 1.2.230).

## **The role of the Community in the world**

### *Enlargement*

- The Commission adopts opinions on applications for membership from Cyprus (→ point 1.3.6) and Malta (→ point 1.3.7).

### *Human rights in the world*

- The second United Nations World Conference on Human Rights is held in Vienna (→ point 1.3.79).

## **Community institutions**

### *Community lawcourts*

- The Council adopts a Decision extending the jurisdiction of the Court of First Instance (→ point 1.6.19).

# 1. European union

*1.1.1.* The European Council welcomed the prospect of rapid completion of the procedures for the ratification of the Treaty on European Union. It also approved the firm anchoring of the principles of subsidiarity and transparency in all areas of Community activity and confirmed its commitment to the creation of a more open and transparent Community. It appealed in particular to the Commission and the Council to continue their work on public access to information based on the principle of unrestricted availability. It also urged the Council and Parliament to resolve the outstanding issues relating to the role of the Ombudsman (→ point I.22).

## Institutional questions

*1.1.2.* Interinstitutional conference.

### References:

Commission communication on the principle of subsidiarity: Bull. EC 10-1992, point 1.1.4

Commission communication on increased transparency in the work of the Commission: OJ C 63, 5.3.1993

Draft Commission opinion on the regulations and general conditions governing the performance of the Ombudsman's duties: Bull. EC 4-1993, point 1.1.1

Commission communication on public access to the institutions' documents: OJ C 156, 8.6.1993; COM(93) 191; Bull. EC 5-1993, point 1.1.1

*Held in Strasbourg on 7 June.* Organized to prepare the ground for implementation of certain institutional provisions of the Treaty on European Union, the conference produced a broad consensus between Parliament, the Council and the Commission on the measures needed to implement the subsidiarity principle, which, in Parliament's view, is inseparable from the concept of transparency and democracy of the decision-making process.

However, despite the compromise proposal presented by the Commission, the conference did not resolve the deadlock on the regulations and general conditions governing the duties of the Ombudsman owing to a difference of views between the Council and Parliament concerning the withholding of certain information from the Ombudsman on grounds of secrecy and confidentiality.

## Transparency

*1.1.3.* Commission communication to the Council, Parliament and the Economic and Social Committee on openness in the Community.

### References:

Conclusions of the Maastricht European Council: Bull. EC 11-1991, points I.1 to I.19

Commission communication on increased transparency in the work of the Commission: OJ C 63, 5.3.1993

Commission communication on an open and structured dialogue between the Commission and special interest groups: OJ C 63, 5.3.1993

Commission communication on public access to the institutions' documents: OJ C 156, 8.6.1993; COM(93) 191; Bull. EC 5-1993, point 1.1.1

*Adopted on 2 June.* In line with the commitment made at the Maastricht European Council and in readiness for the Copenhagen European Council, the Commission has taken stock of the measures implemented or planned with a view to further improvement of the policy on transparency, which it regards as a prerequisite for a more informed public debate on the Community and its future.

After looking at the state of play on implementation of the most important measures provided for in its communications of December 1992 on transparency and on dialogue with

special interest groups, the Commission goes on to develop the fundamental principles set out in its communication on public access to the institutions' documents, principles which it feels should serve as a basis for the deliberations of all the institutions. More precisely, it proposes that public access should be the rule and refusal to release documents the exception. The Commission also makes a number of suggestions as to how information could be made more accessible to the general public.

OJ C 166, 17.6.1993; COM(93) 258

*1.1.4. Council resolution on the quality of drafting of Community legislation.*

**Reference:** Conclusions of the Edinburgh European Council: Bull. EC 12-1992, point I.28

*Adopted on 8 June.* In its concern to make Community legislation more comprehensible and by extension more accessible the Council has adopted a number of drafting guidelines intended to serve as a reference for all those involved in drawing up legal instruments within the Council.

OJ C 166, 17.6.1993

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

### Internal market

#### General

*1.2.1.* Commission communication to Parliament and the Council on reinforcing the effectiveness of the internal market, accompanied by a Commission working document on a strategic programme on the internal market.

**Reference:** Commission communication on the operation of the internal market after 1992: follow-up to the Sutherland report: Bull. EC 12-1992, point 1.3.14

*Adopted by the Commission on 2 June.* The communication is designed to initiate debate within the Community institutions, industry and the unions in order to enable the Commission to draw up, in the light of the observations received, a strategic programme for managing and developing the internal market.

The Commission considers it essential not to limit this programme to the administration of existing rules but to maintain the momentum needed to develop and deepen the internal market. It favours a global approach that goes beyond the specific technical details of each of the areas involved. It identifies three major difficulties in the current internal market context: the delay in establishing freedom of movement for individuals, slackening growth and increased competition at world level. It defines priority objectives, notably as a means of meeting the general public's expectations and ensuring a competitive environment for firms.

The working document attached to the communication sets out the course of action suggested by the Commission for the purpose, distinguishing between instruments designed to guarantee effective implementation of the internal market and initiatives for ensuring its dynamic development.

Among the instruments for implementing the internal market, the Commission identifies in particular those for monitoring and evaluating the effects and effectiveness of rules, for increasing transparency, for establishing a partnership with the Member States and for adapting the control framework at all levels, particularly through easier access to justice.

With a view to promoting the dynamic development of the internal market, the Commission intends to continue the work in progress on intellectual property and data protection, to promote voluntary use of European standards in industry, and to focus SME support programmes on increased participation by those firms in the opening-up of markets. At the same time, it envisages new measures involving in particular:

- improvements to the tax environment for firms, the prime aim being to remove barriers to cross-border cooperation and business;
- the development of a product quality policy;
- the external dimension of the internal market: strengthening the Community's external competence, improving trade-policy instruments, establishing a zone of convergence of legal and economic rules with certain other countries, and managing the Community's external frontier;
- development of trans-European networks and mobilization of the public and private investment required for their completion.

COM(93) 256

#### Free movement of goods

##### *Technical aspects*

#### Standardization and technical rules

*1.2.2.* Proposal for a Council Directive amending Directives 87/404/EEC, 88/378/

EEC, 89/106/EEC, 89/336/EEC, 89/392/EEC, 89/686/EEC, 90/384/EEC, 90/385/EEC, 90/396/EEC, 91/263/EEC, 92/42/EEC and 73/23/EEC; proposal for a Council Decision amending Council Decision 90/683/EEC concerning the modules for the various phases of the conformity assessment procedures, supplementing it with provisions relating to the arrangements for affixing and using the CE conformity mark.

**Commission proposals:** OJ C 160, 20.6.1991; COM(91) 145; Bull. EC 5-1991, point 1.2.7

**Economic and Social Committee opinion:** OJ C 14, 20.1.1992; Bull. EC 10-1991, point 1.2.9

**Parliament opinion (first reading):** OJ C 125, 18.5.1992; Bull. EC 4-1992, point 1.3.11

**Amended Commission proposals:** COM(92) 293; Bull. EC 7/8-1992, point 1.3.20

**New amended Commission proposals:** OJ C 28, 2.2.1993; COM(92) 499; Bull. EC 12-1992, point 1.3.31

**Second Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.1

**Second Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.1

**New amended Commission proposals:** OJ C 113, 23.4.1993; COM(93) 114; Bull. EC 3-1993, point 1.2.1

**Agreement on common positions:** Bull. EC 4-1993, point 1.2.1

*Common positions formally adopted by the Council on 14 June.*

## Motor vehicles

**Basic Directive:** Council Directive 92/61/EEC relating to the type-approval of two- or three-wheeled motor vehicles: OJ L 255, 10.8.1992; Bull. EC 6-1992, point 1.3.20

**1.2.3.** Council Directives 93/34/EEC and 93/33/EEC on, respectively, the protective devices intended to prevent unauthorized use and on the statutory markings of two- or three-wheeled motor vehicles.

**Commission proposals:** OJ C 293, 9.11.1992; COM(92) 334 and 336; Bull. EC 9-1992, point 1.2.16

**Parliament opinion (first reading):** OJ C 337, 21.12.1992; Bull. EC 11-1992, point 1.3.29

**Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.3

**Council common positions:** Bull. EC 4-1993, point 1.2.2

**Parliament opinion (second reading):** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.4

*Adopted by the Council on 14 June.* The first Directive lays down the requirements relating to the manufacture of anti-theft devices and those relating to their operation once they have been fitted to a vehicle. The second Directive requires the statutory markings to be entered in an indelible form on the manufacturer's data plate to make it easier to ascertain whether a vehicle belongs to the series of the vehicle type that has been approved and so complies with the harmonized manufacturing requirements.

OJ L 188, 29.7.1993

**1.2.4.** Council Directives 93/29/EEC to 93/32/EEC on the identification of controls, telltales and indicators, the audible warning devices, the stands, and the passenger hand-holds of two- or three-wheeled motor vehicles.

**Commission proposals:** OJ C 293, 9.11.1992; COM(92) 331, 332, 333 and 337; Bull. EC 9-1992, point 1.2.16

**Parliament opinion (first reading):** OJ C 337, 21.12.1992; OJ C 21, 25.1.1993; Bull. EC 11-1992, point 1.3.29; Bull. EC 12-1992, point 1.3.33

**Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.4

**Council common positions:** Bull. EC 1/2-1993, point 1.2.4

**Parliament opinion (second reading):** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.4

*Adopted by the Council on 14 June.* The aim of these Directives is to harmonize the requirements relating to the identification of controls, telltales and indicators, to the design and manufacture of audible warning devices and stands and their installation on vehicles, and to passenger hand-holds.

OJ L 188, 29.7.1993

**1.2.5.** Proposal for a Council Regulation on the installation of lighting and light-signalling devices on two- or three-wheeled motor vehicles.

**Commission proposal:** OJ C 93, 13.4.1992; COM(91) 498; Bull. EC 1/2-1992, points 1.3.29 and 1.3.31

**Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. EC 9-1992, point 1.2.17  
**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.28

*Common position adopted by the Council on 14 June.*

1.2.6. Proposals for Council Directives on the masses and dimensions and on the mounting of the rear registration plate of two- or three-wheeled motor vehicles.

**Commission proposals:** OJ C 293, 9.11.1992; COM(92) 330 and 335; Bull. EC 9-1992, point 1.2.16  
**Parliament opinion (first reading):** OJ C 337, 21.12.1992; Bull. EC 11-1992, point 1.3.29  
**Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.3

*Common positions adopted by the Council on 14 June.*

1.2.7. Proposal for a Council Directive on the maximum design speed, maximum torque and maximum net engine power of two- or three-wheeled motor vehicles.

**Commission proposal:** OJ C 93, 13.4.1992; COM(91) 497; Bull. EC 1/2-1992, point 1.3.30  
**Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. EC 9-1992, point 1.2.17  
**Parliament opinion (first reading):** OJ C 72, 15.3.1993; Bull. EC 1/2-1993, point 1.2.2

*Common position agreed by the Council on 14 June.*

*Common position formally adopted by the Council on 28 June.* The aim of this proposal for a Directive is, firstly, to harmonize the methods of measuring the maximum speed of two- or three-wheeled motor vehicles and, secondly, to limit, for safety reasons, the net engine power of such vehicles.

## Industrial products

1.2.8. Council Directive 93/44/EEC amending Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery.

**Directive amended:** Council Directive 89/392/EEC: OJ L 183, 29.6.1989; Bull. EC 6-1989, point 2.1.15, last amended by Council Directive

91/368/EEC: OJ L 198, 22.7.1991; Bull. EC 6-1991, point 1.2.17

**Commission proposal:** OJ C 25, 1.2.1992; COM(91) 547; Bull. EC 1/2-1992, point 1.3.18

**Economic and Social Committee opinion:** OJ C 223, 31.8.1992; Bull. EC 5-1992, point 1.1.14

**Parliament opinion (first reading):** OJ C 241, 21.9.1992; Bull. EC 7/8-1992, point 1.3.21

**Amended Commission proposal:** OJ C 252, 29.9.1992; COM(92) 363; Bull. EC 7/8-1992, point 1.3.21

**Council common position:** Bull. EC 12-1992, point 1.3.35

**Parliament opinion (second reading):** OJ C 72, 15.3.1993; Bull. EC 1/2-1993, point 1.2.5

**Re-examined Commission proposal:** COM(93) 103; Bull. EC 3-1993, point 1.2.2

*Adopted by the Council on 14 June.* This Directive amends a number of the provisions of Directives 89/392/EEC (fixed machinery) and 91/368/EEC (mobile machinery and lifting devices) and lays down additional requirements concerning devices, other than lifts, designed for lifting or moving persons.

1.2.9. Proposal for a Council Directive on the approximation of the laws of the Member States relating to lifts.

**Commission proposal:** OJ C 62, 11.3.1992; COM(92) 35; Bull. EC 1/2-1992, point 1.3.19

**Economic and Social Committee opinion:** OJ C 287, 4.11.1992; Bull. EC 7/8-1992, point 1.3.22

**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.29

*Amended proposal adopted by the Commission on 9 June.*

OJ C 180, 2.7.1993; COM(93) 240

1.2.10. Proposal for a Council Directive amending Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment.

**Commission proposal:** OJ C 36, 10.2.1993; COM(92) 421; Bull. EC 12-1992, point 1.3.37

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.4

*Endorsed by Parliament (first reading) on 23 June,* subject to various amendments.

OJ C 194, 19.7.1993

*Amended proposal adopted by the Commission on 30 June.*

OJ C 199, 23.7.1993; COM(93) 310

*Common position adopted by the Council on 30 June.* Under this proposal Member States are to allow, for the period up to 30 June 1995, the placing on the market and putting into service of personal protective equipment conforming with the national regulations in force in their territory on 30 June 1992 while helmets and visors intended for users of two- or three-wheeled motor vehicles are excluded from the scope of Directive 89/686/EEC pending the introduction of specific requirements for such helmets and visors.

## Pharmaceutical products

*1.2.11.* Council Directive amending Directives 65/65/EEC, 75/318/EEC and 75/319/EEC on the approximation of the provisions laid down by law, regulation or administrative action relating to medicinal products; Council Directive amending Directives 81/851/EEC and 81/852/EEC on the harmonization of the laws of the Member States in respect of veterinary medicinal products; 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.

### Directives amended:

Council Directive 65/65/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products: OJ 22, 9.2.1965

Council Directive 75/318/EEC on the approximation of the laws of Member States relating to analytical, pharmaco-toxicological and clinical standards and protocols in respect of the testing of proprietary medicinal products: OJ L 147, 9.6.1975

Second Council Directive 75/319/EEC on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products: OJ L 147, 9.6.1975

Council Directive 81/851/EEC: OJ L 317, 6.11.1981; Bull. EC 9-1981, point 2.1.63

Council Directive 81/852/EEC: OJ L 317, 6.11.1981; Bull. EC 9-1981, point 2.1.63

**Directive repealed:** Council Directive 87/22/EEC: OJ L 15, 17.1.1987; Bull. EC 12-1986, point 2.1.30

**Commission proposals:** OJ C 330, 31.12.1990; COM(90) 283; Bull. EC 11-1990, point 1.3.1

**Parliament opinion (first reading):** OJ C 183, 15.7.1991; Bull. EC 6-1991, point 1.2.23

**Economic and Social Committee opinion:** OJ C 269, 14.10.1991; Bull. EC 7/8-1991, point 1.2.23

**Amended Commission proposals:** OJ C 310, 30.11.1991; COM(91) 382; Bull. EC 10-1991, point 1.2.16

**Council common positions:** Bull. EC 12-1992, point 1.3.17

**Parliament opinion (second reading):** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.7

*Two re-examined proposals adopted by the Commission on 1 June.* These proposals, which took account of the opinions adopted by Parliament on second reading, were those relating to medicinal products and veterinary medicinal products; the proposal relating to high-technology medicinal products remained unchanged.

COM(93) 220

*Adopted by the Council on 14 June.* The adoption of these three Directives, which completes the technical harmonization of the pharmaceutical sector, marks the completion of the single market in medicinal products. The Directives, which are designed to ensure free movement of medicinal products between Member States, introduce a decentralized procedure based on the principle of mutual recognition of national authorizations and permit marketing authorizations issued by one Member State to be extended to other Member States. In practice, a firm which has obtained an authorization in one Member State will be able to apply for that authorization to be accepted in one or more other Member States, with binding arbitration at Community level in the event of non-acceptance by one of the Member States concerned. Recourse to this procedure will not become compulsory until 1998, when the transitional period ends.

The Directives also introduce administrative cooperation and coordination procedures designed to ensure that the side-effects of medicinal products are monitored.



**1.2.12.** Council Directive 93/42/EEC relating to medical devices.

**Commission proposal:** OJ C 237, 12.9.1991; COM(91) 287; Bull. EC 7/8-1991, point 1.2.7

**Economic and Social Committee opinion:** OJ C 79, 30.3.1992; Bull. EC 1/2-1992, point 1.3.39

**Parliament opinion (first reading):** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.17

**Amended Commission proposal:** OJ C 251, 28.9.1992; COM(92) 356; Bull. EC 7/8-1992, point 1.3.26

**Council agreement on a common position:** Bull. EC 12-1992, point 1.3.38

**Council common position:** Bull. EC 1/2-1993, point 1.2.8

**Parliament opinion (second reading):** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.8

*Re-examined proposal adopted by the Commission on 1 June.*

COM(93) 241

*Adopted by the Council on 14 June.* This Directive harmonizes the conditions for the placing on the market and putting into service of medical devices in order to protect the safety and health of patients and users. It lays down the essential requirements with which devices must comply and, to enable conformity assessment procedures to be carried out, lists those requirements and establishes a system of classification according to the risk the use of such devices entails for human beings.

OJ L 169, 12.7.1993

## Foodstuffs

**Basic Directive:** Directive 89/397/EEC on the official control of foodstuffs: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20

**1.2.13.** Council Directive 93/43/EEC on the hygiene of foodstuffs.

**Commission proposal:** OJ C 24, 31.1.1992; COM(91) 525; Bull. EC 1/2-1992, point 1.3.41

**Economic and Social Committee opinion:** OJ C 223, 31.8.1992; Bull. EC 5-1992, point 1.1.21

**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.33

**Amended Commission proposal:** OJ C 347, 31.12.1992; COM(92) 547; Bull. EC 12-1992, point 1.3.41

**Council common position:** Bull. EC 12-1992, point 1.3.41

**Parliament opinion (second reading):** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.10

**Re-examined Commission proposal:** COM(93) 219; Bull. EC 5-1993, point 1.2.6

*Adopted by the Council on 14 June.* The Directive lays down general rules for ensuring satisfactory hygienic conditions at all stages of the production and distribution of foodstuffs generally, except at the primary production stage or where more specific Community rules apply. It sets out the conditions under which monitoring of compliance with these general rules is to be carried out and provides for codes of good hygienic practice to be developed voluntarily by the food business sectors concerned.

**1.2.14.** Proposal for a Council Directive on the subject of additional measures concerning the official control of foodstuffs.

**Commission proposal:** OJ C 51, 26.2.1992; COM(91) 526; Bull. EC 1/2-1992, point 1.3.42

**Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. EC 10-1992, point 1.3.32

**Parliament opinion (first reading):** OJ C 337, 21.12.1992; Bull. EC 11-1992, point 1.3.33

**Amended Commission proposal:** OJ C 1, 5.1.1993; COM(92) 574; Bull. EC 12-1992, point 1.3.40

*Common position adopted by the Council on 14 June.* The aim of this proposal is to supplement the basic Directive on the official control of foodstuffs by unifying the existing quality standard systems in official food control laboratories and the general criteria governing methods of analysis, by determining the fields in which food control officials will have to have received training, by defining procedures for mutual administrative cooperation between national food control departments and by providing for Community officials to be designated to assess the equivalence and efficiency of national control systems.

**1.2.15.** Proposal for a Council Directive amending Directive 89/107/EEC on the approximation of the laws of Member States concerning food additives intended for human consumption.

**Commission proposal:** OJ C 206, 13.8.1992; COM(92) 255; Bull. EC 6-1992, point 1.3.32

**Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.11  
**Parliament opinion (first reading):** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.7

*Amended proposal adopted by the Commission on 22 June.*

OJ C 191, 15.7.1993; COM(93) 289

**1.2.16.** Proposal for a Council Directive on food additives other than colours and sweeteners.

**Commission proposal:** OJ C 206, 13.8.1992; COM(92) 255; Bull. EC 6-1992, point 1.3.22  
**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. EC 1/2-1993, point 1.2.12  
**Parliament opinion (first reading):** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.8

*Amended proposal adopted by the Commission on 22 June.*

OJ C 189, 13.7.1993; COM(93) 290

**1.2.17.** Proposal for a Council Directive on fruit juices and certain similar products.

**Commission proposal:** Bull. EC 5-1992, point 1.1.24  
**Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. EC 9-1992, point 1.2.27  
**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.36  
**Council common position:** Bull. EC 1/2-1993, point 1.2.14

*Endorsed by Parliament (second reading) on 23 June.*

OJ C 194, 19.7.1993

## *Animal and plant health*

### **Animal health**

**1.2.18.** Council Decision 93/386/EEC amending Decision 88/408/EEC on the levels of the fees to be charged for health inspections and controls of fresh meat pursuant to Directive 85/73/EEC.

**Basic Directive:** Council Directive 85/73/EEC on the financing of health inspections and controls of fresh meat and poultrymeat: OJ L 32, 5.2.1985; Bull. EC 1-1985, point 2.1.45, last

amended by Directive 88/409/EEC: OJ L 194, 22.7.1988; Bull. EC 6-1988, point 2.1.223

**Decision amended:** Decision 88/408/EEC: OJ L 194, 22.7.1988; Bull. EC 6-1988, point 2.1.223

**Commission proposal:** COM(93) 149; Bull. EC 4-1993, point 1.2.12

*Adopted by the Council on 14 June.* This Decision extends until 30 September 1993 the Decision applying flat-rate fees for poultry in connection with health inspections and controls of fresh meat.

OJ L 166, 8.7.1993

**1.2.19.** Council Decision 93/384/EEC amending Directive 80/217/EEC introducing Community measures for the control of classical swine fever.

**Directive amended:** Council Directive 80/217/EEC: OJ L 47, 21.2.1980, last amended by Council Directive 91/685/EEC: OJ L 317, 31.12.1991; Bull. EC 12-1991, point 1.2.211

**Commission proposal:** OJ C 301, 18.11.1992; COM(92) 437; Bull. EC 10-1992, point 1.3.116

**Parliament opinion:** OJ C 21, 25.1.1993; Bull. EC 12-1992, point 1.3.218

**Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.22

*Adopted by the Council on 14 June.* This Decision extends the duration of the designation of the Hanover Veterinary School laboratory as liaison laboratory for classical swine fever between national laboratories.

OJ L 166, 8.7.1993

**1.2.20.** Council Directive 93/52/EEC amending Council Directive 89/556/EEC on animal health conditions governing intra-Community trade in and importation from third countries of embryos of domestic animals of the bovine species.

**Directive amended:** Council Directive 89/556/EEC: OJ L 302, 19.10.1989; Bull. EC 9-1989, point 2.1.110, last amended by Council Directive 90/425/EEC: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.140

**Commission proposal:** OJ C 63, 5.3.1993; COM(93) 55; Bull. EC 1/2-1993, point 1.2.20

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.13

*Adopted by the Council on 24 June.* This Directive extends the scope of Directive 89/556/EEC to cover embryos resulting from *in vitro* fertiliz-

ation and amends certain provisions of that Directive relating to foot-and-mouth disease in the light of the lack of a vaccination policy in the Community since 1991.

OJ L 175, 19.7.1993

*1.2.21.* Council Directive 93/60/EEC 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 and extending it to cover fresh bovine semen.

**Directive amended:** Council Directive 88/407/EEC: OJ L 194, 22.7.1988; Bull. EC 6-1988, point 2.1.223, last amended by Council Directive 90/425/EEC: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.140

**Commission proposal:** OJ C 324, 10.12.1992; COM(92) 462; Bull. EC 11-1992, point 1.3.167

**Parliament opinion:** OJ C 72, 15.3.1993; Bull. EC 1/2-1993, point 1.2.19

**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. EC 1/2-1993, point 1.2.19

*Adopted by the Council on 30 June.* This Directive adapts Directive 88/407/EEC to changes in the animal health situation and to technical progress, particularly as regards requirements relating to infectious bovine rhinotracheitis, infectious pustular vulvo-vaginitis, tuberculosis and foot-and-mouth disease; it also extends the scope of the above Directive to cover fresh semen.

*1.2.22.* Council Directive 93/53/EEC introducing Community measures for the control of certain fish diseases.

**Commission proposal:** OJ C 172, 8.7.1992; COM(92) 204; Bull. EC 6-1992, point 1.3.159

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.174

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.15

*Amended proposal adopted by the Commission on 16 June.*

OJ C 186, 8.7.1993; COM(93) 281

*Adopted by the Council on 24 June.* This Directive introduces measures to eradicate certain fish diseases or to prevent them from spreading by providing in particular for appropriate

action to be taken as soon as the appearance of one of them is suspected.

OJ L 175, 19.7.1993

*1.2.23.* Council Directive 93/54/EEC amending Directive 91/67/EEC concerning the animal health conditions governing the placing on the market of aquaculture animals and products.

**Directive amended:** Council Directive 91/67/EEC: OJ L 46, 19.2.1991; Bull. EC 1/2-1991, point 1.2.142

**Commission proposal:** OJ C 324, 10.12.1992; COM(92) 458; Bull. EC 11-1992, point 1.3.173

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.8

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.14

*Adopted by the Council on 24 June.* This Directive revises the list of aquaculture animal diseases which Directive 91/67/EEC is designed to prevent and clarifies certain health requirements laid down by that Directive.

OJ L 175, 19.7.1993

*1.2.24.* Council Decision 93/383/EEC on reference laboratories for the monitoring of marine biotoxins.

**Commission proposal:** OJ C 15, 21.1.1993; COM(92) 551; Bull. EC 12-1992, point 1.3.216

**Parliament opinion:** OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.9

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.9

*Adopted by the Council on 14 June.* This Decision designates the Community reference laboratory responsible for ensuring the effectiveness of the system for monitoring marine biotoxins applied in the Member States (the Vigo laboratory (Spain)) and the national reference laboratories. It also defines the powers and operating conditions of those laboratories.

OJ L 166, 8.7.1993

## Plant health

*1.2.25.* Council Directive 93/57/EEC amending the Annexes to Directives 86/362/EEC and 86/363/EEC on the fixing of maximum levels for pesticide residues in and on cereals and foodstuffs of animal origin; Council Directive 93/58/EEC amending Annex II to Directive

76/895/EEC relating to the fixing of maximum levels for pesticide residues and the Annex to Directive 90/642/EEC relating to the fixing of maximum levels of pesticide residues in and on certain products of plant origin, including fruit and vegetables, and providing for the establishment of a first list of maximum levels.

**Directives amended:**

Council Directive 76/895/EEC: OJ L 340, 9.12.1976, last amended by Council Directive 89/186/EEC: OJ L 66, 10.3.1989

Council Directive 86/362/EEC: OJ L 221, 7.8.1986; Bull. EC 7/8-1986, point 2.1.169, last amended by Council Directive 88/298/EEC: OJ L 126, 20.5.1988; Bull. EC 5-1988, point 2.1.163

Council Directive 86/363/EEC: OJ L 221, 7.8.1986; Bull. EC 7/8-1986, point 2.1.169

Council Directive 90/642/EEC: OJ L 350, 14.12.1990; Bull. EC 11-1990, point 1.3.161

**Commission proposals:** COM(92) 161; Bull. EC 4-1992, point 1.3.132

*Adopted by the Council on 29 June.* These two Directives establish Community maximum residue levels for various pesticides not previously covered by Community legislation and transfer other pesticides from the field of application of the optional Directive 76/895/EEC to that of the mandatory Directive 90/642/EEC. This harmonization is necessary to ensure the smooth operation of the internal market, while guaranteeing a high degree of protection of human health.

## Free movement of persons

### *Free movement of workers*

1.2.26. Council Regulation (EEC) No 1945/93 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 fixing the procedure for implementing Regulation (EEC) No 1408/71.

**Regulations amended:**

Council Regulation (EEC) No 1408/71: OJ L 149, 5.7.1971

Council Regulation (EEC) No 574/72: OJ L 74, 27.3.1972

**Commission proposal:** OJ C 251, 28.9.1992; COM(92) 315; Bull. EC 7/8-1992, point 1.3.116

**Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. EC 10-1992, point 1.3.82

**Parliament opinion:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.82

*Adopted by the Council on 30 June.* This Regulation takes account of changes which have occurred in national legislation.

OJ L 181, 23.7.1993

1.2.27. Proposal for a Council Directive concerning the posting of workers in the framework of the provision of services.

**Commission proposal:** OJ C 225, 30.8.1991; COM(91) 230; Bull. EC 6-1991, point 1.2.103

**Economic and Social Committee opinion:** OJ C 49, 24.2.1992; Bull. EC 12-1991, point 1.2.140

**Parliament opinion (first reading):** OJ C 72, 15.3.1993; Bull. EC 1/2-1993, point 1.2.29

*Amended proposal adopted by the Commission on 15 June.*

OJ C 187, 9.7.1993; COM(93) 225

## Free movement of services

### *Financial services*

1.2.28. Proposal for a Council Directive on deposit-guarantee schemes.

**Commission proposal:** OJ C 163, 30.6.1992; COM(92) 188; Bull. EC 5-1992, point 1.1.11

**Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. EC 10-1992, point 1.3.41

**Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.16

*Amended proposal adopted by the Commission on 7 June.* The proposed amendments involve in particular the fixing of the minimum guarantee amount at ECU 20 000 and the recognition of certain alternative guarantee schemes, such as those introduced by credit cooperatives and savings banks in some countries, as being equivalent to traditional deposit-guarantee schemes.

OJ C 178, 30.6.1993; COM(93) 253

1.2.29. Proposal for a Council Directive amending Directive 85/611/EEC on the coordination of laws, regulations and administrative provisions relating to undertakings for collective investment in transferable securities (UCITS).

**Commission proposal:** OJ C 59, 2.3.1993; COM(93) 37; Bull. EC 1/2-1993, point 1.2.33

*Endorsed by the Economic and Social Committee on 30 June*, subject to various comments. The Committee recommends in particular that UCITS should not be able to choose a depositary situated in another Member State.

## Company law, company taxation

1.2.30. Proposal for a Council Directive on a common system of taxation applicable to interest and royalty payments made between parent companies and subsidiaries in different Member States.

**Commission proposal:** OJ C 53, 28.2.1991; COM(90) 571; Bull. EC 11-1990, point 1.3.102  
**Economic and Social Committee opinion:** OJ C 120, 6.5.1991; Bull. EC 3-1991, point 1.2.53  
**Parliament opinion:** OJ C 67, 16.3.1992; Bull. EC 1/2-1992, point 1.3.54

*Amended proposal adopted by the Commission on 10 June.*

OJ C 178, 30.6.1993; COM(93) 196

## Intellectual property

1.2.31. Proposal for a Council Directive harmonizing the term of protection of copyright and certain related rights.

**Commission proposal:** OJ C 92, 11.4.1992; COM(92) 33; Bull. EC 1/2-1992, point 1.3.13  
**Economic and Social Committee opinion:** OJ C 287, 4.11.1992; Bull. EC 7/8-1992, point 1.3.32  
**Parliament opinion (first reading):** OJ C 337, 21.12.1992; Bull. EC 11-1992, point 1.3.39  
**Amended Commission proposal:** OJ C 27, 30.1.1993; COM(92) 602; Bull. EC 1/2-1993, point 1.2.34

*Common position agreed by the Council on 14 June.* This agreement provides for the term of protection of copyright to be set at 70 years after the death of the author (or last co-author) in the case of literary, artistic, cinematographic or audiovisual works and that of related rights (those of performing artists, producers of records or films, and broadcasting organizations) to be set at 50 years after the first dissemination of the work. It also fixes at 25 years the term of protection of a work not published prior to expiry of the copyright. Transitional arrangements provide, where appropriate, for rights to be revised for works whose protection under national law has already expired.

1.2.32. Proposal for a Council Directive on the legal protection of databases.

**Commission proposal:** OJ C 156, 23.6.1992; COM(92) 24; Bull. EC 1/2-1992, point 1.3.14  
**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.40

*Endorsed by Parliament (first reading) on 23 June*, subject to various amendments designed in particular to identify those benefiting from copyright protection, to clarify certain definitions and to increase from 10 to 15 years the term of protection against unauthorized extraction.

OJ C 194, 19.7.1993

1.2.33. Council Decision concerning the Community's participation in the committee of governmental experts entrusted with examining the possibility of creating a new instrument for protecting performing artists and phonogram producers under the auspices of WIPO (World Intellectual Property Organization).

*Adopted by the Council on 25 June.* Following a Commission recommendation, this Decision authorizes the Commission to negotiate, on behalf of the Community, a new instrument for protecting the rights of phonogram producers and performing artists.

1.2.34. Proposal for a Council Directive amending Decision 93/16/EEC on the extension of the legal protection of topographies of semi-conductor products to persons from the

United States of America and certain territories.

**Decision to be amended:** Council Decision 93/16/EEC: OJ L 11, 19.1.1993; Bull. EC 12-1992, point 1.3.49

*Adopted by the Commission on 28 June.* The aim of this proposal is to include the Netherlands Antilles and Aruba in the list of territories granted temporary protection for topographies of semi-conductor products.

COM(93) 300

## Public procurement

### References:

White Paper on completing the internal market: COM(85) 310; Bull. EC 6-1985, points 1.3.1 to 1.3.9

Council Directive 92/50/EEC relating to the coordination of procedures for the award of public service contracts: OJ L 209, 24.7.1992; Bull. EC 6-1992, point 1.3.7

1.2.35. The Council has adopted three Directives which constitute the final phase of legislation on public procurement as set out in the White Paper on completing the internal market (→ points 1.2.36 to 1.2.38).

1.2.36. Council Directive coordinating procedures for the award of public supply contracts.

### Directives consolidated:

Council Directive 77/62/EEC coordinating procedures for the award of public supply contracts: OJ L 13, 15.1.1977, and its successive amending Directives; last amendment: Council Directive 92/50/EEC: OJ L 209, 24.7.1992; Bull. EC 6-1992, point 1.3.7

**Commission proposal:** OJ C 277, 26.10.1992; COM(92) 346; Bull. EC 9-1992, point 1.2.28

**Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. EC 10-1992, point 1.3.39

**Parliament opinion (first reading):** OJ C 72, 15.3.1993; Bull. EC 1/2-1993, point 1.2.37

**Council common position:** Bull. EC 4-1993, point 1.2.26

**Parliament opinion (second reading):** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.25

*Adopted by the Council on 14 June.* This Directive provides for the legislative consolidation of the Directives on the coordination of procedures for the award of public supply contracts. The new Directive also contains amendments designed to bring it into line with the Directives on public works and service contracts, particularly as regards procedural rules and provisions relating to technical specifications.

1.2.37. Council Directive coordinating the procedures for the award of public works contracts.

**Directives consolidated:** Council Directive 71/305/EEC concerning the coordination of procedures for the award of public works contracts: OJ L 185, 16.8.1971, and its successive amending Directives; last amendment: Council Directive 93/4/EEC: OJ L 38, 16.2.1993; Bull. EC 1/2-1993, point 1.2.36

**Commission proposal:** OJ C 46, 20.2.1992; Bull. EC 1/2-1992, point 1.3.46

**Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.29

**Parliament opinion (first reading):** OJ C 125, 18.5.1992; Bull. EC 4-1992, point 1.3.22

**Council common position:** Bull. EC 6-1992, point 1.3.9

**Parliament opinion (second reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.37

*Adopted by the Council on 14 June.* This Directive provides for the legislative consolidation of the Directives coordinating the procedures for the award of public works contracts.

1.2.38. Council Directive amending Directive 90/531/EEC on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors.

**Directive amended:** Council Directive 90/531/EEC: OJ L 297, 29.10.1990; Bull. EC 9-1990, point 1.2.6

**Commission proposal:** OJ C 337, 31.12.1991; COM(91) 347; Bull. EC 9-1991, point 1.2.2

**Economic and Social Committee opinion:** OJ C 106, 27.4.1992; Bull. EC 3-1992, point 1.2.28

**Parliament opinion (first reading):** OJ C 176, 13.7.1992; Bull. EC 6-1992, point 1.3.8

**Council agreement on a common position:** Bull. EC 6-1992, point 1.3.8

**Amended Commission proposal:** OJ C 188, 25.7.1992; COM(92) 292; Bull. EC 7/8-1992, point 1.3.29

**Council common position:** Bull. EC 12-1992, point 1.3.44

**Parliament opinion (second reading):** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.25

**Re-examined Commission proposal:** COM(93) 236; Bull. EC 5-1993, point 1.2.22

*Adopted by the Council on 14 June.* This Directive extends the scope of Directive 90/531/EEC on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors ('excluded sectors') to cover purchases of services supplied in those same sectors and amends it to allow for the specific characteristics of service contracts. It also provides that as Community service contracts in the excluded sectors are opened up to third-country suppliers of services and tenders a possibility remains of safeguard measures being taken in relation to third countries which fail to grant reciprocal access to Community firms.

1.2.39. Council Regulation (EEC) No 1461/93 concerning access to public contracts for tenderers from the United States of America.

**References:**

Council Decision 93/323/EEC concerning the conclusion of an Agreement in the form of a Memorandum of Understanding between the European Economic Community and the United States of America on government procurement: OJ L 125, 20.5.1993; Bull. EC 5-1993, point 1.2.23

Council Decision 93/324/EEC concerning the extension of the benefit of the provisions of Directive 90/531/EEC in respect of the United States of America: OJ L 125, 20.5.1993; Bull. EC 5-1993, point 1.2.24

*Proposal adopted by the Commission on 1 June.*  
COM(93) 263

*Adopted by the Council on 8 June.* This Regulation has been adopted in response to the sanctions applied by the United States against the Community in the public procurement field. As those sanctions prohibit Community tenderers from competing for contracts not covered by the Memorandum of Understanding concluded in May, the Regulation similarly restricts access for United States tenderers to certain contracts awarded by public authorities that are party to the GATT Government Procurement Agreement,

the relevant restrictions being consistent with the obligations of the Community and its Member States under the abovementioned Memorandum of Understanding and Agreement.

OJ L 146, 17.6.1993

## Economic and monetary policy

1.2.40. The European Council expressed its determination to implement a strategy designed to restore sustainable growth, reinforce the competitiveness of European industry and reduce unemployment. To that end, it decided in principle to increase from ECU 5 billion to ECU 8 billion the temporary lending facility agreed by the European Council in Edinburgh and to extend its duration beyond 1994. It endorsed the analysis of the Community economy made by Mr Delors, President of the Commission, and invited the Commission to present a White Paper on a medium-term strategy for promoting growth, competitiveness and employment (→ points I.4 and I.5).

## Statistical area

### General

#### *Statistical classification*

1.2.41. Proposal for a Council Regulation on the statistical classification of products by activity in the European Economic Community.

**Commission proposal:** OJ C 12, 18.1.1993; COM(92) 325; Bull. EC 7/8-1992, point 1.3.4  
**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.6  
**Parliament opinion (first reading):** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.30

*Council common position adopted on 14 June.* Purpose: to establish a classification of products by activity in the Community in order to ensure comparability between national and Community statistics on production and foreign trade.

### *Business statistics*

1.2.42. Proposal for a Council Regulation on Community coordination in drawing up business registers for statistical purposes.

**Commission proposal:** COM(92) 352; Bull. EC 9-1992, point 1.2.5  
**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.8

*Agreed by the Council on 14 June.* Purpose: to harmonize national business registers in order to obtain consistent Community statistics, particularly on the structure of enterprises and groups of enterprises and on mergers, buy-outs and takeovers.

### *Agricultural statistics*

1.2.43. Council Directives 93/23/EEC to 93/25/EEC on the statistical surveys to be carried out on pig, sheep, goat and bovine animal production.

**Commission proposals:** OJ C 18, 23.1.1993; COM(92) 577 to 579; Bull. EC 12-1992, point 1.3.10  
**Parliament opinion:** OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.26

*Adopted by the Council on 1 June.* Purpose: to provide the Commission with regular data on trends in animal populations and production potential.

OJ L 149, 21.6.1993

### *Fisheries statistics*

1.2.44. Council Regulation (EEC) No 2018/93 on the submission of catch and effort statistics by Member States fishing in the North-West Atlantic.

**Commission proposal:** OJ C 118, 28.4.1993; COM(93) 76; Bull. EC 3-1993, point 1.2.28  
**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.34

*Adopted by the Council on 30 June.* Purpose: to ensure that all statistics specified in the North-West Atlantic Fisheries Organization (NAFO) Convention are reported.

OJ L 186, 28.7.1993

### **Results**

#### *Pupils and students in the regions of the Community, 1990-91*

1.2.45. In 1990-91 there were some 76 million pupils and students in the Community, 67 million in pre-school, primary and secondary education and the remaining 9 million in higher-education establishments.

The percentages of pupils in compulsory education do not vary significantly from one region to the next, but there are wide regional disparities at the pre-school and post-compulsory levels. Students in higher education, particularly non-nationals from countries outside the Community, tend to be concentrated in capitals or other large cities, while non-nationals from other Member States are concentrated in frontier regions.

Comparisons between Member States of numbers in pre-school education give an extremely irregular picture because of different starting ages and enrolment rates. Children may start education at the age of two in Belgium, France and Spain, but Danish children have to wait until they are six. Six percent of all pupils in Denmark are in pre-school establishments, compared with 21% in France. The contrasts



between regions are equally striking: percentages in pre-school education vary in Germany between 13% in Bremen and 24% in three of the new *Länder*, and in the United Kingdom between 5% in the south-west and 12% in Wales.

Because the primary and lower secondary levels correspond to the period of compulsory education in most Member States, there are few regional variations.

In all the countries of southern Europe, numbers in general upper secondary education are appreciably higher in regions with capital cities: this level accounts for 23% of all pupils in Madrid (18% in Spain), 19% in Lisbon and Vale do Tejo (15% in Portugal), 17% in Attica (15% in Greece) and 10% in Lazio (Rome) (8% in Italy). There is also a marked difference between the 'new' (1%) and the 'old' German *Länder* (5%). It should be noted that the new *Länder* had a different school system prior to unification; data will be more comparable once the system has been restructured.

Numbers of students in higher education vary widely from one Member State to another. Seven percent of all pupils and students in Portugal are in higher education, compared with 14% in Denmark. The regional differences are due largely to the geographical distribution of higher-education establishments, their relative sizes and the range of courses they offer. This is particularly noticeable in regions with a capital or other major city, with students in higher education accounting for 22% of all pupils and students in Brussels, Berlin and Madrid, 21% in Hamburg and 19% in Lazio, for example.

In roughly half of the regions, women account for over 50% of students in higher education.

The percentage of girls in compulsory education (usually primary and lower secondary) varies between 48 and 50% across the Member States: a reflection of the unequal sex ratio at birth. The distribution of the sexes in higher education varies widely: 50% or more of students in France, Denmark, the southern Member States and the new *Länder* are women. The percentage of women stu-

dents rose steeply during the 1980s in the whole of the Community, with women accounting for 48% of the student population in 1990/91 compared with 43% in 1980/81. There were some 440 000 non-national students in higher education in the Community in 1990/91 — 5% of the total student population.

In all Member States, non-nationals tend to study in regions with capital cities. 18% of students in Brussels are non-nationals (10% in Belgium), 14% in Ile-de-France (9% in France), 10% in the south-east of the United Kingdom (7% in the UK as a whole) and 10% in West Berlin (6% in the 'old' *Länder*). Roughly a quarter of non-national students come from other Member States (nearly half in Belgium and Ireland). These do not share the preference for capital cities, but are more often to be found in frontier regions. Only 38% of non-national students are women (compared with 49% of national students), but the figure for non-nationals from other Member States is 47% — close to the overall percentage of women in higher education.

These trends are summarized in Table 1.

## Information

### *Publications*

1.2.46. New publications available from sales offices:

- Portrait of the regions* Volume 1: Germany, Denmark, Benelux;
- Portrait of the regions* Volume 2: France, United Kingdom, Ireland;
- European Community direct investment 1984-89*;
- Demographic statistics 1993*;
- European money and banking statistical methods*.

## Competition

Table 1 — *Pupils and students by Member State and level of education*

	Total	Primary	Secondary	Higher
EUR 12	66 750 969	22 581 825	34 578 368	8 696 464
Females (%)	49	49	50	48
Belgium	2 146 285	746 235	1 025 969	279 692
Females (%)	50	49	51	48
Denmark	856 405	340 267	464 555	142 968
Females (%)	49	49	49	52
Germany	13 659 141	3 542 147	7 626 954	2 048 627
Females (%)	48	49	48	43
Greece	1 801 411	819 142	848 624	203 307
Females (%)	48	48	48	50
Spain	8 961 703	2 820 035	5 145 885	1 208 070
Females (%)	50	48	52	51
France (excluding FODs)	12 216 284	4 149 107	5 511 262	1 698 716
Females (%)	50	52	50	53
Ireland	914 135	425 016	361 607	90 296
Females (%)	49	49	50	46
Italy	9 726 474	3 055 883	5 117 897	1 402 888
Females (%)	49	49	49	50
Netherlands	3 073 811	1 156 048	1 539 979	478 869
Females (%)	48	49	47	44
Portugal	1 978 220	1 025 945	805 536	156 878
Females (%)	49	48	52	56
United Kingdom	11 417 100	4 502 000	6 116 100	1 259 153
Females (%)	50	49	51	48

## Competition

### General rules applying to businesses

#### *Anti-competitive practices in air transport*

**Reference:** Council Regulation (EEC) No 3976/87 on the application of Article 85(3) of the Treaty to certain categories of agreements and concerted practices in the air transport sector: OJ L 374, 31.12.1987; Bull. EC 12-1987, point 2.1.280; as last amended by Council Regulation (EEC) No 2411/92: OJ L 240, 24.8.1992; Bull. 7/8-1992, point 1.3.36

1.2.47. Commission Regulation (EEC) No 1617/93 on the application of Article 85(3)

of the Treaty to certain categories of agreements and concerted practices concerning joint planning and coordination of schedules, joint operations, consultations on passenger and cargo tariffs on scheduled air services and slot allocation at airports.

**Commission proposal:** OJ C 253, 30.9.1992

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.48

*Adopted on 25 June.* The Regulation, which applies from 1 July 1993 until 30 June 1998, contains a number of important changes compared with the previous exemption regulations. One of these changes is a new exemption for the joint operation of new routes or less busy routes. The exemption for ground handling agreements is not renewed.

OJ L 155, 26.6.1993

1.2.48. Commission Regulation (EEC) No 1618/93 amending 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.

**Regulation amended:** Commission Regulation (EEC) No 83/91: OJ L 10, 15.1.1991; Bull. EC 12-1990, point 1.3.45; as last amended by Regulation (EEC) No 3618/92: OJ L 367, 16.12.1992

*Adopted on 25 June.* The new Regulation extends Commission Regulation (EEC) No 83/91 until 31 December 1993.

OJ L 155, 26.6.1993

### **Application of the competition rules to businesses: specific cases**

#### *Prohibited horizontal agreements*

#### **Commission decisions under Article 85 of the EEC Treaty**

##### *Zera Montedison/Hinkens Stähler*

*1.2.49. Adopted on 22 June.* The decision prohibits a market-partitioning agreement. Zera Montedison had granted its exclusive distributor in Germany, Stähler, absolute territorial protection by seeking, under the agreement between them, to have the product covered by the agreement (the herbicide Digermin) approved even though it involved only slight differences from one Member State to another. The combined effect of such approval and of the minimal differences between the products marketed in the other Member States was to prevent imports into Germany.

The decision will enable the Commission, on the basis of the Community competition rules, to step up its monitoring of economic sectors in which product differentiation (often very slight) is used by manufacturers and distributors as a means of protection against imports from other Member States in which the product is marketed at a lower price.

### *Permissible forms of cooperation*

#### **Commission decisions under Article 85 of the EEC Treaty**

##### *EBU/Eurovision system*

*1.2.50.* Commission Decision 93/403/EEC of 11 June authorizes the Eurovision system operated by the European Broadcasting Union (EBU).

The EBU is the association of European broadcasters entrusted with providing a service in the public interest. Its members are mostly public-sector television or radio broadcasting organizations. Although some private broadcasters belong to it, they are subject to a number of obligations reflecting the public interest task assigned to them. Purely commercial broadcasters are not admitted as members.

The Eurovision system operated by the EBU and its members consists of exchanges of television programmes, especially sports programmes, and the joint purchasing of the relevant broadcasting rights. The joint purchasing of broadcasting rights for international sporting events restricts competition, because of the combined purchasing power enjoyed by EBU members in joint negotiations. However, the system makes for a number of improvements, notably rationalization and cost savings, which benefit members from small countries in particular, allowing them to show more sports programmes and programmes of better quality than would otherwise be the case. In addition, cooperation between members facilitates cross-border broadcasting and thus contributes to the development of a genuine European broadcasting market.

The EBU members also agreed to grant non-member channels contractual access to the sports programmes in question under a new scheme of rules submitted to the Commission on 26 February 1993. The new scheme allows non-member channels access not only for deferred transmissions and the broadcasting of extracts, but also for live transmissions of sporting events which the EBU members do not themselves broadcast live. More restrictive

clauses in a previous scheme which had given rise to criticism from non-members were removed at the request of the Commission. As a result, access is now relatively easier for third parties.

OJ L 179, 22.7.1993

## Mergers

### Commission decisions under the Merger Control Regulation

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

#### *Nestlé/Perrier*

**Reference:** Commission Decision 92/553/EEC authorizing the purchase of Perrier by Nestlé subject to certain conditions: OJ L 356, 5.12.1992; Bull. EC 7/8-1992, point 1.3.47

*1.2.51. Adopted on 9 June.* On 22 July 1992 the Commission adopted a decision authorizing Nestlé's purchase of Perrier on condition that Nestlé sell a number of mineral and spring water sources and brands to a single buyer capable of competing effectively with Nestlé and BSN, which held an oligopolistic position on the French market for bottled waters.

The Commission approved the Castel group as a purchaser meeting all the conditions laid down in its decision and took the view that all the obstacles to the actual transfer to Castel of the operating rights in two of the sources to be taken over, Vichy and Thonon, had been removed.

#### *Aegon/Scottish Equitable*

*1.2.52. Adopted on 25 June.* The decision authorizes the acquisition of joint control of a company in the insurance sector.

Scottish Equitable Policyholders Trust Ltd, a company newly incorporated to safeguard the rights of existing policyholders of Scottish Equitable Life Assurance Society and future

participating policyholders, and Aegon International BV, which is controlled by Vereniging Aegon, are to acquire joint control of Scottish Equitable plc, a newly formed company to which Scottish Equitable Life Assurance Society will transfer its entire undertaking and business.

In view of the small degree of overlap between the companies' activities, the Commission decided not to oppose the operation.

#### *ICSAT/SAJAC*

*1.2.53. Adopted on 30 June.* The decision approves the setting-up of a Japanese joint venture to provide satellite telecommunications services in Japan.

The joint venture will operate only in Japan, for both technical and legal reasons; it has communication licences only for domestic communications in Japan. The operation was assessed under the Merger Control Regulation solely in view of the turnover of the parent companies.

#### *West LB/Thomas Cook*

**Reference:** Commission decision approving the joint acquisition of Thomas Cook by LTU and Westdeutsche Landesbank: Bull. EC 7/8-1992, point 1.3.44

*1.2.54. Adopted on 30 June.* The decision authorizes the acquisition of control of Thomas Cook by the German bank West LB.

The travel agency and tour operator Thomas Cook was hitherto jointly controlled by the German regional bank Westdeutsche Landesbank (West LB) and the tour operating group Lufttransport Unternehmen (LTU), under an agreement concluded between the two shareholders. The agreement had been cleared under the Merger Control Regulation. The shareholders' decision to terminate the agreement meant that a new notification had to be submitted under the Merger Control Regulation, since the new arrangements involved a change in the nature of the control exercised by West LB over Thomas Cook (sole control instead of

joint control). This second transaction was also declared compatible with the common market, since West LB and Thomas Cook operate on very different markets. Furthermore, Thomas Cook has to contend with significant competition, and any financial strength that West LB might bring could not result in the creation or strengthening of a dominant position.

## Application of the competition rules to government intervention

### *Framework on State aid in environmental matters*

1.2.55. Commission decision on the framework on environmental aid.

**Reference:** Framework on State aid in environmental matters: Bull. EC 7/8-1980, point 2.1.38; Bull. EC 12-1992, point 1.3.75

*Adopted on 30 June.* Since work on a new framework has not yet been completed, the current framework is again extended until the end of 1993.

### *Shipbuilding aid*

1.2.56. Proposal for a Council Directive amending Council Directive 90/684/EEC on aid to shipbuilding.

**Adoption by the Commission:** OJ C 126, 7.5.1993; COM(93) 160; Bull. EC 4-1993, point 1.2.47

*Endorsed by the Economic and Social Committee on 30 June.* The Committee called for an 'assault' policy which, with markets in a depressed state, would pay particular attention to the social dimension of the problems to be tackled. The industry had already lost more than 60% of its workforce. The policy to be pursued should encourage the replacement of old vessels and set a ceiling for production aid for 1994.

## *State aid*

### **Decisions to raise no objection**

#### *Steel*

##### **Germany**

1.2.57. Commission decision on the application of two SME investment aid schemes to steel undertakings in the former German Democratic Republic.

**Reference:** Commission Decision 3855/91/ECSC establishing Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. EC 11-1991, point 1.2.26

*Adopted on 30 June.* In future, small and medium-sized steel undertakings being set up or having their own capital increased will be eligible for aid under the 'Existenzgründungsprogramm' and the 'Eigenkapitalhilfeprogramm'. The arrangement, which is based on Article 5 of the steel aid code, is subject to each individual project being notified and will apply only until the end of 1994.

#### *Shipbuilding*

##### **Italy**

1.2.58. Commission decision on the shipbuilding aid scheme for contracts signed in the period 1991-93.

**Reference:** Seventh Council Directive 90/684/EEC on aid to shipbuilding: OJ L 380, 31.12.1990; Bull. EC 12-1990, point 1.3.64; as last amended by Directive 92/68/EEC: OJ L 219, 4.8.1992; Bull. EC 7/8-1992, point 1.3.56

*Adopted on 30 June.* The rates of production aid are in line with those laid down in the Directive for the corresponding years, and the aid to help finance the purchase of ships by shipowners complies with the conditions laid down in the OECD Understanding on export credits for ships. Similarly, the research and development aid is in line with the relevant Community framework. The total budget for the programme is ECU 2.8 million in 1993 and ECU 25 million a year as from 1994.

## *Motor vehicles*

### **Germany**

1.2.59. Commission decision on loan guarantees granted by the Treuhandanstalt to Sächsische Automobilbau GmbH (SAB).

#### **References:**

Framework on State aid to the motor vehicle industry: OJ C 123, 18.5.1989; Bull. EC 12-1988, point 2.1.137; OJ C 36, 10.2.1993

Commission decision on aid to the motor vehicle industry in the new *Länder* and Berlin: Bull. EC 12-1991, point 1.2.66

*Adopted on 16 June.* SAB operates a car production plant in Mosel (Saxony) used for the production of Volkswagen vehicles. Since it is unable to receive certain Treuhandanstalt aid following the initiation of Article 93(2) proceedings in December 1991 against the aid proposed for Volkswagen's overall project in the new *Länder*, the company plans to ask for bank loans of DM 150 million guaranteed by the Treuhandanstalt so as to give it the necessary liquidity pending the final decision. The Commission considers that the guarantee complies with the criteria which it applies to rescue aid and that it will serve only to maintain the operations of the plant at their current level.

### **United Kingdom**

1.2.60. Commission decision on regional aid for Leyland Daf Vans Ltd.

*Adopted on 30 June.* Leyland Daf Vans Ltd, which has been in receivership since the worsening of the financial difficulties of its parent company, Daf NV, at the beginning of 1993, has been bought out by its management. The United Kingdom Government is to grant the firm, which is situated in the regional development area of Birmingham, aid amounting to UKL 5 million under the 'regional selective assistance' scheme for a rationalization project costing UKL 21.1 million and having good prospects of being cost-effective.

## *Chemical and petrochemical industry*

### **Germany**

1.2.61. Commission decision on aid linked to the privatization of Stickstoff-Werke AG, Wittenberg-Piesteritz.

*Adopted on 10 June.* The company, which was the largest fertilizer producer in the former German Democratic Republic and had a workforce of 8 200 in 1990, is to be sold for a token price of DM 5 million and is also to receive some aid from the Treuhandanstalt. The aid will amount to DM 30 million to cover the social costs of staff still to be laid off, DM 305 million for maintenance work and up to DM 245.1 million to cover the losses of the distributing company over five years. The Commission considers that the aid is justified by the large-scale reductions in capacity on the urea and ammonia market due to privatization and by the acute difficulties facing the region.

1.2.62. Commission decision on aid for the restructuring of Buna AG, Saxony-Anhalt.

**Reference:** Initiation of proceedings: Bull. EC 12-1992, point 1.3.90

*Adopted on 11 June.* By the time of its privatization, scheduled for the end of 1993, Buna, which was the second-largest chemicals producer in the former German Democratic Republic, will have laid off three quarters of its workforce, which numbered 18 000 at the time of unification. To help it complete its restructuring, Buna will be granted loans intended for anti-pollution measures or the laying-off of staff, loan guarantees for investment and direct financing for the modernization of infrastructure. In the Commission's view, the reduction of capacity in certain market segments, improvement of the environment and protection of a basic level of employment in the region justify this funding, which amounts to some DM 700 million. The Commission is continuing its examination of other loans and guarantees granted to Buna in respect of which it initiated proceedings under Article 93(2) of the EEC Treaty in December 1992.

1.2.63. Commission decision on aid linked to the privatization of Leuna-Werke and Minol.

*Adopted on 30 June.* Following a public sale offer, a consortium consisting of Elf Aquitaine, Thyssen Handel Berlin GmbH and Deutsche SB-Kauf AG purchased the Minol service station network from the Treuhandanstalt and is managing on its behalf two refineries (Leuna

and Zeitz) pending the construction of a new refinery on its own site at Leuna. At a later stage, the old refineries will be shut down. The consortium is to receive more than ECU 700 million in regional aid for the construction of the new refinery. The Commission considers the aid justified in view of the major contribution which the operation will make to the restructuring of the region.

### *Regional aid*

#### **Germany**

1.2.64. Commission decision on the sale at reduced prices of industrial sites in the former German Democratic Republic.

*Adopted on 16 June.* So as to boost its budget revenue, the Federal Government is selling off State-owned land at reduced prices. Industrial sites in the former German Democratic Republic will be sold at 50% of their value. In view of the development problems of the region, the Commission has no objections to this new aid measure, which is additional to a number of other measures designed to stimulate investment.

### *Rescue and restructuring aid*

#### **Germany**

1.2.65. Commission decision on a loan guarantee for the machine-tool manufacturer Berstorff Maschinenbau GmbH, Hanover.

*Adopted on 2 June.* The Land of Lower Saxony is guaranteeing 80% of a DM 15 million loan granted to the firm by a banking consortium to help finance its restructuring. The guarantee can be called only once all the assets pledged in order to obtain the loan have been realized.

1.2.66. Commission decision on the prolongation of a guarantee and loan for the East German industrial equipment manufacturer SKET.

*Adopted on 16 June.* SKET Maschinen- und Anlagenbau AG was the largest producer of heavy machinery and industrial equipment in the Comecon countries and is currently still owned by the Treuhandanstalt. The Treuhand-

anstalt has been authorized to prolong for three months, pending the drawing-up of a final restructuring plan by the end of June 1993, a DM 90 million loan and a DM 223.7 million loan guarantee for the company.

#### **Belgium**

1.2.67. Commission decision on a short-term loan for the Belgian paper manufacturer Intermills.

*Adopted on 2 June.* So as to finance the temporary continuation of its activities, Intermills, which filed for bankruptcy in December 1992 and for which the receivers are seeking a possible takeover candidate, was granted a working capital fund amounting to BFR 430 million by one of its creditors, the Société nationale de crédit à l'investissement. The new credit line was limited to the six-month period until the end of May 1993, and any drawings on the credit line must be reimbursed at the market rate. The rescue aid thus complied with the conditions usually required by the Commission.

#### **Spain**

1.2.68. Commission decision on aid granted under a scheme to promote restructuring in the Basque Country (Gelma SA).

**Reference:** Commission decision on special measures to assist firms in difficulty in the Basque Country: Bull. EC 4-1992, point 1.3.43

*Adopted on 16 June.* Gelma SA, a foundry producing pipe fittings and cast-iron parts, is implementing a restructuring plan involving a reduction in its workforce and in production capacity. A loan guarantee (on market terms) of ECU 10.4 million is coupled with an injection of capital by the firm's private shareholders.

### *Aid for research and development*

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

#### **Germany**

1.2.69. Commission decisions on two research programmes in medicine and chemistry.

*Adopted on 30 June.* The first programme, entitled 'Gesundheitsforschung 2000', costing a total of ECU 401 million between 1993 and 1996, will pursue fundamental and basic research intended to improve diagnostic and preventive medicine techniques and the cost/quality ratio of treatments. The second ('Chemische Technologien 1993-98') relates to fundamental and basic research in certain fields of chemistry and has a budget of ECU 75 million. In so far as the aid will benefit firms, the maximum aid intensities authorized by the framework are complied with.

#### France

1.2.70. Commission decision on a joint research and development project being carried out by Renault and Peugeot.

**Reference:** Community framework on State aid to the motor vehicle industry: OJ C 123, 18.5.1989; Bull. EC 12-1988, point 2.1.137; OJ C 36, 10.2.1993.

*Adopted on 2 June.* The two French motor vehicle groups will, over a five-year period, with the collaboration of a number of component producers, carry out a research project on passive and active safety of vehicles and the avoidance of accidents. The project will cost an estimated total of ECU 98 million. It will be followed up by a socio-economic evaluation. The French Government will support the project through grants complying with the maximum intensities provided for in the framework on State aid for research and development. The aid for pre-competitive activities also complies with the criteria laid down in the framework on State aid to the motor vehicle industry.

#### United Kingdom

1.2.71. Commission decision on an aerospace research programme ('CARAD').

*Adopted on 16 June.* The decision relates to the refinancing for 1993-94 of the Civil aircraft research and demonstration programme, which is conducted by public research institutes, universities and industry. The basic industrial research involving companies relates mainly to airframes and propulsion systems.

The new annual budget amounts to ECU 22.9 million.

#### *Aid for the audiovisual sector*

##### France

1.2.72. Commission decision on the introduction of a levy on video cassettes to be used to fund the arrangements in support of the cinema industries.

*Adopted on 30 June.* In the same way as the system in Germany, where the three channels for the distribution of films, namely cinemas, television and video cassettes, help to finance the arrangements in support of cinema film production, the French system of support for the cinema will, as from 1 July 1993, be supplemented by a 2% levy on video cassettes. The Commission took the view that the levy will help to provide greater support for the French cinema without affecting trade to an extent contrary to the common interest.

#### *General aid*

##### Italy

1.2.73. Commission decision on an aid scheme to encourage the setting-up of joint ventures in Central and Eastern Europe.

*Adopted on 2 June.* The new public-sector company Simest will acquire holdings in joint ventures in the Central and East European countries which it will subsequently resell to Italian investors, making subsidized loans available to them for the purpose. The budget for the scheme, which is based on a 1992 law, is some ECU 135 million, and the intensity of the aid is low.

1.2.74. Commission decision on investment aid, operating aid and employment aid in Sardinia.

*Adopted on 16 June.* Under a general law which also provides for the financing of infrastructure, the region of Sardinia made grants, in respect of 1990 and 1991, to craft enterprises for investment and for the recruitment of apprentices and contributed to the labour costs of industrial firms during the same period.



The latter operating aid was authorized under Article 92(3)(a) of the Treaty because of the high unemployment in this less favoured region and the limited period during which it was granted.

#### United Kingdom

1.2.75. Commission decision on temporary relief from electricity price rises in Northern Ireland.

*Adopted on 16 June.* The new regulatory regime to be introduced following the privatization of the Northern Ireland electricity distribution utility, NIE plc, will have the effect of increasing electricity prices for certain consumers in commerce and industry. So as to limit the adverse effects of the rises on the development of the region, where electricity prices are higher than in other parts of the country, the worst-affected consumers will be eligible for relief for a three-year period. The total cost of the measure will be ECU 16 million.

#### Decisions to initiate proceedings under Article 93(2) of the EEC Treaty

##### Germany

1.2.76. Commission decision on the misuse of aid granted by the Treuhandanstalt to Leuna AG.

*Adopted on 2 June.* The Commission received complaints that Leuna AG, which is still held by the Treuhandanstalt, is selling caprolactam at below production cost, thanks to aid in the form of loans approved by the Commission. Caprolactam is a primary product used in synthetic fibres, and there is at present general overcapacity on the market for it.

##### France

1.2.77. Commission decision on aid granted to Allied Signal Fibres Europe SA

#### References:

Judgment of the Court of Justice of 24 March 1993 in Case C-313/90 *Comité international de la rayonne et des fibres synthétiques*

(*CIRFS*) v *Commission*: OJ C 105, 16.4.1993; Bull. EC 4-1993, point 1.6.12

Community system of control of aid to the synthetic fibres industry: OJ C 346, 31.12.1992; Bull. EC 12-1992, points 1.3.73 and 1.3.74

*Adopted on 30 June.* In March the Court annulled the 1990 Decision in which the Commission rejected the complaint of the CIRFS against regional aid of FF 160 million granted to Allied Signal for an investment at Longwy intended to create production capacity for polyester yarn used in the manufacture of tyres. The Commission had taken the view that the production of synthetic fibres for such use was not covered by the guidelines in force when the aid was granted (before mid-1989). Since the Court rejected this argument, the Commission is obliged to initiate the examination procedure.

#### Decisions to terminate proceedings under Article 93(2) of the EEC Treaty

##### Spain

1.2.78. Commission decision on the non-payment of taxes to the province of Alava by the steel foundry Fundix SA.

**Reference:** Initiation of proceedings: Bull. EC 6-1992, point 1.3.45

*Adopted on 30 June.* Fundix SA has to pay a tax fine in the form of a 20% increase in the principal of the unpaid taxes and will have to repay its tax debts over a maximum period of five years at an interest rate of 12%. Since these terms are those of the normal procedure for recovering tax debts, the company will no longer enjoy any particular advantage.

1.2.79. Commission decision on a credit guarantee granted to Esmaltaciones San Ignacio SA.

**Reference:** Initiation of proceedings: Bull. EC 7/8-1992, point 1.3.65

*Adopted on 30 June.* The company presented a new restructuring plan designed to return it to viability. The guarantee period has been reduced to seven years, and the guarantee is now backed by certain fixed assets which will

be realized in the event of the company becoming insolvent. Accordingly, the restructuring aid was deemed acceptable.

### Italy

1.2.80. Commission decision on an aid scheme to promote female employment.

**References:**

Initiation of proceedings: Bull. EC 7/8-1992, point 1.3.66

Community guidelines on State aid for SMEs: OJ C 213, 19.8.1992; Bull. EC 5-1992, point 1.1.33.

*Adopted on 16 June.* The scheme has been brought into line with the guidelines on State aid for SMEs, by confining the investment aid to small businesses and keeping its intensity below the ceilings laid down in the guidelines or by limiting the amount of investment aid and the amount of aid for other purposes to ECU 50 000 each over a three-year period.

## Industrial policy

### Sectoral strategies

#### Steel

**References:**

Commission communication concerning guidelines relating to the production and deliveries of steel products: Bull. EC 3-1993, point 1.2.53

Commission communication concerning guidelines relating to production and deliveries in the Community of steel products for the second quarter of 1993: Bull. EC 4-1993, point 1.2.60

1.2.81. Forward programme for steel for the second half of 1993.

**Previous programme:** OJ C 36, 10.2.1993; Bull. EC 1/2-1993, point 1.2.83

*Adopted by the Commission (first reading) on 28 June.* The Commission observes that economic conditions within the Community have deteriorated further. Industrial activity, in particular that of steel consumers, is not expected to improve in the second half of 1993. The only encouraging signs for the steel market are the stabilization of the dollar and sustained demand from China.

Given the trends described and assessments made in the programme, actual steel consumption is put at 54.25 million tonnes in the second half of 1993 and at 118.5 million tonnes for 1993 as a whole, i.e. 4.7 and 5.2% down on the corresponding periods for 1992. Production of crude steel — put at 58.75 million tonnes in the second half of 1993 and at 126 million tonnes for the year as a whole — is down by 4 and 4.5% respectively on the levels recorded in the same periods in 1992.

However, since the beginning of the year, prices have improved in most markets in the Community as a result in particular of the guidelines issued by the Commission on production and deliveries from April 1993 onwards — guidelines which have made it possible to establish a better balance between supply and demand on the market.

1.2.82. Commission communication concerning guidelines relating to production and deliveries in the Community of steel products for the third quarter of 1993.

*Adopted on 15 June.* The communication is part of the more general system of quarterly guidelines for the production and deliveries of certain steel products. The short-term forecasts for the third quarter confirm the marked slowdown in the activity of the main steel-consuming sectors, and this is adversely affecting internal demand.

OJ C 173, 24.6.1993

## Enterprise policy

### Policy to assist SMEs

1.2.83. Council Decision 93/379/EEC on a multiannual programme of Community

measures to intensify the priority areas and to ensure the continuity and consolidation of enterprise policy, in particular SMEs, in the Community.

**Reference:** Conclusions of the Edinburgh European Council: Bull. EC 12-1992, point I.30

**Commission approval:** Bull. EC 12-1992, point I.3.108

**Commission proposals:** OJ C 30, 3.2.1993; COM(92) 470; Bull. EC 1/2-1993, point 1.2.88

**Economic and Social Committee opinion:** OJ C 161, 14.6.1993; Bull. EC 4-1993, point 1.2.63

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.63

**Amended Commission proposals:** COM(93) 180; Bull. EC 4-1993, point 1.2.63

*Adopted on 14 June.* Forming part of the action taken by the Edinburgh European Council with a view to underpinning growth in the Community, the programme of Community measures, which had originally been presented by the Commission as two separate proposals, is designed to intensify, with immediate effect, a number of priority areas of Community enterprise policy, in particular SMEs, and to ensure the continuity and consolidation of this policy in a number of fields, given the need for enterprises to adjust to new circumstances and to the changes brought about by the moves to complete the single market.

With a view to intensifying the priority areas of enterprise policy, the programme will pursue the following objectives:

- improving the administrative and legal environment for enterprises, including in the field of indirect taxation, so as to reduce the costs imposed on SMEs by Community legislation;
- facilitating access by enterprises to Community information, by expanding the Euro-Info Centre network;
- improving partner-search networks by increasing the capacity of the Business Cooperation Centre (BCC) and the Business Cooperation Network (BC-Net) and by intensifying cooperation between them;
- stepping up activities to put businessmen in direct contact with one another and to stimulate cross-border subcontracting;
- ensuring that full account is taken of the interests of SMEs in the various Community initiatives and policies.

The programme will help to ensure the continuity of enterprise policy by encouraging SMEs, including craft enterprises, to adjust to new circumstances and to the changes brought about by the internal market, in particular through information measures, the exchange of experience and cross-border cooperation. It is also designed to improve the financial environment for enterprises, to promote better observation of the economic development of enterprises as part of the dynamic of effective implementation of the internal market and to evaluate and develop enterprise policy.

A budget of ECU 112.2 million is earmarked for the programme, which will run from 1 July 1993 to 31 December 1996.

OJ L 161, 2.7.1993

*1.2.84.* Commission staff working paper on the problem of the time taken to make payments in commercial transactions.

*Economic and Social Committee opinion delivered on 30 June.* The Committee welcomed the working paper adopted by the Commission in November 1992 and pointed out that late payment was very common in the Community and caused serious problems for firms, in particular subcontracting firms. Late payment impeded the achievement of an environment favourable to the development of enterprises in the Community and to the proper functioning of the internal market. The Committee urged the Commission to support initiatives that would help improve information for firms involved in inter-State trade, to study the state of legislation on this subject in the various Member States, to put forward a recommendation where appropriate and to prepare a draft directive to follow on from the earlier directives on public procurement.

*1.2.85.* Fourth Annual Conference of Euro-Info Centres.

**Previous conference:** Bull. EC 6-1992, point 1.3.60

*Helsingør (Denmark), 3 to 5 June.* The Conference, which was opened by Mr Vanni d'Archirafi, brought together the 211 Euro-Info Centres operating across the Community and the 14 sister centres in the EFTA countries,

Central and Eastern Europe and the Mediterranean region.

The theme of the Conference was 'the role of the EICs within the perspective of European growth'. Participants discussed their activities in the fields of information, assistance and advice to small and medium-sized enterprises. Panels worked out concrete ideas for helping firms on the basis of three topics: the role of Euro-Info Centres in bringing about the internal market, services for enterprises and developments on the information market.

## Research and technology

### Framework programme 1994-98

#### References:

Commission working document concerning research and technological development policy in the Community and the fourth framework programme (1994-98) of Community activities in the field of research and technological development: COM(92) 406; Bull. EC 10-1992, point 1.3.66

Second Commission working document: COM(93) 158; Bull. EC 4-1993, point 1.2.65

Commission working document on promoting economic recovery in Europe: COM(93) 164; Bull. EC 4-1993, point 1.2.27

1.2.86. Proposals for Council Decisions concerning the fourth framework programme of Community activities in the field of research, technological development and demonstration (1994-98) and a framework programme of Community activities in the field of research and training for the European Atomic Energy Community (1994-98).

*Adopted on 16 June.* The programme proposed by the Commission, which is designed to cover all Community research activities between 1994 and 1998 and ensure greater consistency between them, is being launched against a background of deep economic crisis and profound change on the international scene. It

is part of the Community plan to promote economic recovery and employment.

The Commission has formalized the guidelines set out in its second working document on the subject, adding further details concerning the programme's scientific and technical content, the breakdown of activities between the various energy sources (non-nuclear, nuclear fission and fusion) and the criteria for selecting Community research activities.

The fourth framework programme will give priority to ensuring:

- greater integration between national and Community R&TD activities, in particular through improved coordination of Member States' participation in major international projects and with the research conducted by various European organizations;
- a more selective approach to Community R&TD activities within each area in order to increase their economic impact, focusing on a smaller number of problems and generic technologies with a multisectoral impact, in particular in the field of industrial technologies and life sciences and technologies;
- improved dissemination of research findings, in particular to small and medium-sized businesses;
- closer links between research and education/training;
- greater use of the scope for synergy between research policy and economic and social cohesion policy;
- greater flexibility as regards the framework programme, the specific programmes and the work programmes, to ensure that the Community can respond rapidly to new scientific and technological challenges.

In order to satisfy these requirements, the fourth framework programme, for which a budget of ECU 13.1 billion is proposed, will be divided into four areas of activity. The first will be concerned with the implementation of research, technological development and demonstration programmes, by promoting cooperation with and between businesses, research centres and universities. The second will be concerned with promoting cooperation in the field of research, technological development

demonstration with industrialized third countries, the countries of Central and Eastern Europe, the new independent States of the former Soviet Union, the developing countries, and international organizations. The third will be concerned with all Community R&TD activities and will be aimed at improving the dissemination and exploitation of the results of the Community research activities in order to ensure that these activities have a positive impact on improving the competitiveness of industry. The aim of the fourth area of activity is to encourage the training and mobility of research scientists within the Community.

COM(93) 276

*1.2.87. Parliament resolution on the Commission working documents concerning the fourth framework programme of Community activities in the field of research and technological development (1994-98).*

*Adopted on 23 June.* Recalling that research and technological development (R&TD) policy should be at the service of the other Community policies, Parliament called for better coordination between R&TD policy and regional and development policies in order to ensure an efficient, targeted approach to problems arising in connection with water, traffic, the future of urban areas, energy and the environment. It also called upon the Commission to acknowledge the importance of social research as a factor in cohesion and integration, and called for the Structural Funds and the European Development Fund to be directed to a greater extent towards projects of technological importance. It stressed the importance of research and demonstration in the field of renewable energy sources, and called for an increase in expenditure on the Thermie programme. Stressing the need for sufficient highly qualified human resources, it called for the training of research scientists to be a fundamental objective of the fourth framework programme. It also emphasized the need for international cooperation on R&TD and called upon the Commission and the Council to encourage such cooperation with the industrialized countries and the developing countries. Lastly, it emphasized the need to improve international nuclear safety by giving

a European dimension to nuclear safety research.

OJ C 194, 19.7.1993

*1.2.88. Council conclusions on the management of Community research and technological development programmes.*

**Reference:** Council conclusions on the fourth framework programme of Community activities in the field of research and technological development: Bull. EC 4-1993, point 1.2.66

*Adopted on 30 June.* Recalling its conclusions of April 1993, the Council emphasized that the procedures and tools for programme implementation should as far as possible be simplified and harmonized in order to facilitate participation in Community research programmes, particularly by small and medium-sized businesses and to ensure transparency and timely implementation. In particular, it took note of the Commission's intention to assess the benefits and disadvantages of decentralized management.

## **Accompanying, promotion and support (APAS) measures and other activities**

### *ECSC social research*

*1.2.89. Draft Commission Decision granting financial aid for research projects concerning the control of pollution at the workplace and in the environment of steelworks.*

**Reference:** Memorandum on the fifth research programme on the technical control of pollution at the workplace and in the environment of steelworks: OJ C 338, 31.12.1985; Bull. EC 6-1985, point 2.1.175

*Adopted on 18 June.* Purpose: to grant ECU 3.8 million to 14 research projects.

*1.2.90. Draft Commission Decision granting financial aid for research projects under the fifth ECSC medical research programme on the protection of workers against risks arising from work in the coal and steel industries.*

**Reference:** Memorandum on the fifth medical research programme: OJ L 47, 19.2.1988; COM(87) 655; Bull. EC 12-1987, point 2.1.43

*Adopted on 29 June.* Purpose: to grant ECU 2.1 million to 13 research projects.

### *Technical steel research*

*1.2.91.* Commission Decision granting financial aid for technical steel research and pilot/demonstration projects.

**Commission draft:** Bull. EC 3-1993, point 1.2.56  
**ECSC Consultative Committee opinion:** Bull. 4-1993, point 1.2.68  
**Council assent:** OJ C 158, 10.6.1993; Bull. EC 5-1993, point 1.2.60

*Adopted on 9 June.*

### *Technical coal research*

*1.2.92.* Commission Decision granting financial aid to 127 technical and research projects.

**Commission draft:** Bull. EC 3-1993, point 1.2.58  
**ECSC Consultative Committee opinion:** Bull. EC 4-1993, point 1.2.68  
**Council assent:** OJ C 158, 10.6.1993; Bull. EC 5-1993, point 1.2.60

*Adopted on 15 June.*

### *International cooperation*

*1.2.93.* Draft scientific and technical cooperation Agreement between the European Economic Community and Australia.

#### **References:**

Joint declaration of the Council and the Commission in respect of negotiations concerning the intellectual property rights aspects of agreements for scientific and technological cooperation with third countries: Bull. EC 6-1992, point 1.3.71

Council conclusions on scientific and technological cooperation with third countries: Bull. EC 11-1990, point 1.3.65

**First Commission recommendation concerning the negotiations:** Bull. EC 5-1989, point 2.2.14

**Negotiating directives:** Bull. EC 5-1992, point 1.1.64

*Proposal for a Commission Decision concerning the conclusion of the Agreement adopted on 10 June.* This draft Agreement, which was negotiated on the basis of a second recommendation adopted by the Commission in January 1992, is in keeping with the Council conclusions on scientific and technological cooperation with third countries. It will be the first agreement of this kind with an industrialized third country outside Europe. It is also the first agreement containing an annex relating to intellectual property rights based on the guidelines jointly adopted by the Council and the Commission in June 1992.

OJ C 181, 3.7.1993; COM(93) 269

*1.2.94.* Eureka Ministerial Conference.

**Reference:** Hanover declaration of principles relating to Eureka: Bull. EC 11-1985, point 2.1.182

**Previous meeting:** Bull. EC 5-1992, point 1.1.66

*Eleventh meeting held in Paris on 24 June.* At this Conference, which was attended by the European Research Ministers and Mr Ruberti, some 190 research projects were adopted. There was also a discussion on the need to step up cooperation with the countries of Central and Eastern Europe.

## Education, vocational training and youth

### **Higher education**

*1.2.95.* Conclusions of the Council and the Ministers for Education meeting within the Council on furthering an open European space for cooperation within higher education.

*Adopted by the Council and the Ministers for Education meeting within the Council on 11 June.* The Council and the Ministers reaffirmed the importance of, and the need for, cooper-

ation between the Member States in the field of education. With the establishment of the internal market bringing labour markets closer together, and in the face of pessimistic prospects for economic growth and job creation, they felt the need to create an open European space for cooperation within higher education to give people in the Community access to employment and to quality education and training.

To this end, the Council and the Ministers opted to lay the stress on three concepts: access, quality and relevance of studies.

As regards access, the Council and the Ministers called for a review of obstacles — in terms of admission requirements and funding — to people pursuing part or all of their studies in another Member State, and for special attention to be devoted to students in the most disadvantaged regions.

With a view to enhancing the quality of studies, the Council and the Ministers called on the Member States and the Commission to support the development of networks between higher education institutions and to work towards staff mobility.

Finally, as regards the relevance of studies, they suggested that the Member States and the Commission diversify their educational instruments by furthering exchanges of experience and know-how in order to meet the widening educational needs of students, the labour market and society as such.

OJ C 186, 8.7.1993

1.2.96. 1992 annual report on the Erasmus programme.

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

*Adopted by the Commission on 25 June.* The year 1992 was characterized by increased mobility on the part of teachers and students, with 51 000 students involved in Erasmus exchange schemes in 1992-93. There was also a substantial increase in programmes selected.

The number of participants was proportionally higher in Member States with complementary aid schemes. The EFTA countries participated in the Erasmus programme for the first time in 1992.

COM(93) 268

## Continuing training

1.2.97. Council Recommendation 93/404/EEC on access to continuing vocational training.

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

**Commission proposal:** OJ C 23, 27.1.1993; COM(92) 486; Bull. EC 11-1992, point 1.3.139

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.59

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.71

**Amended Commission proposal:** COM(93) 205; Bull. EC 5-1993, point 1.2.64

*Agreed by the Council (labour and social affairs) on 1 June.*

*Formally adopted by the Council on 30 June.*

The Council recommends the Member States to gear their vocational training policies to ensure that every worker of the Community can have access to continuing vocational training throughout his or her working life, in accordance with the principle set out in the Community Charter of the Fundamental Social Rights of Workers. It recommends that the Member States take a series of measures concerning:

- staff training plans and programmes in undertakings;
- assistance for small and medium-sized undertakings faced with industrial change;
- information for workers and information and consultation of their representatives;
- access to continuing training for women, young people and the unemployed;

□ the transnational dimension, with special reference to assisting the free movement of workers.

The recommendation also says that the general objective of vocational training should be pursued bearing in mind the respective responsibilities of the authorities, undertakings and the social partners, and that there should be genuine cooperation between the social partners.

OJ L 181, 23.7.1993

1.2.98. Proposal for a Council Decision on the adoption of a Community action programme on the vocational training of indirect taxation officials (the Matthaëus-Tax programme).

**Commission proposal:** OJ C 15, 21.1.1993; COM(92) 550; Bull. EC 12-1992, point 1.3.163  
**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. EC 1/2-1993, point 1.2.94

**Parliament opinion (first reading):** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.66

*Amended proposal adopted by the Commission on 1 June.*

OJ C 177, 29.6.1993; COM(93) 262

*Council common position adopted on 24 June.* The aim of the programme, which is financed by the Community and the Member States, is to offer certain national civil servants in charge of indirect taxation additional vocational training so as to prepare them for the work arising from the internal market, encourage staff mobility and strengthen cooperation between the Member States' administrations.

Provision is made for exchange schemes, training seminars, joint vocational training programmes and language courses.

## Vocational training

1.2.99. Council resolution on vocational education and training in the 1990s.

**Reference:** Parliament resolution on vocational training in the European Community in the 1990s: OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.72

*Adopted by the Council (education) on 11 June.* The Council stressed the need to improve the quality of vocational training to meet the new requirements of the labour market.

It also stressed that the Member States' vocational training policies should encourage the creation of close links between school-based and enterprise-based vocational training, provide better opportunities for disadvantaged people, develop cooperation between all parties, and strengthen the European dimension in initial and continuing training so as to facilitate the mobility of young people and adults within the single market. The Council called on the Commission to work towards greater coherence at Community level between vocational education and training programmes, and to promote the development of European cooperation, the transfer of innovation and the development of applied research with a view to supporting modernization, adaptability and quality in vocational education and training.

OJ C 186, 8.7.1993

1.2.100. Parliament resolution on the IRIS network and vocational training for women.

*Adopted by Parliament on 25 June.* Parliament called on the Commission to guarantee the continued existence of the IRIS network (European network of demonstration projects on vocational training for women) with increased funding. The network's aim should be to contribute to the implementation of a Community policy on vocational training for women, to help compile and disseminate examples of good practice in training for women, and to help set up programmes for women. Parliament also stressed the need for developing innovative methodologies.

OJ C 194, 19.7.1993

## Trans-European networks

### Data-communications and telecommunications

1.2.101. Commission communication to the European Parliament and to the Council on



data-communications networks between administrations, proposal for a Council Decision on a series of guidelines for trans-European data-communications networks between administrations, and proposal for a Council Decision adopting a multiannual Community programme to support the implementation of trans-European networks for the interchange of data between administrations (IDA).

**Commission proposal:** OJ C 105, 16.4.1993; COM(93) 69; Bull. EC 3-1993, point 1.2.61

*Endorsed by the Economic and Social Committee on 30 June.*

**1.2.102.** Proposal for a Council Decision on inter-administration telematics networks for statistics relating to the trading of goods between Member States — Commerce electronic data interchange (Comedi).

**Commission proposal:** OJ C 87, 27.3.1993; COM(93) 73; Bull. EC 3-1993, point 1.2.62

*Endorsed by the Economic and Social Committee on 30 June.*

## Energy

### Community energy strategy

#### *Promotion of energy efficiency*

**1.2.103.** Proposal for a Council Directive to limit carbon dioxide emissions by improving energy efficiency (SAVE programme).

**Commission proposal:** OJ C 179, 16.7.1992; COM(92) 182; Bull. EC 5-1992, point 1.1.79

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.109

**Parliament opinion:** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.69

*Agreed by the Council on 25 June.* The proposal for a Directive seeks to limit carbon dioxide

emissions by improving energy efficiency, and provides for the establishment and implementation by the Member States of programmes in the following fields:

- energy certification of buildings;
- the billing of heating, air-conditioning and hot-water costs on the basis of actual consumption;
- third-party financing for energy efficiency investments in the public sector;
- thermal insulation of new buildings;
- regular inspection of boilers;
- energy audits in firms with high energy-consumption levels.

### Individual sectors

#### *Nuclear energy*

**1.2.104.** Draft Council Decision approving the amendment by the Commission of Commission Regulation (Euratom) No 3227/76 of 19 October 1976 concerning the application of the provisions of Euratom safeguards.

**Regulation to be amended:** Commission Regulation (Euratom) No 3227/76: OJ L 363, 31.12.1976, as last amended by Commission Regulation (Euratom) No 220/90: OJ L 22, 27.1.1990; Bull. EC 1/2-1990, point 1.1.266

*Adopted by the Commission on 24 June.* Purpose: to enable the Commission to transmit certain additional safeguards data to the International Atomic Energy Agency in order to assist the latter in the discharge of its safeguards responsibilities.

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#### *New and renewable energy sources*

**1.2.105.** Proposal for a Council Decision on the promotion of renewable energy sources in the Community (Altener programme).

**Commission proposal:** OJ C 179, 16.7.1992; COM(92) 180; Bull. EC 5-1992, point 1.1.78

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.119

**Council position:** Bull. EC 11-1992, point 1.3.119

**Parliament opinion:** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.70

*Agreed by the Council on 25 June.* The objective of this programme, which is set to run for five years from 1 January 1993, is to achieve a reduction in carbon dioxide emissions of 150 million tonnes in 2005 through the development of renewable energy sources by increasing the contribution of renewable energy resources to the coverage of total energy demand, trebling the production of electricity from renewable energy sources, excluding large hydro-electric power stations, and increasing bio-fuels' share of the market. Four categories of measures will be financed:

- studies and technical evaluations for defining technical standards or specifications;
- measures to support the Member States' initiatives for extending or creating infrastructures concerned with renewable energy sources;
- measures to foster the creation of an information network aimed at promoting better coordination between national, Community and international activities;
- studies, evaluations and other appropriate measures aimed at assessing the technical feasibility of the industrial exploitation of biomass for energy purposes, in particular electricity production.

## **Relations with energy-producing or energy-importing non-member countries**

*1.2.106.* Visit to the Commission by Mr Naidu, the Indian Minister of State for Energy on 21 June.

Mr Naidu met Mr Matutes. Their talks focused on cooperation between India and the European Community in the energy sector with particular reference to environmental protection matters. Mr Naidu emphasized the oppor-

tunities available to European investors in the electricity sector in India.

*1.2.107.* Governing Board of the International Energy Agency (IEA).

**Reference:** Previous meeting: Bull. EC 6-1991, point 1.2.98

*Ministerial meeting held in Paris on 4 June.* At this meeting, which was attended by Mr Matutes, Ministers from France and Finland, which joined the IEA in 1992, took part for the first time. Discussions centred on the energy prospects for the year 2000, the main concerns being environmental protection, assessment of non-member countries and the future role of the IEA.

## **State aid**

### *Coal industry*

*1.2.108.* Council guidelines on State aid for the coal industry.

**Reference:** Draft Commission Decision establishing Community rules for State aid to the coal industry: Bull. EC 11-1992, point 1.3.106

*Adopted by the Council on 25 June.* The Council reaffirmed the need for a new Decision on State aid for the coal industry. Although it has not yet finished its examination of the Commission proposal, it nevertheless underlined the importance of the following principles:

- the need to make further progress, in the light of international market prices for coal, towards economic viability for the Community's coal industry, which will be attained through the reduction of production costs and capacities, in order to gradually reduce aid;
- the need to take account of the social and regional consequences of restructuring the Community's coal industry;
- the need for increased transparency of all aid systems, including budgetization or fully equivalent mechanisms;

□ the need to allow the Community's coal industry access to environmental and research and development aid in the same way as other sectors of the economy.

The Council recognized the need to give its assent to the draft Commission Decision before the end of 1993.

## Transport

*1.2.109.* The European Council called on the Commission and the Council to finalize network plans by early next year and expressed its satisfaction with progress on high-speed trains, roads, inland waterways and combined transport. It welcomed the Council's recent agreement on road transport taxation (→ point I.8).

### General policy

#### *Development of the common transport policy*

*1.2.110.* Council conclusions on the Commission's White Paper on the future development of the common transport policy.

#### References:

White Paper on the future development of the common transport policy: COM(92) 494; Bull. EC 12-1992, point 1.3.119

Proposal for Council Decisions on the fourth framework programme for research and technological development (1994-98) and on a framework programme of Community activities in the field of research and training for the European Atomic Energy Community (1994-98): point 1.2.86 of this Bulletin

Commission communication to the Council for a road safety action programme: point 1.2.114 of this Bulletin.

*Adopted by the Council on 7 June.*

The Council welcomed the integrated approach adopted by the Commission in its White Paper on the common transport policy which takes account of economic, social, environmental, safety, infrastructure and research and development factors. It emphasized the role that the common transport policy had to play in promoting economic and social cohesion by reducing regional disparities and addressing the needs of island, land-locked and peripheral regions and helping to create an efficient market structure. In its view, fiscal, technical and social harmonization were required to promote this common policy. The Council also welcomed the inclusion of specific transport projects in the fourth framework programme of research and technological development proposed by the Commission.

The Council recognized the need to protect the environment by reducing carbon dioxide emissions, using traffic management systems such as advanced telematic technologies, long-distance public transport systems and alternative modes of transport and by promoting environmentally friendly, efficient, cost-effective and safe transport systems such as rail, inland waterways, short-sea shipping and combined transport. It acknowledged that swift adoption of guidelines concerning trans-European networks would facilitate Community hauliers' transit through non-Community countries. It also underlined the need to prevent distortions of competition by ensuring transparency in the funding made available to carriers. The Council agreed that progress needed to be made on road safety and took note of the Commission's communication on a Community road safety programme.

#### *Road transport taxation*

*1.2.111.* Council conclusions on road transport taxation.

**Reference:** Proposal for a Council Directive on the charging of transport infrastructure costs to heavy goods vehicles: OJ C 311, 27.11.1992; COM(92) 405; Bull. EC 9-1992, point 1.2.62

*Adopted by the Council on 19 June.* The Council takes the view that heavy goods vehicles should contribute towards the costs they engender through an excise duty on diesel oil, vehicle taxes or tolls and user charges.

A standard minimum rate has already been fixed for diesel excise duty.

On the question of vehicle taxation, the Council states that Member States will apply, from 1 January 1995 at the latest, a vehicle tax based on a minimum rate, but that France, Greece, Italy, Portugal and Spain may apply rates up to 50% below this minimum up to 31 December 1997. Member States may also apply special derogations for certain local transport operations until 1 July 1998.

The Council also provides that Member States may maintain or introduce tolls and/or user charges provided the principle of non-discrimination according to carrier nationality or consignment origin or destination is applied. User charges will be set by Member States at an amount no higher than ECU 1 250 per year. This ceiling will be reviewed in 1997. Member States may also cooperate in introducing a common system for user charges in their territories. If they wish, they may also introduce special arrangements for border areas covered by such a joint system.

All these provisions will apply until a system of road pricing based on common technical standards is adopted. The Council calls on the Commission to present new proposals on the introduction of a system of collecting charges based on the principle of territoriality. Under such a system users will be required to pay infrastructure charges at the point of use.

## Infrastructure

*1.2.112.* Council Regulation (EEC) No 1738/93 for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market.

**Amended Regulation:** Council Regulation (EEC) No 3359/90: OJ L 326, 24.11.1990; Bull. EC 11-1990, point 1.3.181

**Commission proposal:** OJ C 236, 15.9.1992; COM(92) 231; Bull. EC 6-1992, point 1.3.73

**Parliament opinion (first reading):** OJ C 337, 21.12.1992; Bull. EC 11-1992, point 1.3.94

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.94

**Parliament opinion (second reading):** OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.67

**Council endorsement:** Bull. EC 3-1993, point 1.2.67

*Agreed by the Council on 7 June.*

*Adopted by the Council on 25 June.* The Regulation renews Regulation (EEC) No 3359/90, with a number of amendments, for a transitional period of two years. The Community will help finance any study concerning inland transport infrastructure, projects to develop the high-speed rail network, the Alpine transit route, the combined transport network, trans-Pyrenean road links, the Scanlink, and land links within and with Greece, Ireland and Portugal.

The cost of this programme is put at ECU 325 million; the Community will contribute by means of loans or other financial instruments. The Regulation also lays down the conditions under which declarations of European interest will be issued by the Commission.

OJ L 161, 2.7.1993

## Inland transport

### Road transport

*1.2.113.* Proposal for a Council Regulation laying down the definitive system under which non-resident carriers may operate domestic road haulage services within a Member State.

**Commission proposal:** OJ C 317, 7.12.1991; COM(91) 377; Bull. EC 10-1991, point 1.2.54

**Economic and Social Committee opinion:** OJ C 169, 6.7.1992; Bull. EC 4-1992, point 1.3.74

**Parliament opinion:** OJ C 150, 15.6.1992; Bull. EC 5-1992, point 1.1.74

**Amended Commission proposal:** OJ C 172, 8.7.1992; COM(92) 283; Bull. EC 6-1992, point 1.3.82

*Agreed by the Council on 19 June.* Under these arrangements for the liberalization of road cabotage operations, freedom to provide services will be introduced on a gradual basis and will be finally in place by 30 June 1998 when the internal market in this sector will have been completed.

During this transitional period each Member State must, on a temporary basis, allow non-resident carriers to perform national road haulage operations without applying quantitative national market access restrictions, provided they are covered by a Community authorization and quota system. Up to 1 January 1994, 30 000 cabotage authorizations will be issued under the quota; they will be valid for two months and will be shared among the Member States. The quota will be increased annually by 30% from 1 January 1995.

The definitive cabotage arrangements will come into effect on 1 July 1998. Carriers with proper vocational qualifications registered in a Member State will have free access to national road haulage services in another Member State on a temporary basis and without being subject to any quantitative restrictions.

*1.2.114.* Commission communication to the Council for an action programme on road safety.

**References:**

Council resolution on a Community action programme on road safety: OJ C 178, 9.7.1991; Bull. EC 6-1991, point 1.2.88

White Paper on the future development of the common transport policy: COM(92) 494; Bull. EC 12-1992, point 1.3.119

*Adopted by the Commission on 9 June.* In view of the large numbers killed on the road in the Community each year, the Commission has drawn up a short and medium-term road safety programme based on the Council resolution of June 1991 and the guidelines laid down in its White Paper on the future development of the common transport policy. The overall approach proposed by the Commission covers

a number of non-legislative initiatives, complies with the principle of subsidiarity and takes account of the need for an integrated strategy with respect to the factors affecting road safety: driver behaviour, vehicle and infrastructure.

The action programme is based on the body of Community law which exists on road safety but also draws on measures proposed by the Commission, under discussion by the Council or to be taken in the future. It will focus on seven priority areas:

- exchange of information and experience, the setting-up of a Community databank on accident statistics (CARE) and the creation of a road safety data file;
- better vehicle safety, both active and passive;
- user education and driver training;
- measures relating to driver behaviour including measures to persuade drivers to alter their driving habits and to make them aware of the effects of alcohol, drugs and fatigue on driving;
- improving infrastructure by harmonizing certain technical characteristics;
- measures to promote the safe transport of dangerous goods by road;
- tackling aspects of advertising which are detrimental to road safety.

COM(93) 246

## Maritime transport

*1.2.115.* Council resolution on a common shipping safety policy.

**References:**

Council conclusions on shipping safety and pollution prevention in the Community: Bull. EC 1/2-1993, point 1.2.103

Commission communication on safe seas: COM(93) 66; Bull. EC 1/2-1993, point 1.2.104

Proposal for a Council Directive on the minimum level of training for maritime occupations: COM(93) 217; Bull. EC 5-1993, point 1.2.73

Proposal for a Council Directive on common rules and standards for ship inspection and survey organizations: COM(93) 218; Bull. EC 5-1993, point 1.2.74

*Adopted by the Council on 8 June.* Drawing on its conclusions of 25 January, taken up by the Commission in its communication on safe seas, the Council underlines that Community measures on maritime safety and pollution control must apply to all vessels operating in Community waters irrespective of their flag. In its view, further Community action should have the following objectives:

- to tighten up ship inspections and withdraw substandard vessels;
- to improve shipping safety;
- to identify environmentally sensitive areas, on the basis of current legislation and international guidelines, and to propose specific measures for those areas to the International Maritime Organization (IMO).

The Council agrees that, in order to attain these objectives, the Community action programme must focus on a number of priorities based on international conventions and the work of the IMO, the Memorandum of Understanding on Port State Control and the International Labour Organization (ILO). These priorities concern the sustained and standard application of international rules, better training and education of ordinary seamen, improved shipping infrastructure and navigation methods, civil liability, passenger vessel safety and risk assessment.

The Council also welcomes the Commission's proposals on the training of seafarers and vessel inspection, and calls on it to put forward other proposals concerning the Community shipping register (EUROS), criteria for vessel inspection and common maritime safety standards.

*1.2.116.* Council conclusions on a common shipping safety policy.

**Reference:** Council resolution on a common shipping safety policy: point 1.2.115 of this Bulletin

*Adopted by the Council on 29 June.* Following its resolution on a common shipping safety policy, the Council underlines the need for suitable standards under international law to be applied to vessels transiting environmentally sensitive areas. These should be determined by Member States on the basis of common criteria.

The Council also calls on the Commission to investigate whether there is a need for shipping safety standards to be set for environmentally sensitive areas and whether it is possible to amplify the deterrent effects of civil liability penalties and obligations in the interests of environmental protection.

## **Air transport**

*1.2.117.* Proposal for a Council Directive concerning the definition and use of compatible technical standards and specifications for the procurement of air traffic management equipment and systems.

**Commission proposal:** OJ C 244, 23.9.1992; COM(92) 342; Bull. EC 7/8-1992, point 1.3.93  
**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.101

*Endorsed by Parliament on 25 June,* though subject to a number of amendments of a technical and editorial nature concerning the 'Euro-control' International Convention relating to cooperation for the safety of air navigation.

OJ C 194, 19.7.1993

## **International cooperation**

### *Norway and Sweden*

*1.2.118.* Draft amendment to the Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation.

**References:**

Council Decision 92/384/EEC concerning the conclusion of an Agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation: OJ L 200, 18.7.1992; Bull. EC 6-1992, point 1.3.86

Draft Agreement establishing the European Economic Area: point 1.3.8 of this Bulletin.

*Recommendation for a Decision on the opening of negotiations and a proposal for a Decision concerning the amendment of the Agreement adopted by the Commission on 9 June.* The aim is for the Commission to be authorized to initiate negotiations with the Kingdom of Norway and the Kingdom of Sweden to amend the Agreement concluded with the Community on civil aviation so as to incorporate new Community legislation which has been adopted since the Agreement entered into force and to keep it in force until this legislation is integrated into the EEA Agreement.

COM(93) 265

*Negotiating directives and a Decision concerning the amendment of the Agreement adopted by the Council on 30 June.*

**Slovenia**

1.2.119. Draft Agreement between the European Economic Community and the Republic of Slovenia on transport.

**Commission recommendation and negotiating directives:** Bull. EC 10-1992, point 1.3.72

**Agreement initialled:** Bull. EC 1/2-1993, point 1.2.110

**Proposal for a Council Decision on its conclusion:** OJ C 93, 2.4.1993; COM(93) 57; Bull. EC 1/2-1993, point 1.2.110

**Council Decision on its signature:** Bull. EC 3-1993, point 1.2.71

**Agreement signed:** Bull. EC 4-1993, point 1.2.77

**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.76

*Parliament opinion delivered on 25 June.* Parliament is in favour subject to a number of amendments concerning the legal basis of the Agreement.

OJ C 194, 19.7.1993

# Telecommunications, information services and industry

**Telecommunications***Legislation***Services**

1.2.120. Commission communication to the Council and Parliament on 'Guidelines for the development of Community postal services'.

**Reference:** Green Paper on the development of the single market for postal services: COM(91) 476; Bull. EC 6-1992, point 1.3.70

*Adopted by the Commission on 2 June.* These guidelines are a follow-up to the consultation process initiated by the Commission in June 1992 with the adoption of the Green Paper on postal services, in which it put forward four options: complete liberalization, complete harmonization, status quo and a scenario combining liberalization and harmonization.

The guidelines represent an intermediate phase pending the results of future work. To set this off in the right direction, the Commission sets out a number of lines of action based on the results of the consultation procedure: defining universal and reserved services, rationalizing tariffs and terminal dues for cross-border services, setting service quality standards, separating regulatory and operational functions and ensuring consistency between Member States' commitments to non-Community countries and Community postal policy.

The Commission proposes a series of measures to implement the guidelines.

Where legislative aspects are concerned, it suggests that directives be drawn up, with due regard to the subsidiarity principle and subject to a thorough and continuing consultation procedure so that the impact on employment and

on the financial equilibrium of the universal service providers and regional and social disparities can be taken into account.

From a technical point of view, the Commission proposes harmonization measures to be drawn up with the help of the European standardization organizations.

On cross-border services, it intends to encourage negotiations between the postal authorities on terminal dues for cross-border traffic, while reserving the right to make appropriate proposals where necessary.

COM(93) 247

*1.2.121.* Parliament resolution on the single market for postal services.

*Adopted by Parliament on 25 June.* Parliament draws attention to the economic and social importance of postal services and calls on the Commission to carry out a study of the social impact of the development of the single market in this sector.

OJ C 194, 19.7.1993

*1.2.122.* Council resolution on the situation in the telecommunications sector.

**References:**

Commission report to the Council and Parliament on the situation in the telecommunications services sector: Bull. EC 10-1992, point 1.3.67

Council resolution on the development of the common market for satellite telecommunications services and equipment: OJ C 8, 14.1.1992; Bull. EC 12-1991, point 1.2.88

Council resolution on the assessment of the situation in the Community telecommunications sector: OJ C 2, 6.1.1993; Bull. EC 12-1992, point 1.3.117

**Commission proposal:** COM(93) 159; Bull. EC 4-1993, point 1.2.81

*Adopted by the Council on 16 June.* The Council confirms the principle of complete liberalization of public voice telephony services by 1 January 1998. An additional period of five years, to 2003, may be granted to Member States with less developed networks (Spain, Ireland, Greece and Portugal) to enable them to make the necessary structural adjustments. Member States with very small telephone net-

works may be allowed an additional two years, to 2000.

The Council lists the key elements on which future Community telecommunications regulations should be based.

These include the implementation of the principles of open network provision (ONP) and mutual recognition of national licences and the implementation of the satellite communications policy formulated in its resolution of December 1991. The Council also gives prominence to the importance to the consumer and the whole of Community industry of a system offering all users a high level of quality and access to technological progress at reasonable prices, the independence of telecommunications organizations in determining their commercial policy, the need to take into account the objectives of cohesion, the impact of the development of trans-European networks and the employment situation. It stresses the importance of defining a coherent policy on telecommunications infrastructure, establishing a fair international trade environment allowing access to the telecommunications markets of non-Community countries, developing a clear and stable regulatory framework based on the subsidiarity principle and taking account of competition rules, and creating a harmonized and open market for telecommunications equipment.

*1.2.123.* Council resolution on the development of technology and standards in the field of advanced television services and framework agreement for an action plan for their introduction in Europe (→ point 1.2.230).

**Voice telephony**

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

**Commission proposal:** OJ C 263, 12.10.1992; COM(92) 247; Bull. EC 7/8-1992, point 1.3.86

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.92

**Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.75



**Commission proposal:** OJ C 147, 27.5.1993; COM(93) 182; Bull. EC 5-1993, point 1.2.77  
**Council agreement on a common position:** Bull. EC 5-1993, point 1.2.77

*Common position formally adopted by the Council on 30 June.*

## Equipment

1.2.125. Proposal for a Council Directive on the approximation of the laws of the Member States concerning satellite earth station equipment, extending the scope of Directive 91/263/EEC.

### References:

Council resolution on the development of the common market for satellite telecommunications services and equipment: OJ C 8, 14.1.1992; Bull. EC 12-1991, point 1.2.88

Council Directive 91/263/EEC on the approximation of the laws of the Member States concerning telecommunications terminal equipment: OJ L 128, 23.5.1991; Bull. EC 4-1991, point 1.2.49

**Commission proposal:** OJ C 4, 8.1.1993; COM(92) 451; Bull. EC 12-1992, point 1.3.116

**Economic and Social Committee opinion:** OJ C 161, 14.6.1993; Bull. EC 4-1993, point 1.2.86

**Parliament opinion (first reading):** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.79

*Amended proposal adopted by the Commission on 10 June.*

OJ C 177, 29.6.1993; COM(93) 280

*Council agreement on a common position on 16 June.* The proposal for a Directive, drawn up in response to the Council resolution of December 1991, is the first of a series designed to regulate the satellite communications services and equipment sector.

Its objectives are as follows:

- to establish the single market in earth station equipment;
- to implement harmonized procedures for certification, testing, marketing, quality assurance and product surveillance to guarantee conformity with the essential requirements enunciated in Directive 91/263/EEC;

to guarantee the right to use satellite earth communications station equipment which has been placed on the market legally;

to guarantee the right to connect satellite earth communications station equipment to the public telecommunications network.

## Consumers

### Protection of consumers' health and safety

1.2.126. Council Directive 93/35/EEC amending for the sixth time Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products.

**Directive amended:** Council Directive 76/768/EEC: OJ L 262, 27.6.1976, as last amended by Commission Directive 92/86/EEC: OJ L 325, 11.11.1992

**Commission proposal:** OJ C 52, 28.2.1991; COM(90) 488; Bull. EC 1/2-1991, point 1.2.239

**Economic and Social Committee opinion:** OJ C 269, 14.10.1991; Bull. EC 7/8-1991, point 1.2.284

**Parliament opinion:** OJ C 176, 13.7.1992; Bull. EC 6-1992, point 1.3.197

**Amended Commission proposal:** OJ C 249, 26.9.1992; COM(92) 364; Bull. EC 9-1992, point 1.2.148

**Council agreement on a common position:** Bull. EC 11-1992, point 1.3.231

**Council common position:** Bull. EC 12-1992, point 1.3.290

**Parliament opinion (second reading):** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.87

**Re-examined Commission proposal:** COM(93) 239; Bull. EC 5-1993, point 1.2.82

*Adopted by the Council on 14 June.* The Directive strengthens and supplements Community legislation on cosmetics and meets three essential objectives:

- improving and harmonizing information for consumers and supervisory authorities on

cosmetic products marketed in the Community;

eliminating the last remaining risks of barriers to the free movement of such products in the single market;

banning animal experiments to test the safety of ingredients of cosmetic products.

In the area of information, the Directive provides specifically for the compilation of an inventory of ingredients used in cosmetic products with a view in particular to establishing a common nomenclature for such products. It also provides for an obligation on producers to indicate the ingredients on the packaging of cosmetic products. In addition, it lays down criteria for the form and content of the information which the manufacturer must keep available for the supervisory authorities, in particular on the quality, efficacy and safety of the product.

With regard to the testing of cosmetics on animals, the Directive provides that the Member States shall ban the marketing of cosmetic products containing ingredients or combinations of ingredients tested on animals as from January 1998. However, in cases where, because of insufficient progress in developing alternatives to animal testing, there are no scientifically validated alternative methods offering an equivalent level of consumer protection, the date of application of the ban will be deferred by decision of the Commission, assisted by a committee composed of representatives of the Member States.

OJ L 151, 23.6.1993

**1.2.127.** Commission communication to the Council on home and leisure accidents, accompanied by a proposal for a Council Decision introducing a Community system of information on home and leisure accidents.

**Commission proposal:** OJ C 59, 2.3.1993; COM(93) 18; Bull. EC 1/2-1993, point 1.2.116  
**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.80

*Endorsed by Parliament on 25 June*, subject to certain amendments designed to make the data more transparent.

OJ C 194, 19.7.1993

## Economic and social cohesion: structural measures

### Development, coordination and implementation of policies and measures

**1.2.128.** Proposal for a Council Regulation amending Regulation (EEC) No 2052/88 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments.

**Commission approval:** Bull. EC 1/2-1993, point 1.2.121

**Commission proposal:** OJ C 118, 28.4.1993; COM(93) 67; Bull. EC 3-1993, point 1.2.80

**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.83

*Amended proposal adopted by the Commission on 24 June.*

COM(93) 303

**1.2.129.** Proposal for a Council Regulation amending 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.

**Commission approval:** Bull. EC 1/2-1993, point 1.2.121

**Commission proposal:** OJ C 118, 28.4.1993; COM(93) 67; Bull. EC 3-1993, point 1.2.80

**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.83

*Endorsed by Parliament (first reading) on 22 June*, subject to amendments that would in particular strengthen Parliament's role.

OJ C 194, 19.7.1993

*Amended proposal adopted by the Commission on 24 June.*

COM(93) 303

**1.2.130.** Proposal for a Council Regulation amending Regulation (EEC) No 4254/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Regional Development Fund.

**Commission approval:** Bull. EC 3-1993, point 1.2.81

**Commission proposal:** OJ C 121, 1.5.1993; OJ C 131, 11.5.1993; COM(93) 124; Bull. EC 4-1993, point 1.2.90

**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.83

*Endorsed by Parliament (first reading) on 22 June*, subject to amendments that would in particular require the cultural aspect of regional economic development to be taken into account.

OJ C 194, 19.7.1993

*Amended proposal adopted by the Commission on 24 June.*

COM(93) 303

**1.2.131.** Proposal for a Council Regulation amending Regulation (EEC) No 4255/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the European Social Fund.

**Commission approval:** Bull. EC 3-1993, point 1.2.81

**Commission proposal:** OJ C 121, 1.5.1993; OJ C 131, 11.5.1993; COM(93) 124; Bull. EC 4-1993, point 1.2.90

**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.83

*Amended proposal adopted by the Commission on 24 June.*

COM(93) 303

**1.2.132.** Proposal for a Council Regulation amending Regulation (EEC) No 4256/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the EAGGF Guidance Section.

**Commission approval:** Bull. EC 3-1993, point 1.2.81

**Commission proposal:** OJ C 121, 1.5.1993; OJ C 131, 11.5.1993; COM(93) 124; Bull. EC 4-1993, point 1.2.90

**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.83

*Amended proposal adopted by the Commission on 24 June.*

COM(93) 303

**1.2.133.** Proposal for a Council Regulation laying down provisions for implementing Regulation (EEC) No 2052/88 as regards the financial instrument for fisheries guidance.

**Commission approval:** Bull. EC 3-1993, point 1.2.81

**Commission proposal:** OJ C 121, 1.5.1993; OJ C 131, 11.5.1993; COM(93) 124; Bull. EC 4-1993, point 1.2.90

**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.83

*Amended proposal adopted by the Commission on 24 June.*

COM(93) 303

**1.2.134.** Commission communication on the future of Community initiatives under the Structural Funds.

**References:**

Proposals for Regulations amending the Structural Funds Regulations: OJ C 118, 28.4.1993; COM(93) 67; Bull. EC 3-1993, point 1.2.80; OJ C 121, 1.5.1993; OJ C 131, 11.5.1993; COM(93) 124; Bull. EC 4-1993, point 1.2.90

Conclusions of Edinburgh European Council: Bull. EC 12-1992, point 1.55

Commission notice setting guidelines for Member States' proposals for integrated global grants under the Leader Community rural development initiative: OJ C 73, 19.3.1991; Bull. EC 3-1991, point 1.2.88

Commission notice setting guidelines for Member States' operational programmes under the Interreg Community initiative for border areas: OJ C 215, 30.8.1990; Bull. EC 7/8-1990, point 1.3.106

*Adopted on 16 June.* In a communication intended to provoke dialogue and feedback from interested parties, the Commission presents a framework for future Community initiatives based on experience acquired, the amendments to the Structural Funds Regulations proposed to the Council and the conclusions of the Edinburgh European Council.

While the initiatives have been important for perception at regional/local level of the cohesion effort and have helped improve coop-

eration and innovation, in particular transnationally, their very number has given rise to certain difficulties. The Commission accordingly proposes in future to introduce fewer initiatives and to organize them around five themes:

□ cross-border, transnational and interregional cooperation and networks, in particular continuation of the activities pursued under Interreg;

□ rural development; a specific initiative should be launched to build on the start made by Leader;

□ outermost areas, the objectives being to strengthen the local economy, improve communications with the European mainland and boost economic cooperation with surrounding areas;

□ employment and human resource development; here a comprehensive initiative would help the Community tackle the employment challenge. Innovative action would be stepped up to secure growth with greater job-generating capacity (action at local level would be expanded), more efficient adaptation of the workforce to industrial and technological change and greater equality of opportunity between men and women on the labour market. Assistance would be given to people at risk of exclusion from the labour market and transfer of innovation, in particular to Objective 1 regions, and applied research promoted;

□ management of industrial change by diversification in regions strongly dependent on sectors struck by heavy job losses, particularly steel, coal, textiles and defence. Action in anticipation of the problems of change will also be required.

Some action not covered by these five themes could be incorporated in the Community support frameworks or financed from the Cohesion Fund.

COM(93) 282

*1.2.135.* Proposal for a Council Regulation amending Regulations (EEC) Nos 2328/91, 866/90, 1360/78 and 1035/72 with a view to expediting adjustment of production, processing and marketing structures within the

framework of reform of the common agricultural policy.

**Regulations to be amended:**

Council Regulation (EEC) No 2328/91 on improving the efficiency of agricultural structures (OJ L 218, 6.8.1991), as last amended by Regulation (EEC) No 2080/92: OJ L 215, 30.7.1992; Bull. EC 6-1992, point 1.3.146

Council Regulation (EEC) No 866/90 on improving the processing and marketing conditions for agricultural products (OJ L 91, 6.4.1990), as last amended by Regulation (EEC) No 3577/90: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1

Council Regulation (EEC) No 1360/78 on producer groups and associations thereof (OJ L 166, 23.6.1978), as last amended by Regulation (EEC) No 3808/89: OJ L 371, 20.12.1989; Bull. EC 12-1989, point 2.1.158

Council Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables (OJ L 118, 20.5.1972), as last amended by Regulation (EEC) No 1754/92: OJ L 180, 1.7.1992; Bull. EC 6-1992, point 1.3.148

**References:**

Proposals for Regulations amending the Structural Funds Regulations: OJ C 118, 28.4.1993; COM(93) 67; Bull. EC 3-1993, point 1.2.80; OJ C 121, 1.5.1993; OJ C 131, 11.5.1993; COM(93) 124; Bull. EC 4-1993, point 1.2.90

Council Regulations implementing CAP reform: OJ L 180, 1.7.1992; OJ L 181, 1.7.1992; OJ L 215, 30.7.1992; Bull. EC 6-1992, points 1.3.140 to 1.3.147

*Adopted by the Commission on 16 June.* Would amend the Regulations covering Objective 5a (adjustment of production, processing and marketing structures in agriculture and forestry) in line with the proposals on the Structural Funds and with CAP reform and would affect programming in particular. Procedures would be simplified and flexibility increased.

COM(93) 270

*1.2.136.* Parliament resolution on economic and social cohesion.

*Adopted on 24 June.* Parliament recalled the primary importance to be attached to the objective of economic and social cohesion in the Community and called on the Community institutions and the Member States to improve the consistency and coordination of their action to achieve it.

OJ C 194, 19.7.1993

## Financial assistance

### Less developed regions

1.2.137. Commission decisions: see Table 2.

Table 2 — *Financing under Objective 1*

(million ECU)		
Country/region	Fund	Total assistance
<i>Italy</i>		
Basilicata	ERDF	8.4

### Fisheries structures

1.2.138. Commission decisions: see Table 3.

Table 3 — *Financing of fisheries structures*

Table 3 — *Financing of fisheries structures*  
(million ECU)

Description/country	Fund	Total assistance
Processing and marketing of fishery and aquaculture products:		
<i>Denmark</i>	EAGGF	2.08
<i>Greece</i>	EAGGF	5.2
<i>United Kingdom</i>	EAGGF	4.51

### Community initiatives

1.2.139. Commission decisions: see Table 4.

Table 4 — *Financing of Community initiatives*  
(million ECU)

Initiative	Country	Fund	Total assistance
RETEX	<i>Greece</i>	ERDF/ESF	85.2
	<i>Ireland</i>	ERDF/ESF	11.4
	<i>United Kingdom</i>	ERDF/ESF	2.6

### Other financial assistance

1.2.140. Commission decisions: see Table 5.

Table 5 — *Other financial assistance*

(million ECU)			
Operation	Country/description	Fund	Total assistance
Pilot project	<i>United Kingdom</i> Brecon Beacons National Park	EAGGF	0.64
Study	<i>Ireland</i> Inhabited coastal islands	EAGGF	0.33

## Outermost regions

1.2.141. Parliament resolution on the development of the French overseas departments in the context of the single market.

*Adopted by Parliament on 25 June.* Parliament called for greater account to be taken of the overseas departments and their specific charac-

teristics when Community policies are drawn up, more Community aid in certain areas, in particular vocational training, development of traditional activities and tourism, better integration into the trans-European networks policy, and improved management of Community aid, in particular regional grouping of aid resources.

OJ C 194, 19.7.1993

## Other regional action

1.2.142. Proposal for a Council Regulation introducing specific measures for the smaller Aegean islands concerning certain agricultural products.

**Commission proposal:** OJ C 56, 26.2.1993; COM(92) 569; Bull. EC 12-1992, point 1.3.165  
**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.89

*Endorsed by Parliament on 25 June*, subject to amendments relating *inter alia* to the duration of aid.

OJ C 194, 19.7.1993

## Social dimension

### Employment

**Reference:** Commission communication concerning a Community-wide framework for employment: COM(93) 238; Bull. EC 5-1993, point 1.2.92

1.2.143. Council conclusions regarding the Commission communication on a Community-wide framework for employment.

*Adopted by the Council (labour and social affairs) on 1 June.*

'The Council:

underlines the vital importance it attaches to attacking the problem of severe unemployment throughout the Community;

pledges the collective commitment of Labour and Social Affairs Ministers to seek solutions to unemployment;

welcomes the Commission communication as a valuable contribution to this process, while recognizing that the primary responsibility for employment policies lies with the Member States;

will intensify its efforts to these ends and will seek to mobilize all parties concerned, notably the social partners.'

1.2.144. Standing Committee on Employment.

**Previous meeting:** Bull. EC 5-1992, point 1.1.87

*Forty-fourth meeting held in Brussels on 24 June.* The meeting was chaired by Mrs J. Andersen, the Danish Minister for Labour. Mr P. Flynn, Member of the Commission, represented the Commission and presented the Commission's communication on a Community-wide framework for employment. The ensuing discussion highlighted the importance of training, the role of small and medium-sized businesses and the services sector in the creation of jobs, and the problem of reintegrating marginalized sections of the population into the labour market.

### Social exclusion

1.2.145. European conference on combating social exclusion.

*Meeting held in Copenhagen on 3 and 4 June.* The conference was organized jointly by the Danish Presidency of the Council, represented by Mr P. Nyrup Rasmussen, Prime Minister, and Mrs K. Jespersen, Minister for Social Affairs, and by the Commission, represented by Mr J. Delors, President, and Mr P. Flynn, Member of the Commission. The conference addressed the ways in which mainstream policies could help in the fight against exclusion, ways of strengthening the rights of the most disadvantaged sections of the population, and the broad lines of a specific Community programme. The closing address was given by President Delors, who proposed the adoption of a solemn declaration against exclusion on the initiative of the Community institutions.

### Social security

1.2.146. Council resolution on flexible retirement arrangements.

*Approved by the Council (labour and social affairs) on 1 June.*

*Formally adopted by the Council on 30 June.* The Council wanted older people to continue to play an active part in society and maintain a link with the labour market. It noted the measures taken in a number of Member States to introduce the possibility of partial retirement from the labour market, combining retirement benefits with income from employment. The Council emphasized that a flexible retirement policy could constitute a rational response to changing demographic patterns and to labour-market changes, but that flexible retirement arrangements were a matter for each Member State, bearing in mind the principle of subsidiarity. It called on the Commission to promote exchanges of information and to examine whether any other measures were needed.

OJ C 188, 10.7.1993

*1.2.147.* Parliament resolution on the situation of managerial staff in the European Community.

*Adopted by Parliament on 25 June.* Parliament called on the Commission to carry out a study on the managerial jobs situation in the Community in all sectors. It drew attention to the decline in recruitment and the increase in unemployment, and to matters relating to free movement, the recognition of qualifications, vocational training and representation for managerial staff.

OJ C 194, 19.7.1993

## Health and safety at work

*1.2.148.* Proposal for a Council Directive concerning 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:** OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.100

**Parliament opinion (first reading):** OJ C 72, 18.3.1991; Bull. EC 1/2-1991, point 1.2.115

**Amended Commission proposal:** OJ C 124, 14.5.1991; COM(91) 130; Bull. EC 4-1991, point 1.2.65

*Common position agreed by the Council (labour and social affairs) on 1 June.*

*Common position formally adopted by the Council on 30 June.* Purpose: to lay down minimum provisions applicable in the Community to various aspects of the organization of working time, more particularly:

- the maximum weekly working time: restricted to 48 hours, including overtime, based on a four-month reference period which can be extended to six months by the Member States and, subject to certain conditions, to 12 months by the social partners;
- the minimum daily rest period (11 uninterrupted hours);
- the minimum weekly rest period (24 uninterrupted hours);
- the minimum annual paid leave (4 weeks);
- the maximum period of night work (8 hours);
- breaks.

Derogations from some of these provisions are possible where agreement is reached between the social partners.

*1.2.149.* Proposal for a Council Directive on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents.

**Commission proposal:** OJ C 77, 18.3.1993; COM(92) 560; Bull. EC 12-1992, point 1.3.158

*Endorsed by the Economic and Social Committee on 30 June,* subject to certain remarks concerning the definition of the various threshold levels.

*1.2.150.* Proposal for a Council Directive concerning the minimum health and safety requirements for work on board fishing vessels.

**Commission proposal:** OJ C 337, 31.12.1991; COM(91) 466; Bull. EC 11-1991, point 1.2.92

**Economic and Social Committee opinion:** OJ C 169, 6.7.1992; Bull. EC 4-1992, point 1.3.94

**Parliament opinion (first reading):** OJ C 241, 21.9.1992; Bull. EC 7/8-1992, point 1.3.123

**Amended Commission proposal:** OJ C 311, 27.11.1992; COM(92) 409; Bull. EC 10-1992, point 1.3.84

*Common position agreed by the Council (labour and social affairs) on 1 June.*

*Common position formally adopted by the Council on 30 June.* Purpose: to improve safety on board new vessels of 15 or more metres in length and existing vessels of 18 or more metres in length, laying down periodic checks and various obligations on owners (e.g. elimination of defects, regular cleaning, provision of life-saving and survival equipment, reports on occurrences at sea). Provision is also made for arrangements regarding information, training, consultation and participation of workers.

*1.2.151.* Economic and Social Committee own-initiative opinion on health/safety at the workplace — training.

*Adopted by the Economic and Social Committee on 30 June.* The Committee advocates an integrated approach to health and safety training, covering general education in risk prevention at school, vocational training and training for workers and their representatives. It emphasizes the importance of such health and safety training, not just at the place of work, but also in schools and in the private sphere, drawing attention to training for the self-employed, who are not yet covered by Community provisions. It also proposes various ways of strengthening and amending the Community provisions.

## Equal opportunities

*1.2.152.* Parliament resolution on the assessment of women's unwaged work.

*Adopted by Parliament on 25 June.* Parliament made the point that unwaged family work was performed mainly by women in the Community, and called on the Member States to draw up policies for eliminating this division of labour. It further proposed that unpaid activities be incorporated into gross national product, and called on the Commission and the Member States to encourage all forms of socialization of unpaid work through collective services, along with measures to reconcile family and professional duties. Parliament called for better social security entitlements for per-

sons working in the home, matrimonial legislation and retraining arrangements.

OJ C 194, 19.7.1993

## Environment

### General

#### *International cooperation*

#### **Follow-up to the United Nations Conference on Environment and Development (UNCED)**

*1.2.153.* Conclusions of the Council and the Representatives of the Governments of the Member States meeting within the Council on the follow-up to UNCED.

#### **References:**

Fifth Community programme of policy and action in relation to the environment and sustainable development entitled 'Towards sustainability': Bull. EC 3-1992, point 1.2.115

Lisbon European Council conclusions: Bull. EC 6-1992, point I.14

UNCED: Bull. EC 6-1992, point 1.3.127

Ministerial Conference on the Protection of Forests in Europe: point 1.2.165 of this Bulletin  
Draft Convention on the Conservation of Biological Diversity: point 1.2.167 of this Bulletin

Draft Framework Convention on Climate Change: point 1.2.175 of this Bulletin

*Adopted on 28 June.* Recalling the decisions of the United Nations Conference on Environment and Development (UNCED), the Council and the Representatives of the Governments of the Member States meeting within the Council confirmed their commitment to rapid and comprehensive implementation of Agenda 21. Taking note of and welcoming the progress made by the Commission on Sustainable Development (CSD), they undertook to contribute actively to the discussions on freshwater, health, human settlements, toxic chemicals, hazardous wastes,



financial resources and technology transfer. They also undertook to support the CSD's role in relation to critical elements of sustainability, including mutually supportive trade and environment policies, the debt problem, production and consumption patterns and lifestyles, and the contribution of high environmental standards to the creation of new economic activity.

They recalled the importance they attach to the United Nations Convention on Biodiversity which they hoped would be ratified by the Community and its Member States as soon as possible, and the work in progress on the Framework Convention on Climate Change.

The Council and Representatives of the Governments of the Member States also reaffirmed the intention of the Community and its Member States to work in close cooperation in the context of the CSD on a global review of forest protection principles. They acknowledged that this issue should be considered within a global context and on the basis of long-term management.

They also acknowledged the role of the international and regional financial institutions in enabling the developing countries to implement the decisions of UNCED and, stressing the importance of the Global Environment Facility, they strongly supported its replenishment and restructuring to make it more effective and transparent.

### **Pan-European Conference of Environment Ministers**

**Reference:** Third Pan-European Conference of Environment Ministers: Bull. EC 4-1993, point 1.2.110

*1.2.154.* Parliament resolution on the results of the Pan-European Conference of Environment Ministers (Lucerne, 28 to 30 April 1993).

*Adopted on 25 June.* Parliament condemned the fact that the Environment Ministers meeting in Lucerne had adopted a programme without providing any funding for its implementation. It noted that so far very little money has been spent on environmental protection measures in the countries of Central and Eastern Europe

and urged that much more money from the PHARE and TACIS programmes should be spent on environmental measures.

Believing that the transition towards a market-based economy in the countries of Central and Eastern Europe must not conflict with the aim of moving towards sustainable development, it called upon the Commission to collaborate closely with these countries and to increase its financial aid for environmental programmes.

OJ C 194, 19.7.1993

*1.2.155.* Council conclusions on the Pan-European Conference of Environment Ministers.

*Adopted on 28 June.*

'The Council recognizes that the state of the environment in Central and East European countries calls for urgent action and increased support from the Community.

There is need, not only for nuclear safety, but for broader ecological safety as well as an integrated approach to energy supply and savings.

Under present circumstances the Community has the duty to assist Central and Eastern European countries to achieve this for their people and for Europe.

The Council calls upon the Commission and the various international financial institutions to pursue their efforts to provide the technical assistance and financing necessary to achieve this aim.'

### *Implementation of Community legislation in the new Länder*

*1.2.156.* Commission report to the European Parliament and the Member States on the state of the environment in the six new German Länder.

#### **References:**

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: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1

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; Bull. EC 12-1990, point 1.2.1

*Adopted on 29 June.* This report takes stock of the implementation of Directives 90/656/EEC and 90/660/EEC which set out the various stages of the implementation by 31 December 1995 of the Community's environment legislation in the six new German *Länder*.

COM(93) 295

## Industry and environment, civil protection

### *Environmental control of products, industrial plants and biotechnology*

1.2.157. Council Regulation (EEC) No 1836/93 allowing voluntary participation by companies in the industrial sector in a Community eco-management and audit scheme.

**Commission approval:** Bull. EC 12-1991, point 1.2.297

**Commission proposal:** OJ C 76, 27.3.1992; COM(91) 459; Bull. EC 3-1992, point 1.2.125

**Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. EC 10-1992, point 1.3.100

**Parliament opinion:** OJ C 42, 15.2.1993; Bull. EC 1/2-1993, point 1.2.149

**Amended Commission proposal:** OJ C 120, 30.4.1993; COM(93) 97; Bull. EC 3-1993, point 1.2.95

**Council agreement:** Bull. EC 3-1993, point 1.2.95

*Formally adopted on 29 June.*

OJ L 168, 10.7.1993

1.2.158. Proposal for a Council Regulation amending for the first time Annex I to Regulation (EEC) No 2455/92 concerning the export and import of certain dangerous chemicals.

**Commission proposal:** OJ C 112, 22.4.1993; COM(93) 120; Bull. EC 3-1993, point 1.2.96

*Endorsed by the Economic and Social Committee on 30 June.*

### *Waste management*

1.2.159. Proposal for a Council Directive on packaging and packaging waste.

**Commission proposal:** OJ C 263, 12.10.1992; COM(92) 278; Bull. EC 7/8-1992, point 1.3.144

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.98

*Endorsed by Parliament (first reading) on 23 June,* subject to various amendments designed to reinforce the proposal, in particular by limiting the concentrations of certain hazardous substances and by providing for a five-year interim period at the end of which the Commission could propose further amendments. Parliament also called for primary packaging for pharmaceutical products and medical appliances to be excluded from the scope of the proposal, and for the measures adopted by the Member States to observe the following order of priority: prevention, reuse, recycling, incineration with energy recovery, incineration without energy recovery, and landfilling.

OJ C 194, 19.7.1993

1.2.160. Proposal for a Council Directive on the incineration of hazardous waste.

**Commission approval:** Bull. EC 1/2-1992, point 1.3.149

**Commission proposal:** OJ C 130, 21.5.1992; COM(92) 9; Bull. EC 3-1992, point 1.2.128

**Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. EC 10-1992, point 1.3.101

**Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.99

*Amended proposal adopted by the Commission on 22 June.*

OJ C 190, 14.7.1993; COM(93) 296

*Agreed by the Council on 28 June.* The Council decided to change the legal basis of the proposal for a Directive from Article 100a to Article 130s of the Treaty. This proposal, which comes under the Community strategy for waste management, provides for measures and methods to prevent or reduce the adverse effects on the environment and human health resulting from the incineration of hazardous waste.

It lays down the operating conditions for plants for the incineration of hazardous waste (operating permit), emission limit values for combustion gases, heavy metals and their gaseous or vapour compounds, conditions governing the discharge of waste water resulting from

the cleaning of combustion gases, and conditions governing incineration in plants not primarily intended for this purpose.

**1.2.161.** Proposal for a Council Directive on the landfilling of waste.

**Reference:** Commission communication on a Community strategy for waste management: Bull. EC 9-1989, points 1.1.1 to 1.1.10

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

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

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

*Amended proposal adopted by the Commission on 10 June.*

COM(93) 275

## Environmental quality and natural resources

### *Protection of water, coastal zones, environment and tourism*

**1.2.162.** Tenth Commission report on bathing water.

**Reference:** Council Directive 91/271/EEC concerning urban waste water treatment: OJ L 135, 30.5.1991; Bull. EC 5-1991, point 1.2.149

**Basic Directive:** Council Directive 76/160/EEC on bathing water: OJ L 31, 5.2.1976

**Previous report:** Bull. EC 6-1992, point 1.3.133

*Published in June.* The report reveals a number of trends between 1982 and 1992. The number of bathing areas monitored has more than doubled since 1982, reaching 16 000 sites in 1992, and the proportion of bathing areas failing to comply with the standards set in the Directive has fallen by one third. However, despite the constant improvements in quality brought about by the clean-up measures taken by the Member States, 19% of the areas analysed still fall short of the standards set in Directive 76/160/EEC. Most of these sites are inland, one in three freshwater bathing areas failing to meet the standards set in the Directive as a result of the low water-renewal rate and the presence of large numbers of bathers during

very hot weather. While the situation at the coast is better, it still gives cause for concern. However, the quality of bathing water should improve as a result of the efforts of the Member States and the implementation of Directive 91/271/EEC concerning urban waste water treatment.

The report is available from the sales offices for publications of the European Communities.

**1.2.163.** Draft Convention on the Protection and Use of Transboundary Watercourses and International Lakes.

**Negotiating directives:** Bull. EC 1/2-1992, point 1.3.155

**Proposal for a Decision concerning signature:** COM(92) 70; Bull. EC 3-1992, point 1.2.131

**Decision concerning signature:** Bull. EC 3-1992, point 1.2.131

**Signature of the Convention:** Bull. EC 3-1992, point 1.2.131

*Proposal for a Decision concerning conclusion adopted by the Commission on 14 June.* Purpose of the Convention: to establish a framework for bilateral or multilateral cooperation to protect the aquatic environment, to prevent and control the pollution of transboundary watercourses and to ensure the rational use of water resources in the member countries of the United Nations Economic Commission for Europe.

COM(93) 271

**1.2.164.** Council conclusions on a common policy on safe seas (→ point 1.2.116).

### *Protection of nature, environment and agriculture*

**1.2.165.** Ministerial Conference on the Protection of Forests in Europe.

**Reference:** UNCED: Bull. EC 6-1992, point 1.3.127

**Previous meeting:** Bull. EC 12-1990, point 1.3.156

*Meeting held in Helsinki on 16 and 17 June.* Mr Steichen represented the Commission at this meeting at which 36 European States were represented and which was attended by the United States of America, Canada, Japan,

international organizations and non-governmental organizations as observers.

With regard to the undertakings given in the context of the United Nations Conference on Environment and Development (UNCED), the participants adopted resolutions concerning guidelines for sustainable management of European forests, the conservation of the biodiversity of forests, cooperation with the countries of Central and Eastern Europe and strategies for the long-term adaptation of forests to climate change.

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

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

*Endorsed by the Economic and Social Committee on 30 June*, subject to comments about the budgetary aspects of the proposal.

*1.2.167.* Draft Convention on the Conservation of Biological Diversity.

**Recommendation for a Decision:** Bull. EC 5-1991, point 1.2.153

**Negotiating directives:** Bull. EC 7/8-1991, point 1.2.272

**Commission proposal concerning signature:** COM(92) 186; Bull. EC 5-1992, point 1.1.118

**Council Decision concerning signature:** Bull. EC 6-1992, point 1.3.129

**Signature of the Convention:** Bull. EC 6-1992, point 1.3.129

**Proposal for a Decision concerning conclusion of the Convention:** COM(92) 509; Bull. EC 12-1992, point 1.3.194

*Endorsed by Parliament on 25 June*, subject to certain amendments. In particular, Parliament considered that intellectual property rights should not interfere with the aim of sharing the benefits deriving from genetic resources with the countries of origin of the resources in question.

OJ C 194 du 19.7.1993

*Proposal for a Decision concerning conclusion agreed by the Council on 28 June.* The objectives of the Convention are the conservation of biological diversity, the sustainable use of its components and the fair and equitable sharing of the benefits arising out of the utilization of

genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.

The Member States and the Community undertook, if possible, to deposit the instruments of ratification simultaneously by the end of this year. They agreed to a declaration to be published on that occasion on the importance for technology transfer of compliance with internationally recognized intellectual property rights.

*Endorsed by the Economic and Social Committee on 30 June*, subject to certain comments, in particular about the need for a Protocol on procedures concerning the use of modified living organisms.

*1.2.168.* Proposal for a Council Regulation laying down provisions with regard to possession of and trade in specimens of wild fauna and flora (implementation of CITES).

**Commission proposal:** OJ C 26, 3.2.1992; COM(91) 448; Bull. EC 11-1991, point 1.2.179

**Economic and Social Committee opinion:** OJ C 223, 31.8.1992; Bull. EC 5-1992, point 1.1.134

*Endorsed by Parliament (first reading) on 24 June*, subject to numerous amendments aimed at reinforcing certain provisions and, in particular, punishing any person convicted in a court for infringing the provisions concerning the import, export, re-export and intra-Community trade in specimens protected by the Convention. Parliament also called for the inclusion of certain types of tropical woods to be included in the annexes to the Regulation.

OJ C 194, 19.7.1993

*1.2.169.* Proposal for a Council Directive laying down minimum standards for the keeping of animals in zoos.

**References:**

Edinburgh European Council conclusions: Bull. EC 12-1992, point I.23

Commission's legislative programme for 1993: COM(93) 43; Bull. EC 1/2-1993, point 1.6.16; Supplement 1/93 — Bull. EC

**Commission proposal:** OJ C 249, 24.9.1991; COM(91) 177; Bull. EC 7/8-1991, point 1.2.271

**Economic and Social Committee opinion:** OJ C 40, 17.2.1992; Bull. EC 11-1991, point 1.2.184

*Endorsed by Parliament on 25 June*, subject to various amendments. Parliament called for the maintenance of this proposal in its present form in the Commission's legislative programme, contrary to the opinion expressed by the Member States' representatives at the Edinburgh European Council.

OJ C 194, 19.7.1993

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

**1.2.170.** Proposal for a Council Directive on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations (the so-called 'Stage I' Directive).

**Commission proposal:** OJ C 227, 3.9.1992; COM(92) 277; Bull. EC 7/8-1992, point 1.3.157  
**Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.160

*Endorsed by Parliament (first reading) on 24 June*, subject to amendments aimed at ensuring greater flexibility, in particular *vis-à-vis* small installations and service stations in rural areas, and the adoption or maintenance of more stringent national measures for fixed installations.

OJ C 194, 19.7.1993

*Common position agreed by the Council on 28 June.* This proposal, which is part of the Community strategy for reducing man-made VOC emissions, constitutes the first stage of measures relating to the petrol-distribution system.

It seeks to reduce the evaporation losses occurring at every stage of the petrol storage and distribution chain.

Some of the provisions of the Directive enable the Member States to maintain or take tougher measures throughout their territory or in certain geographical areas in which such measures are found to be essential for environmental or health protection.

**1.2.171.** Council Directive amending Directive 70/220/EEC on the approximation of the

laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles.

**Reference:** Council Directive 70/220/EEC: OJ L 76, 6.4.1970, as last amended by Directive 91/441/EEC: OJ L 242, 30.8.1991; Bull. EC 6-1991, point 1.2.202

**Commission proposal:** OJ C 100, 22.4.1992; COM(92) 64; Bull. EC 3-1992, point 1.2.137

**Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. EC 9-1992, point 1.2.107

**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.3.105

**Amended Commission proposal:** OJ C 22, 26.1.1993; COM(92) 553; Bull. EC 12-1992, point 1.3.180

**Council agreement on a common position:** Bull. EC 12-1992, point 1.3.180

**Council common position:** Bull. EC 1/2-1993, point 1.2.158

**Parliament opinion (second reading):** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.106

*Re-examined proposal adopted by the Commission on 17 June.*

COM(93) 277

*Adopted on 28 June.* This Directive seeks to amend the emission standards applicable to light commercial vehicles in order to make them as stringent as those in force for cars (Directive 70/220/EEC). The new standards will apply from 1 October 1993 to type-approvals for new types of vehicles and from 1 October 1994 to the initial entry into service of new vehicles.

**1.2.172.** Parliament resolution on the urban environment.

#### **References:**

Fourth Community action programme on the environment: OJ C 70, 18.3.1987; COM(86) 485; Bull. EC 12-1986, point 2.1.178

Commission communication to the Council and Parliament entitled 'Green Paper on the urban environment': COM(90) 218; Bull. EC 6-1990, point 1.3.113

Fifth Community action programme on the environment: OJ C 138, 17.5.1993; COM(92) 23; Bull. EC 3-1992, point 1.2.115

*Adopted on 25 June.* Parliament reiterated its support for the Commission's Green Paper on the urban environment and hoped that it would result in a framework programme for the man-

agement of the urban environment. Believing that the existing policies are inadequate, it called for urgent action to be taken to reverse the deterioration in the quality of life in urban areas, and emphasized the need for close cooperation between the decision-making bodies at all levels, and in particular with the local authorities.

OJ C 194, 19.7.1993

*Global environment: climate change, geosphere and biosphere*

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

**Reference:** Proposal for a Council Decision concerning the ratification of the amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer: OJ L 103, 14.4.1993; COM(93) 102; Bull. EC 3-1993, point 1.2.105

**Regulation to be repealed:** Council Regulation (EEC) No 594/91 on substances that deplete the ozone layer: OJ L 67, 14.3.1991; Bull. EC 3-1991, point 1.2.160, as last amended by Regulation (EEC) No 3952/92: OJ L 405, 31.12.1992; Bull. EC 12-1992, point 1.3.182

*Adopted by the Commission on 9 June.* This proposal for a Regulation seeks to consolidate Regulations (EEC) Nos 594/91 and 3952/92 and to implement the controls made necessary by the Copenhagen amendment to the Montreal Protocol. In addition, the proposal introduces a more rapid phase-out schedule than that provided for in the Montreal Protocol for hydrochlorofluorocarbons (HCFCs) and methyl bromide.

For HCFCs, a maximum consumption level of 2.5% of total consumption of chlorofluorocarbons (CFCs) in 1989 is proposed, compared with 3.1% in the Montreal Protocol. These substances would be phased out completely by 2014 (compared with 2030 in the Montreal Protocol).

For methyl bromide, the Commission proposes a freeze on production and consumption on 1 January 1995, followed by a 25% reduction in both by 1 January 1996, while the Montreal Protocol provides for a freeze on 1 January 1995 and the possibility of reaching agreement in 1995 to cut production and consumption by

25% in the year 2000. Lastly, for hydrobromofluorocarbons (HBFCs), the Commission proposes an end to all production and consumption by 1 January 1996, the date set in the Montreal Protocol.

The Commission's proposal is therefore ahead of the targets set in the Montreal Protocol, and is justified by the fact that the stratospheric ozone layer is being depleted more rapidly than expected, especially over densely populated areas of Europe and North America, by the fact that the cost of the measures taken over the last five years has been lower than expected, and by the competitive advantage which could result for European industry as a result of the innovations necessary in order to apply this Regulation.

COM(93) 202

1.2.174. Council Decision 93/389/EEC on a mechanism for monitoring CO<sub>2</sub> and other greenhouse gas emissions in the Community.

**References:**

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

Proposal for a Council Decision on the promotion of renewable energy sources in the Community (Altener programme): point 1.2.105 of this Bulletin

**Commission approval:** Bull. EC 4-1992, point 1.3.119

**Commission proposal:** COM(92) 181; Bull. EC 5-1992, point 1.1.115

**Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. EC 1/2-1993, point 1.2.161

**Parliament opinion:** OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.104

**Amended Commission proposal:** COM(93) 125; Bull. EC 3-1993, point 1.2.104

**Council agreement:** Bull. EC 3-1993, point 1.2.104

*Formally adopted on 24 June.*

OJ L 167, 9.7.1993

1.2.175. Draft Framework Convention on Climate Change.

**Commission recommendation:** Bull. EC 1/2-1991, point 1.2.223

**Commission proposal concerning signature:** COM(92) 76; Bull. EC 3-1992, point 1.2.139

**Council Decision concerning signature:** Bull. EC 5-1992, point 1.1.117

**Signature:** Bull. EC 6-1992, point 1.3.128

**Commission proposal concerning conclusion:** OJ C 44, 16.2.1993; COM(92) 508; Bull. EC 12-1992, point 1.3.198

**Council agreement concerning conclusion:** Bull. EC 3-1993, point 1.2.106

**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.108

*Endorsed by Parliament on 25 June*, subject to technical amendments.

OJ C 194, 19.7.1993

## Nuclear safety

### *Radiation protection*

**1.2.176.** Council Regulation (Euratom) No 1493/93 on shipments of radioactive substances between Member States.

#### **References:**

Council Directive 92/3/Euratom on the supervision and control of shipments of radioactive waste between Member States and into and out of the Community: OJ L 35, 12.2.1992; Bull. EC 1/2-1992, point 1.3.150

Proposal for a Council Directive laying down the basic standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation: Bull. EC 1/2-1993, point 1.2.163

**Commission proposal:** Bull. EC 7/8-1992, point 1.3.160

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.159

**Amended Commission proposal:** OJ C 347, 31.12.1992; COM(92) 520; Bull. EC 12-1992, point 1.3.199

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.111

**Second amended Commission proposal:** OJ C 174, 25.6.1993; COM(93) 235; Bull. EC 5-1993, point 1.2.110

*Adopted on 8 June.* This Regulation seeks to maintain the current level of protection in the Member States against ionizing radiation which may result from shipments of radioactive substances, and establishes a harmonized system for the provision of information on such transfers to replace controls at frontiers.

It constitutes a provisional measure pending the entry into force on 1 January 1994 of Directive 92/3/Euratom on shipments of radioactive waste, and the entry into force of the amendment to the Directive laying down the basic standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation.

OJ L 148, 19.6.1993

### *Radioactive waste*

**1.2.177.** Parliament resolution on the dumping of nuclear waste in the Atlantic.

*Adopted on 24 June.* Parliament wishes to alert the international community to the problem of the dumping of radioactive waste in the oceans, in preparation for the meeting in November 1993 of the contracting parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter. It calls upon the President of the Council, the President of European political cooperation, the Commission and the Member States to oppose any attempt to lift the moratorium on the dumping of nuclear waste in the oceans and seas.

OJ C 194, 19.7.1993

### *International cooperation*

**1.2.178.** Parliament resolution on the moratoriums on nuclear testing.

*Adopted on 24 June.* Parliament called upon France, Russia and the United States to extend their moratoriums on nuclear testing, asked the UK Government to reconsider its policy in this connection, requested China to put an end to nuclear testing and to reconsider its policy regarding the moratorium, and called upon the Community Member States to confirm their commitment to achieving a comprehensive nuclear testing ban.

OJ C 194, 19.7.1993

**1.2.179.** Council conclusions on nuclear safety in Central and Eastern Europe and the independent States of the former Soviet Union.

**References:**

European Energy Charter: Bull. EC 12-1991, point 1.2.114

Council conclusions on nuclear safety in Central and Eastern Europe and in the former Soviet Union: Bull. EC 12-1992, point 1.4.7

Proposal for a Council Regulation concerning the provision of technical assistance to economic reform and recovery in the independent States of the former Union of Soviet Socialist Republics and Mongolia: OJ C 48, 19.2.1993; COM(92) 475; Bull. EC 1/2-1993, point 1.3.15

Council Regulation (EEC) No 3906/89 on economic aid to certain countries of Central and Eastern Europe: OJ L 375, 23.12.1989; Bull. EC 12-1989, point 2.2.25, as last amended by Regulation No 1764/93 to extend economic aid to other countries of Central and Eastern Europe: OJ L 162, 3.7.1993; point 1.3.13 of this Bulletin

*Adopted on 25 June.* Recalling its commitment to assisting with the improvement of nuclear safety in the countries of Central and Eastern Europe and in the independent States of the former Soviet Union, and its conclusions of December 1992, and aware of the need for sustainable medium and long-term solutions to the energy-supply problems of those countries, the Council recalled the importance of the G24 mechanism for the coordination of assistance programmes and the leading role of the Community in this area. It noted that the Community has already provided assistance to improve the safety of nuclear power stations in those countries, and called upon the Commission to finalize as soon as possible the master plan provided for under the PHARE and TACIS programmes, while emphasizing the need to continue to implement measures under the nuclear safety section of those programmes in order to provide urgently needed assistance to improve the safety of the plants in question.

The Council also emphasized the importance of medium and long-term solutions to energy problems by safer means, such as energy savings, improving the efficiency of the energy-supply sector, and diversifying energy supply. It invited the Commission to submit proposals in this connection.

Lastly, it urged the signatories of the European Energy Charter to conclude the negotiations and implement the European Energy Charter

Treaty and the Protocol on energy efficiency and the environmental aspects of energy systems, and the Protocol on principles governing the peaceful uses of nuclear energy and the safety of nuclear installations and on cooperation in these areas.

## Agriculture

### Development and future of the CAP

*1.2.180.* Council Regulation (EEC) No 1541/93 fixing the non-rotational set-aside rate referred to in Article 7 of Regulation (EEC) No 1765/92.

**Commission proposal:** COM(93) 221; Bull. EC 5-1993, point 1.2.112

**Council agreement:** Bull. EC 5-1993, point 1.2.112

*Formally adopted on 14 June.*

OJ L 154, 25.6.1993

### Agricultural structures and rural development

*1.2.181.* Proposal for a Council Regulation amending Regulations (EEC) Nos 2328/91, 866/90, 1360/78 and 1035/72 with a view to expediting adjustment of production, processing and marketing structures within the framework of reform of the common agricultural policy (→ point 1.2.135).

*1.2.182.* Council Decision 93/385/EEC fixing the maximum amount eligible for expenditure on the employment of trained agricultural advisers pursuant to Regulation (EEC) No 270/79.

**Commission proposal:** OJ C 79, 20.3.1993; COM(93) 74; Bull. EC 3-1993, point 1.2.112

**Parliament opinion:** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.113



*Adopted on 14 June.* Raises to ECU 25 000 per year the maximum eligible amount of the cost of employing advisers in Italy.

OJ L 166, 8.7.1993

*1.2.183.* Council Regulation (EEC) No 1372/93 on measures adjusting certain sectors of the Portuguese food industry.

**Commission proposal:** OJ C 87, 27.3.1993; COM(93) 79; Bull. EC 3-1993, point 1.2.113

**Parliament opinion:** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.114

*Adopted on 1 June.* The aim is to encourage modernization of the Portuguese food industry by granting gradually decreasing aid of a maximum of ECU 60 million over three years.

OJ L 136, 5.6.1993

*1.2.184.* Proposal for a Council Directive amending Directive 81/645/EEC concerning the Community list of less favoured farming areas within the meaning of Directive 75/268/EEC (Greece).

**Commission proposal:** OJ C 136, 15.5.1993; COM(93) 157; Bull. EC 4-1993, point 1.2.116

*Endorsed by Parliament on 25 June.*

OJ C 194, 19.7.1993

## Legislation

*1.2.185.* Proposal for a Council Decision drawing up a non-exhaustive indicative list of the names of agricultural products and food-stuffs regarded as being generic, as provided for in Article 3(3) of Council Regulation (EEC) No 2081/92.

**Basic Regulation:** Council Regulation (EEC) No 2081/92; OJ L 208, 24.7.1992; Bull. EC 7/8-1992, point 1.3.164

*Adopted by the Commission on 2 June.* This Decision would establish a non-exhaustive indicative list of products considered generic that accordingly cannot be registered under Regulation (EEC) No 2081/92 on the protection of geographical indications and designations of origin.

COM(93) 248

## Prices and related measures

*1.2.186.* Council Regulations (EEC) Nos 1542/93 to 1547/93, 1549/93 to 1559/93 and 1563/93 to 1570/93 on agricultural prices and related measures (1993/94).

**Commission proposals:** OJ C 80, 20.3.1993; COM(93) 36; Bull. EC 1/2-1993, point 1.2.167

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.116

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.117

**Council agreement:** Bull. EC 5-1993, point 1.2.115

*Formally adopted on 14 June.* See Table 6 for details of the prices.

OJ L 154, 25.6.1993

*1.2.187.* Council Regulation (EEC) No 1560/93 amending Regulation (EEC) No 3950/92 establishing an additional levy in the milk and milk products sector; Council Regulation (EEC) No 1561/93 amending Regulation (EEC) No 2072/92 fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana Padano and Parmigiano Reggiano cheese for two annual periods from 1 July 1993 to 30 June 1995; Council Regulation (EEC) No 1562/93 fixing the threshold prices for certain milk products for the 1993/94 milk year.

**Commission proposals:** OJ C 112, 22.4.1993; COM(93) 109; Bull. EC 3-1993, point 1.2.121

**Amended Commission proposal:** COM(93) 169; Bull. EC 4-1993, point 1.2.123

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.123

**Council agreement:** Bull. EC 5-1993, point 1.2.122

*Formally adopted on 14 June.* See Table 7 for details of the prices.

OJ L 154, 25.6.1993

## Market organization

### Cereals

*1.2.188.* Proposal for a Council Regulation amending Regulation (EEC) No 2731/75 fix-

Table 6 — Prices in ecus for agricultural products<sup>1</sup>

Product, price description and period of application	1992/93		1993/94		Spain			Portugal <sup>2</sup>		
	Amounts in ECU/t	% change <sup>3</sup>	Amounts in ECU/t	% change <sup>3</sup>	Amounts in ECU/t		% change <sup>3,4</sup>	Amounts in ECU/t		% change <sup>3</sup>
					1992/93	1993/94		1992/93	1993/94	
1	2	3	4	5	6	7	8	9	10	11
<b>Rice</b> 1.9.1993-31.8.1994										
Target price — husked rice	545.52	0.11	537.54	- 1.46	545.52	537.54	- 1.46	545.52	537.54	- 1.46
Intervention price — paddy rice	313.65	0.00	313.65	0.00	313.65	313.65	0.00	332.21	326.02	- 1.86
Indica aid (ECU/ha)	200.00 <sup>9</sup>	0.00	100.00 <sup>11</sup>	- 50.0	200.00 <sup>9</sup>	100.00 <sup>11</sup>	- 50.00	200.00 <sup>9</sup>	100.00 <sup>11</sup>	- 50.0
<b>Sugar</b> 1.7.1993-30.6.1994										
Basic price for sugar beet	40.00	0.00	40.00	0.00	41.82 <sup>18</sup>	40.00	—	40.00	40.00	0.00
Intervention price for white sugar <sup>5</sup>	53.01	0.00	53.01	0.00	54.41 <sup>18</sup>	54.41	0.00	54.22	54.22	0.00
<b>Olive oil</b> 1.11.1993-31.10.1994										
Production target price	3 211.6	0.0	3 211.6	0.0	3 211.6	3 211.6	0.0	3 211.6	3 211.6	0.0
Intervention price	2 018.4	- 6.5	1 968.4	- 2.5	2 018.4	1 968.4	- 2.5	1 968.4	1 949.4	- 0.6
Representative market price	1 912.7	- 3.0	1 920.5	+ 0.4	—	—	—	—	—	—
Production aid	841.1	+ 18.7	891.1	+ 5.9	554.2	666.5	+ 20.3	529.3	666.5	+ 25.9
Consumption aid	457.8	- 15.1	400.0	- 12.6	457.1	400.0	- 12.5	482.1	400.0	- 17.0
<b>Dried fodder</b> 1.5.1993-30.4.1994										
Guide price <sup>6</sup>	178.61	0	178.61	0	178.61	178.61	0	178.61	178.61	0
<b>Flax other than fibre flax</b> 1.8.1993-31.7.1994										
Guide price	544.9	0	—	—	516.7	—	—	544.9	—	—
Compensatory amount	—	—	85 <sup>12</sup>	17	—	85 <sup>12</sup>	17	—	85 <sup>12</sup>	17
<b>Fibre flax</b> 1.8.1993-31.7.1994										
Guide price (seed)	544.90	0	—	—	516.7	—	—	544.90	—	—
Fixed-rate aid (fibre) (per ha)	374.36	0	785 <sup>13</sup>	0	574.36	785 <sup>13</sup>	8.7 <sup>19</sup>	374.36	785 <sup>13</sup>	0
<b>Hemp</b> 1.8.1993-31.7.1994										
Fixed-rate aid (per ha)	339.42	0	650 <sup>14</sup>	0	339.42	650 <sup>14</sup>	0	339.42	650 <sup>14</sup>	0
Aid for hemp seed	245.90	0	—	—	245.90	—	—	245.90	—	—

Table 6 (continued)

Product, price description and period of application	1992/93		1993/94		Spain			Portugal <sup>2</sup>		
	Amounts in ECU/t	% change <sup>3</sup>	Amounts in ECU/t	% change <sup>3</sup>	Amounts in ECU/t		% change <sup>3,4</sup>	Amounts in ECU/t		% change <sup>3</sup>
					1992/93	1993/94		1992/93	1993/94	
1	2	3	4	5	6	7	8	9	10	11
Silkworms 1.4.1993-31.3.1994 Aid per box of eggs	111.81	0	111.81	0	111.81	111.81	0	111.81	111.81	0
Cotton 1.9.1993-31.8.1994 Guide price	1 027.9	7.23	1 027.9	0	1 027.9	1 027.9	0	1 027.9	1 027.9	0
Minimum price	976.5	7.23	976.5	0	976.5	976.5	0	976.5	976.5	0
Beef/veal 1.7.1993-30.6.1994 Guide price for adult animals <sup>7</sup>	2 000	0	2 000	0	2 000	2 000	0	2 000	2 000	0
Sheepmeat 4.1.1993-2.1.1994 Basic price (carcass weight)	4 229.5 <sup>10</sup>	0	4 185.3 <sup>15,16</sup>	0	4 229.5 <sup>10</sup>	4 185.3 <sup>15,16</sup>	0	4 229.5 <sup>10</sup>	4 185.3 <sup>15,16</sup>	0
Pigmeat 1.7.1993-30.6.1994 Basic price (carcass weight)	1 897	0	1 897	0	1 897	1 450	- 24	1 897	1 450	- 24
Fruit and vegetables — basic price										
Cauliflowers 1.5.1993-30.4.1994	—	0	—	0	—	—	0	—	—	+ 3.3
Tomatoes 11.6.1993-30.11.1993	—	0	—	0	—	—	0	—	—	+ 5.2
Peaches 1.6.1993-30.9.1993	—	0	—	0	—	—	0	—	—	0
Lemons 1.6.1993-31.5.1994	—	0	—	0	—	—	0	—	—	+ 8.3
Pears 1.7.1993-30.4.1994	—	0	—	0	—	—	0	—	—	+ 7.9
Table grapes 1.8.1993-20.11.1993	—	0	—	0	—	—	0	—	—	+ 5.1
Apples 1.8.1993-31.5.1994	—	0	—	0	—	—	0	—	—	+ 4.8
Mandarins 16.11.1993-28.2.1994	—	0	—	0	—	—	0	—	—	0
Sweet oranges 1.12.1993-31.5.1994	—	0	—	0	—	—	0	—	—	+ 4.3
Apricots 1.6.1993-31.7.1994	—	0	—	0	—	—	0	—	—	+ 5.9
Aubergines 1.7.1993-31.10.1993	—	0	—	0	—	—	0	—	—	+ 5.4
Clementines 1.12.1993-15.2.1994	—	0	—	0	—	—	0	—	—	0
Satsumas 16.10.1993-15.1.1994	—	0	—	0	—	—	0	—	—	0
Nectarines 1.6.1993-31.8.1993	—	0	—	0	—	—	0	—	—	0

Table 6 (continued)

Product, price description and period of application	1992/93		1993/94		Spain			Portugal <sup>2</sup>		
	Amounts in ECU/t	% change <sup>3</sup>	Amounts in ECU/t	% change <sup>3</sup>	Amounts in ECU/t		% change <sup>3,4</sup>	Amounts in ECU/t		% change <sup>3</sup>
					1992/93	1993/94		1992/93	1993/94	
1	2	3	4	5	6	7	8	9	10	11
Table wine <sup>8</sup> 1.9.1993-31.8.1994										
Guide price Type R I	3.21	0	3.21	0	3.01	3.21	+ 6.64	3.21	3.21	0
Guide price Type R II	3.21	0	3.21	0	3.01	3.21	+ 6.64	3.21	3.21	0
Guide price Type R III	52.14	0	52.14	0	48.81	52.14	+ 6.82	52.14	52.14	0
Guide price Type A I	3.21	0	3.21	0	3.01	3.21	+ 6.64	3.21	3.21	0
Guide price Type A II	69.48	0	69.48	0	65.04	69.48	+ 6.83	69.48	69.48	0
Guide price Type A III	79.35	0	79.35	0	74.28	79.35	+ 6.83	79.35	79.35	0

<sup>1</sup> The table covers neither those products for which decisions on prices were already adopted in 1992 under the reform of the CAP nor milk and milk products, covered elsewhere (see point 1.2.194). All price changes are indicated without the agrimonetary effect.

<sup>2</sup> Including price alignment (third alignment).

<sup>3</sup> Without the effect of the intervention thresholds.

<sup>4</sup> The common prices are applicable in Spain with effect from 1.1.1993.

<sup>5</sup> ECU/q.

<sup>6</sup> It was decided to reduce the aid coefficient by 30% over three years, using a coefficient of 90% in 1991/92, 80% in 1992/93 and 70% in 1993/94.

<sup>7</sup> The intervention prices were fixed under the reform.

<sup>8</sup> R I, R II and A I in ECU/%/hl; R III, A II and A III in ECU/hl.

<sup>9</sup> For 1991/92 sowings.

<sup>10</sup> For 1993.

<sup>11</sup> For 1992/93 sowings.

<sup>12</sup> To be multiplied by the same cereals yield as that used for the protein crop aid.

<sup>13</sup> It is proposed to abolish the aid scheme for seeds and to offset this loss by increasing the standard aid to 785.

<sup>14</sup> It is proposed to abolish the aid scheme for seeds and to offset this loss by increasing the standard aid to 650.

<sup>15</sup> For 1994.

<sup>16</sup> With agrimonetary correction.

<sup>17</sup> The change to the scheme represents a reduction in aid of ECU 170/ha, i.e. 25%.

<sup>18</sup> Council Regulation (EEC) No 3814/92 (single market on 1.1.1993). Prices for the period 1.1.1993 to 30.6.1993 (including standard amounts).

<sup>19</sup> On the basis of an estimate made of aid for seeds for 1992/93.

Table 7 — Prices in ecus for milk and milk products

Product, price description and period of application	1992/93		1993/94		Spain			Portugal		
	Amounts in ECU/t	% change	Amounts in ECU/t	% change	Amounts in ECU/t		% change	Amounts in ECU/t		% change
					1992/93	1993/94		1992/93	1993/94	
1	2	3	4	5	6	7	8	9	10	11
Milk 1.7.1993-30.6.1994										
Target price	268.1	0	264.0	-1.5	268.1	264.0	0	268.1	268.1	0
Butter										
Intervention price	2 927.8	0	2 840.0	-3.0	2 927.8	2 840.0	-3.0	2 927.8	2 840.0	-3.0
Skimmed-milk powder										
Intervention price	1 724.3	0	1 724.3	0	1 724.3	1 724.3	0	2 100.0	1 724.3	-17.9
Grana Padano cheese (30-60 days)										
Intervention price	3 796.7	0	3 720.5	-2.0	—	—	—	—	—	—
Grana Padano cheese (6 months)										
Intervention price	4 704.3	0	4 625.1	-1.7	—	—	—	—	—	—
Parmigiano Reggiano cheese (6 months)										
Intervention price	5 192.1	0	5 113.7	-1.5	—	—	—	—	—	—

ing standard qualities for common wheat, rye, barley, maize, sorghum and durum wheat.

**Commission proposal:** OJ C 112, 22.4.1993; COM(93) 122; Bull. EC 3-1993, point 1.2.117

**Economic and Social Committee opinion:** Bull. EC 5-1993, point 1.2.116

*Endorsed by Parliament on 25 June*, subject to a technical change.

OJ C 194, 19.7.1993

## Sugar

1.2.189. Council Regulation (EEC) No 1548/93 amending Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector.

**Commission proposal:** OJ C 30, 3.2.1993; COM(92) 573; Bull. EC 12-1992, point 1.3.226

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.118

**Economic and Social Committee opinion:** OJ C 161, 14.6.1993; Bull. EC 4-1993, point 1.2.118

**Council agreement:** Bull. EC 5-1993, point 1.2.117

*Formally adopted on 14 June.*

OJ L 154, 25.6.1993

## Oils and fats

1.2.190. Memorandum of Understanding between the Community and the United States on oilseeds within the framework of the GATT.

**Reference:** Community/United States ministerial meeting, 19 November 1992; Bull. EC 11-1992, point 1.4.83

**Commission proposal:** Bull. EC 1/2-1993, point 1.2.171

*Decision 93/355/EEC on conclusion of the Memorandum of Understanding adopted by the Council on 8 June.* Approves the Memorandum of Understanding on rape and sunflower seed and soya beans negotiated in the GATT framework between the Community and the United States in November 1992 (Blair House Memorandum).

OJ L 147, 18.6.1993

## Fruit and vegetables

1.2.191. Council Regulation (EEC) No 1352/93 fixing a basic and a buying-in price for apples for June 1993.

**Commission proposal:** COM(93) 231; Bull. EC 5-1993, point 1.2.118

*Adopted on 1 June.*

OJ L 133, 2.6.1993

1.2.192. Commission Regulation (EEC) No 1442/93 laying down detailed rules for the application of the arrangements for importing bananas into the Community; Commission Regulation (EEC) No 1443/93 on transitional measures for the application of the arrangements for importing bananas into the Community in 1993.

**Basic Regulation:** Council Regulation (EEC) No 404/93 on the common organization of the market in bananas; OJ L 47, 25.2.1993; Bull. EC 1/2-1993, point 1.2.174

*Adopted on 9 June.* This Regulation brings into operation from 1 July 1993 the external side of the common organization of the banana market, specifying in particular operator categories and licence allocation mechanisms.

OJ L 142, 12.6.1993

1.2.193. Recommendation for a Council decision authorizing the Commission to open negotiations on bananas under Article XXVIII of the GATT.

**Reference:** Commission Regulations (EEC) Nos 1442/93 and 1443/93 on detailed rules and transitional measures for application of the arrangements for importing bananas into the Community; OJ L 142, 12.6.1993; point 1.2.192 of this Bulletin

*Adopted by the Commission on 3 June.* This decision would be required for GATT negotiations in connection with the external side of the banana market organization.

## Milk and milk products

1.2.194. Proposal for a Council Regulation providing for an offer of compensation to certain producers of milk or milk products tem-

porarily prevented from carrying on their trade.

**Commission proposal:** OJ C 157, 9.6.1993; COM(93) 161; Bull. EC 4-1993, point 1.2.124

*Endorsed by the Economic and Social Committee on 30 June*, except in regard to the deadlines for submission of applications for compensation.

### *Pigmeat*

*1.2.195.* Proposal for a Council Regulation amending Regulation (EEC) No 3220/84 determining the Community scale for grading pig carcasses.

**Regulation to be amended:** Council Regulation (EEC) No 3220/84 (OJ L 301, 20.11.1984; Bull. EC 11-1984, point 2.1.97), as last amended by Regulation (EEC) No 3577/90: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1

*Adopted by the Commission on 15 June.* This Regulation would adjust certain provisions in line with recent technical developments.

COM(93) 273

### *Poultrymeat and eggs*

*1.2.196.* Council Regulation (EEC) No 1574/93 amending Regulations (EEC) No 2771/75 on the common organization of the market in eggs, No 2777/75 on the common organization of the market in poultrymeat, No 827/68 on the common organization of the market in certain products listed in Annex II to the Treaty and No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff.

**Commission proposal:** OJ C 326, 11.12.1992; COM(92) 428; Bull. EC 11-1992, point 1.3.214  
**Parliament opinion:** OJ C 115, 26.4.1993; Bull. EC 3-1993, point 1.2.125

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.125

*Adopted on 14 June.* This Regulation is designed to guarantee uniform application of the provisions regulating external trade in the egg and poultrymeat sectors.

OJ L 152, 24.6.1993

*1.2.197.* Proposal for a Council Regulation amending Regulation (EEC) No 1907/90 on certain marketing standards for eggs.

**Commission proposal:** COM(92) 468; Bull. EC 11-1992, point 1.3.213

*Amended proposal adopted by the Commission on 4 June.* The purpose of the amendment is replacement on packs of fresh eggs of compulsory indication of the packing date by compulsory indication of the date of minimum durability ('best before' date).

COM(93) 254

## **EAGGF Guarantee Section**

*1.2.198.* Council Regulation (EEC) No 1571/93 amending Regulation (EEC) No 1883/78 laying down general rules for the financing of interventions by the EAGGF Guarantee Section.

**Commission proposal:** OJ C 57, 27.2.1993; COM(93) 19; Bull. EC 1/2-1993, point 1.2.185  
**Council agreement:** Bull. EC 5-1993, point 1.2.127

**Parliament opinion:** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.2.127

*Formally adopted on 14 June.*

OJ L 154, 25.6.1993

## **State aid**

### *Decisions to raise no objection*

#### **Germany**

*1.2.199.* Commission decision on a framework programme of aid for improving agricultural structures.

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

*Adopted on 16 June.* The programme, covering the whole of Germany for the period 1992-95, embraces a number of sectors. The Com-

mission raises no objections but start-up aid for young farmers will be examined separately under Regulation (EEC) No 2328/91.

### Spain

1.2.200. Commission decision on aid for vineyard restructuring.

*Adopted on 2 June.* The aid, aimed at improving wine quality and the profitability of holdings, will not give rise to any increase in production.

### France

1.2.201. Commission decision on aid for improving milk quality in mountain areas.

**Reference:** Commission Regulation (EEC) No 619/93: OJ L 66, 18.3.1993

*Adopted on 30 June.* The aims are the same as those of Regulation (EEC) No 619/93 on improving milk quality. Precautions have been taken to prevent aid being granted for the same work under both schemes.

### Netherlands

1.2.202. Commission decision on aid granted by an agriculture and technology fund and a social fund.

*Adopted on 30 June.* The purpose of the aid is to promote research and dissemination of information. It is financed from the general funds of the 'Produktschap' for grains, seeds and legumes and these may be examined at a later date.

## *Decision to initiate proceedings*

### Germany

1.2.203. Commission decision on aid to modernize grain mills in Saxony.

*Adopted on 16 June.* Given the overcapacity of the milling industry, the planned investment does not meet the Commission's selection criteria for processing and marketing of agricultural products.

## *Decision to propose suitable action*

### United Kingdom

1.2.204. Commission decision on aid for improving beef quality on the Isle of Man.

**Reference:** Council Regulation (EEC) No 706/73 concerning the Community arrangements applicable to the Channel Islands and the Isle of Man for trade in agricultural products (OJ L 68, 15.3.1973), as last amended by Regulation (EEC) No 1174/86: OJ L 107, 24.4.1986

The Isle of Man is not part of the Community and under Council Regulation (EEC) No 706/73 only Article 93(1) and the first sentence of Article 93(3) apply. The Commission recommends that the aid levels be adjusted to those applying in the Community and that the classification grid differentiations correspond to those used in the Community.

## International cooperation

### *Australia*

1.2.205. Visit to the Commission by Mr P. Cook, Minister for Trade, on 1 June.

Mr Cook discussed the Uruguay Round trade negotiations, with particular reference to agriculture, with Sir Leon Brittan and Mr Steichen. He stressed the importance that Australia, along with the other Cairns Group countries, attached to inclusion of agriculture in the multilateral negotiation topics.

### *Israel*

1.2.206. Visit to the Commission by Mr J. Tsur, Minister for Agriculture, on 7 June.

**Reference:** EEC-Israel Agreement: OJ L 136, 28.5.1975

Mr Tsur met Mr Steichen in the framework of exploratory discussions with a view to negotiation to update the Community-Israel Agreement. Mr Tsur stressed the complementarity of Community and Israeli agriculture and made



known Israel's wish for improved treatment of certain Israeli agricultural products on a basis of reciprocity. Mr Steichen considered that the agreement could be adjusted but that an in-depth review could not be contemplated.

## Romania

*1.2.207.* Proposal for a Council Regulation on certain procedures for applying the Interim Agreement on trade and trade-related matters between the Community and Romania.

**Reference:** Interim Agreement between the Community and Romania: OJ L 81, 2.4.1993; Bull. EC 3-1993, point 1.3.10

*Adopted on 28 June.* The aim is to arrange for application of the agricultural provisions of the EEC-Romania Interim Agreement.

COM(93) 298

## Fisheries

### Review and future development of the common fisheries policy

**Basic Regulation:** Council Regulation (EEC) No 3760/92 establishing a Community system for fisheries and aquaculture: OJ L 388, 31.12.1992; Bull. EC 12-1992, point 1.3.260

*1.2.208.* Proposal for a Council Regulation establishing a control system applicable to the common fisheries policy.

**Regulation to be replaced:** 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

**Commission proposal:** OJ C 280, 29.10.1992; COM(92) 392; Bull. EC 9-1992, point 1.2.135

**Parliament opinion:** OJ C 21, 25.1.1993; Bull. EC 12-1992, point 1.3.268

**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. EC 1/2-1993, point 1.2.195

**Amended Commission proposal:** OJ C 98, 7.4.1993; COM(93) 107; Bull. EC 3-1993, point 1.2.136

*Political agreement reached by the Council on 25 June.* Establishes a control system applicable to the various aspects of the common fisheries policy. Lays down that where violations of the rules in force are detected by the competent national authorities, the Member State concerned, acting in accordance with its national legislation, is to take appropriate measures, which may include the initiation of administrative or penal proceedings. It will apply to all fishing activities in Community waters and to Community fishing vessels operating in the waters of non-member countries or on the high seas. The operational tasks of monitoring will be the responsibility of the national authorities, the Commission's task being to supervise and ensure the fairness and effectiveness of the steps taken by the Member States, in particular by means of unannounced inspection visits. This system will later be supplemented by the use of new technology, including a satellite-based system for continuously monitoring the position of Community vessels. Fishing vessels flying the flag of a non-Community country and operating in Community waters will be subject to arrangements involving reporting movements and catches held on board. Fishing vessels over 10 metres in length will also have to keep a logbook to facilitate checks that catches held on board comply with the Community rules, having regard to the type of nets used.

The Regulation also lays down provisions on landing declarations at ports and the keeping of records of sales by auctions or other authorized bodies.

*1.2.209.* Council conclusions on the current position of and prospects for European fisheries research.

#### References:

Commission communication to the Council and Parliament on European fisheries research: COM(93) 95; Bull. EC 3-1993, point 1.2.135

Proposal for a fourth research and technology framework programme: point 1.2.86 of this Bulletin

*Adopted on 25 June.* The Council stressed that fisheries research was essential in the context

of the common fisheries policy for both the decision-making process and the implementation of the CFP. It made a distinction between long-term, fundamental and innovative research, which was the subject of preparatory work in connection with the proposal for the fourth research and technology framework programme, and directly applied investigations, and took the view that funding of the latter should not be detrimental to aid for the former. It urged the Commission to give priority, in fundamental research, to the ecology and economics of fisheries and, as regards applied research, to the conservation and replenishment of stocks and new fishing methods. It welcomed the Commission's intention to develop international cooperation and saw the improvement of communication between the scientific community and fishermen as a high priority. Welcoming the report on the situation with regard to fisheries research, it requested the Commission to draw up a similar report on research in the field of aquaculture.

*1.2.210.* Council conclusions on the application of the Act of Accession of Spain and Portugal in the fisheries sector.

**References:**

Act of Accession of Spain and Portugal to the Community: OJ L 302, 15.11.1985; Bull. EC 1-1986, point 1.1.1

Commission report to the Council and Parliament on the application of the Act of Accession of Spain and Portugal in the fisheries sector: Bull. EC 12-1992, point 1.3.265

Proposal for a Council Regulation establishing a control system applicable to the common fisheries policy: point 1.2.208 of this Bulletin

*Adopted on 25 June.* The Council requested the Commission to make proposals for integrating Spain and Portugal within the general rules of the common fisheries policy, as revised by Regulation (EEC) No 3760/92 and the new control system with effect from 1 January 1996.

It drew attention to the need to respect the *acquis communautaire*, and in particular the principle of relative stability, the aim being not to increase the fishing effort and the exemptions from the principle of freedom of access to waters. It also stressed that the overall balance

between resources and their level of exploitation must be maintained. The Council also emphasized that the exemptions provided for by the Act of Accession were only temporary.

*1.2.211.* Commission report to the Council on the results of the transitional guidance programme for the fishing fleet at the end of 1992.

**Reference:** 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), as last amended by Regulation (EEC) No 2794/92: OJ L 282, 26.9.1992; Bull. EC 9-1992, point 1.2.93

*Adopted on 16 June.* Surveys progress made in the progressive elimination of surplus fishing capacity in the Community fleets in 1992.

## Resources

### *External aspects*

#### **Argentina**

*1.2.212.* Draft fisheries agreement between the Community and Argentina.

**Initialled:** Bull. EC 11-1992, point 1.3.222

**Commission proposal on conclusion:** OJ C 64, 6.3.1992; COM(93) 12; Bull. EC 1/2-1993, point 1.2.198

*Endorsed by Parliament on 23 June*, subject to amendments concerning in particular notification of the Council and Parliament.

OJ C 194, 19.7.1993

#### **Canada**

*1.2.213.* Visit to the Commission by Fisheries Minister, Mr J. Crosbie, on 7 June.

**Reference:** Draft EEC-Canada fisheries agreement: Bull. EC 5-1993, point 1.2.135

Mr Crosbie saw Mr I. Paleokrassas, Member of the Commission, to discuss the EEC-Canada fisheries agreement initialled in December 1992 and the preparations for the intergovern-

mental conference on overlapping stocks, to be held in New York in July. Mr Paleokrassas stressed that the Community and Canada had common objectives as regards their policies on the conservation of high-sea fishery resources.

## Dominica

1.2.214. Draft agreement between the Community and the Government of the Commonwealth of Dominica on fisheries.

*Recommendation for a Decision adopted by the Commission on 10 June.* The aim is to provide for access for vessels registered in Martinique and Guadeloupe to Dominican waters and for Dominican vessels to the waters of Martinique and Guadeloupe and the granting of financial compensation to Dominica during the first three years of application of the agreement.

OJ C 183, 6.7.1993; COM(93) 266

## Iceland

1.2.215. Agreement between the Community and Iceland on fisheries and the marine environment.

**Reference:** Agreement on the European Economic Area: Bull. EC 5-1992, point 1.2.1

**Agreement initialled:** Bull. EC 11-1992, point 1.3.226

**Commission proposal for the conclusion of the Agreement:** OJ C 346, 30.11.1992; COM(92) 531; Bull. EC 12-1992, point 1.3.276

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.130

*Regulation (EEC) No 1737/93 on the conclusion of the Agreement adopted on 24 June.* Under the Agreement, adopted in connection with the implementation of the European Economic Area, the Community and Iceland are to cooperate and hold regular consultations to ensure the conservation and rational management of the fish stocks in their respective fishing areas and adjacent zones.

OJ L 161, 2.7.1993

## Seychelles

1.2.216. Draft Protocol defining, for the period from 18 January 1993 to 17 January

1996, the fishing opportunities and the financial contribution provided for by the Agreement between the Community and the Seychelles; draft Agreement in the form of an exchange of letters concerning the provisional application of the Protocol.

**Commission proposal on the conclusion of the Agreement:** OJ C 100, 8.4.1993; COM(93) 90; Bull. EC 3-1993, point 1.2.143

*Endorsed by Parliament on 25 June*, subject to amendments concerning in particular notification of the Council and Parliament.

OJ C 194, 19.7.1993

## International Convention for the Conservation of Atlantic Tunas (ICCAT)

1.2.217. Proposal for a Council Regulation introducing a system for the statistical monitoring of trade in bluefin tuna (*Thunnus Thynnus*) within the Community.

*Adopted by the Commission on 1 June.* This Regulation would apply in the Community the ICCAT Resolution making compulsory from 1 September 1993 the presentation of a statistical document when bluefin tuna are imported into the territory of a contracting party.

OJ C 174, 25.6.1993; COM(93) 242

## NAFO

1.2.218. Proposal for a Council Regulation setting up licensing arrangements within the regulatory area defined by the NAFO Convention by vessels flying the flag of a Member State or registered at a Community port.

**Commission proposal:** OJ C 259, 8.10.1992; COM(92) 394; Bull. EC 9-1992, point 1.2.144

*Endorsed by Parliament on 25 June*, subject to certain amendments. Parliament requests in particular that the criteria for fixing the annual catch quotas by Member State and the breakdown by type of fishing and by area of the maximum fishing effort authorized be specified. It also asks that no licence be issued to owners of vessels flying the flag of a power that is not party to the NAFO Convention.

OJ C 194, 19.7.1993

## Market organization

**Basic Regulation:** Council Regulation (EEC) No 3759/92 on the common organization of the market in fishery and aquaculture products: OJ L 388, 31.12.1992; Bull. EC 12-1992, point 1.3.284

1.2.219. Council conclusions on the situation on the market in fishery products.

**References:**

Commission Regulation (EEC) No 1671/93: OJ L 158, 30.6.1993; point 1.2.220 of this Bulletin

Commission Regulation (EEC) No 1672/93: OJ L 158, 30.6.1993; point 1.2.220 of this Bulletin

*Adopted on 25 June.*

'The Council expressed its concern at the seriousness of the crisis which the market in fishery products has been undergoing for several months and its impact on the income of fishermen in the Community. It asked the Commission to extend until 31 October 1993 the measures adopted on 25 February and 12 March on minimum import prices and on controls of direct landings in the Community from third-country fishing vessels. It stressed the need for Member States to ensure full implementation of these measures and reinforce their cooperation to this end. Finally, it considered that the current situation required the effectiveness of existing market management and safeguard mechanisms to be analysed. The analysis should cover both fishery problems and the problems of the processing industry. To this end, it asked the Commission to submit by 15 October a comprehensive report accompanied by appropriate proposals to ensure, in trade with third countries, while honouring international commitments, strict compliance with the fundamental objectives of the common fisheries policy, in accordance with Article 39 of the Treaty, including the principle of Community preference and the competitiveness of the processing industry.'

1.2.220. Commission Regulation (EEC) No 1671/93 amending Regulation (EEC) No 420/93; Commission Regulation (EEC) No 1672/93 extending Regulation (EEC) No 695/93.

**Regulation amended:** Commission Regulation (EEC) No 420/93 making imports of certain fishery products subject to observance of the reference price: OJ L 48, 26.2.1993

**Regulation extended:** Commission Regulation (EEC) No 695/93 adopting safeguard measures applicable to the placing in free circulation of fishery products landed in the Community by fishing vessels from third countries: OJ L 73, 26.3.1993; Bull. EC 3-1993, point 1.2.148

*Adopted on 29 June.* Extends until 30 September 1993 the special safeguard measures and minimum import prices for white fish adopted in February and March 1983 in view of the deterioration of the Community market in white fish.

OJ L 158, 30.6.1993

1.2.221. Proposal for a Council Regulation amending Regulations (EEC) Nos 3724/92 and 3725/92 fixing the guide prices for the fishery products listed in Annex I(A), (D) and (E) and Annex II, respectively, to Regulation (EEC) No 3687/91 for the 1993 fishing year.

**Basic Regulation:** Council Regulation (EEC) No 3687/91 on the common organization of the market in fishery products: OJ L 354, 23.12.1991; Bull. EC 11-1991, point 1.2.176

**Regulations to be amended:** Council Regulations (EEC) Nos 3724/92 and 3725/92: OJ L 380, 24.12.1992; Bull. EC 12-1992, point 1.3.262

*Adopted by the Commission on 1 June.* Fixes the guide prices for the products included in the common market organization for fishery and agriculture products by Regulation (EEC) No 3759/92.

COM(93) 245

1.2.222. Council Regulation (EEC) No 1658/93 setting up specific measures in favour of cephalopod producers permanently based in the Canary Islands.

**Reference:** Council Decision 91/314/EEC setting up a programme of options specific to the remote and insular nature of the Canary Islands (Poseican): OJ L 171, 29.6.1991; Bull. EC 6-1991, point 1.2.120

**Commission proposal:** OJ C 17, 22.1.1993; COM(92) 567; Bull. EC 12-1992, point 1.3.286

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.147

**Parliament opinion:** OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.2.133

*Adopted on 24 June.* This Regulation introduces, as part of the Poseican programme, an annual aid for cephalopod producers in the

Canary Islands amounting to a maximum of 2.5% of the annual value of the production concerned, up to a limit of 30 000 tonnes.

OJ L 158, 30.6.1993

**Commission proposal:** OJ C 166, 17.6.1993; COM(93) 175; Bull. EC 5-1993, point 1.2.150

*Endorsed by the Economic and Social Committee on 30 June.* The Committee stressed the need for coordination between TIDE and other Community initiatives and for an assessment of the results.

## A people's Europe

### Citizens' rights

#### *Right to vote*

1.2.223. Commission working paper incorporating a draft proposal for a Directive laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in elections to the European Parliament in the Member State of residence.

*Adopted on 23 June.* This draft proposal for a Directive will be forwarded to Parliament and the Council to prepare the ground for the implementation of Article 8b(2) of the Treaty on European Union. The Commission will present a definitive proposal once the Treaty has been ratified.

Based on the principle of equality and non-discrimination between nationals and non-nationals, the draft is designed to grant citizens of the Union the right to vote and to stand for election in the Member State where they reside but of which they are not nationals. It includes special provisions to ensure freedom of choice and to prevent individuals from voting or standing for election in two constituencies at once.

COM(93) 291

### Solidarity

#### *Measures to help the disabled*

1.2.224. Proposal for a Council Decision on a Community technology initiative for disabled and elderly people (TIDE) (1993-94).

#### *Measures to help disaster victims*

1.2.225. Commission decision to grant emergency aid for the families of the victims of the bomb attack in Florence.

*Adopted on 1 June.* The Commission decided to grant ECU 200 000 in emergency aid to the families of the victims of the bomb attack on the Uffizi Gallery in Florence.

1.2.226. Commission decision to grant emergency aid to the victims of the extreme weather in the United Kingdom and Ireland.

*Approved on 17 June.*

*Adopted on 29 June.* The Commission decided to grant aid amounting to ECU 200 000 for the United Kingdom and ECU 200 000 for Ireland, where severe flooding occurred on 11, 12 and 13 June, in the form of immediate relief in cash and basic necessities.

1.2.227. Parliament resolution on the severe flooding which occurred in Ireland and Wales during the weekend of 11 to 13 June.

*Adopted on 24 June.* Parliament called on the Commission to assess the damage and to take emergency measures and, in particular, to provide financial aid for small farmers.

OJ C 194, 19.7.1993

### Human rights

1.2.228. Parliament resolution on the rise of racism in Europe and criminal attacks on Turkish citizens in Germany.

*Adopted on 24 June.* Condemning the growth of racist violence in Europe and in particular the recent arson attacks in the German town of Solingen, Parliament called for stronger legal

measures to protect foreigners and combat xenophobia, and welcomed the deliberations taking place in Germany on the introduction of dual nationality, which would facilitate the integration of the immigrant population. It also called for a Community agreement on fair and comprehensive asylum procedures.

OJ C 194, 19.7.1993

1.2.229. Parliament resolution on human rights and freedom of the press.

*Adopted on 24 June.* Parliament urged the Council and the Governments of the Member States to take whatever measures are necessary to ensure that the freedom and independence of the press are fully respected in all Member States. Alarmed at the situation in Greece, where newspaper publishers and owners of radio and television channels are frequently prosecuted, Parliament called on the Greek Government to avoid any acts directed at restricting freedom of expression in the mass media.

OJ C 194, 19.7.1993

## Audiovisual media, information, communication and culture

### Audiovisual policy and production

#### *Technological aspects*

1.2.230. Council resolution on the development of technology and standards in the field of advanced television services and framework agreement for an action plan for their introduction in Europe.

#### **References:**

Council Decision 89/337/EEC laying down a set of objectives designed to serve as the basis for a global strategy for introducing HDTV in Europe: OJ L 142, 25.5.1989; Bull. EC 4-1989, point 2.1.62

Council Decision 89/630/EEC on the common action to be taken by the Member States with respect to the adoption of a single worldwide high-definition television production standard: OJ L 363, 13.12.1989; Bull. EC 12-1989, point 2.1.65

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

Proposal for a Decision on an action plan for the introduction of advanced television services in Europe: OJ C 139, 2.6.1992; COM(92) 154; Bull. EC 4-1992, point 1.3.185

*Agreed on 16 June.* Reinforcing the strategic importance attributed by Council Decisions 89/337/EEC and 89/630/EEC to high-definition television for the European consumer electronics industry and for the European television and film industries, the Council approved a framework agreement for an action plan for the introduction of advanced television services in Europe.

The proposed plan is directed solely at promoting the 16:9 format (625 or 1 250 lines), irrespective of either the European television standard used or the broadcasting mode (terrestrial, satellite or cable). Community funding, set at ECU 160 million, will cover only up to 50% of the cost differential between production/broadcasting in the customary 4:3 format and in the 16:9 format, with the remaining 50% to be provided from other sources. The support will be allocated on a yearly 'first-come-first-served' basis. Thirty per cent of the Community funding will be reserved for markets not being fully serviced in the early stages of implementation of the action plan. A further ECU 68 million, to be matched by ECU 17 million from other sources, will be held in reserve until 1 January 1995 for the same markets.

The action plan covers a period of four years expiring on 30 June 1997.

To ensure the coherence of Community policy for advanced television, the Council also called for the revision of Directive 92/38/EEC to bring it into line with the current market and technological realities. Proposals for revision should take account of the following points:

the possible need to expand the scope to allow other standards, in addition to D2-

MAC, to be used for the broadcast of not completely digital 625-line television services in the 16:9 format;

the possible expansion of the scope to cover standards for terrestrial transmission and cable distribution;

limiting the number of standards;

the possible need for a European non-proprietary encryption/conditional access system serving a number of competing service providers;

the possible requirement that all new television transmission and encryption systems to be used in the Community should be standardized by the competent European bodies;

the possible need to amend other Articles of the Directive to ensure consistency following any such changes.

The Council also called on the Commission to present a communication and possibly proposals on digital television, and made a number of suggestions in this connection.

## Information and public awareness

### *Commission information and communication policy*

1.2.231. The Commission's information and communication policy: a new approach.

*Paper adopted by the Commission on 30 June.* To convince the people of Europe of the legitimacy of the values on which the Community is founded and the importance of its achievements, the Commission has formulated a new information and communication policy based on a series of measures which are also designed to ensure the transparency of Community action. It intends to provide policy guidance by holding monthly discussions on the social and political situation in the Community and by monitoring significant changes in public opinion so that it can tailor its information and communication activities to the needs and expectations of the citizens of the Member States. The Commission is also planning to improve its cooperation mechanisms and con-

tinue its policy of decentralizing information activities by making greater use of its offices in the Community and of other relays and networks. A users' advisory council is also to be set up as an additional listening and evaluation aid.

## Culture

### *Community's architectural heritage*

1.2.232. Measures to restore the Community's architectural heritage damaged in the terrorist attack in Florence.

*Decision adopted on 2 June.* The Commission decided to allocate ECU 100 000 for preliminary work to restore Florence's architectural heritage damaged in the terrorist attack on 26 May 1993.

1.2.233. Support for pilot projects.

#### References:

Resolution of the Ministers with responsibility for cultural affairs meeting within the Council on the protection of Europe's architectural heritage: OJ C 320, 13.12.1986; Bull. EC 11-1986, point 2.1.128

Call for applications: OJ C 261, 10.10.1992

Selection of last year's projects: Bull. EC 6-1992, point 1.3.202

*Projects selected by the Commission on 25 June.* ECU 3.165 million has been allocated to part-finance the 58 projects selected from among the 666 applications received; this year's projects are concerned with the conservation of gardens of historic interest.

A garden of historic interest is understood as a landscaped creation of public interest in historical or artistic terms. It is regarded as having monument status and reflects the close relationship between conservation and nature as perceived in the culture and tradition of each country. The concept covers both small-scale gardens and larger, formally or naturally landscaped parks, botanical gardens, monastery gardens, orchards and green areas in historic centres. Conservation initiatives have significant cultural and socio-economic repercussions, notably in the field of employment.

# 3. The role of the Community in the world

## Enlargement

1.3.1. The European Council formally noted the progress made in the enlargement negotiations with Austria, Finland, Sweden and Norway. It stated that, where possible, the negotiations would be conducted in parallel, each application being judged on its own merits, and that it would seek to complete the first enlargement of the European Union by 1 January 1995 (→ point I.10).

### EFTA countries

#### *Austria*

1.3.2. Ministerial conference on Austria's accession to the European Union.

**Application for membership:** Bull. EC 7/8-1989, point 2.2.14

**Commission opinion on the application:** Bull. EC 7/8-1991, point 1.3.2; Supplement 4/92 — Bull. EC

**Ministerial meeting opening the negotiations:** Bull. EC 1/2-1993, point 1.3.1

*Second meeting in Luxembourg on 9 June.* At this meeting, chaired by Mr Helveg Petersen (Danish Minister for Foreign Affairs and President of the Council) and attended by Mr Delors and Mr van den Broek, Austria was represented by Mr Mock (Federal Minister for Foreign Affairs), Mr Schüssel (Federal Minister for Economic Affairs) and Mrs Ederer (Secretary of State for Integration and Economic Cooperation).

The conference rounded off the negotiations in the following areas: consumer policy, health protection, education, company law, social policy (the question of the European Social Fund being deferred), and fisheries. It was noted that there had been progress on the

freedom to provide services and become established, free movement of workers and capital, competition policy, research and information technology, statistics and information. It was agreed that the work programme should be expanded to include energy, taxation and fisheries (the latter is one of the areas where negotiations are deemed to have been completed). On more specific matters, the parties agreed that there should be a transitional period in respect of the training programme for dentists (freedom to provide services and become established), workers' protection in the event of an employer's bankruptcy, protection of women working nightshifts, and aircraft noise.

Mr Mock said that exploratory talks on agriculture, the regional and commercial policies and the customs union had begun and that progress so far indicated a rapid solution of the various problems. He reminded the conference that the aim was accession by 1 January 1995. Mr van den Broek welcomed the pace of the negotiations, which meant that the parties could already begin to tackle the key issues.

#### *Finland*

1.3.3. Ministerial conference on Finland's accession to the European Union.

**Application for membership:** Bull. EC 3-1992, point 1.3.1

**Commission opinion on the application:** Bull. EC 11-1992, point 1.4.1; Supplement 6/92 — Bull. EC

**Ministerial meeting opening the negotiations:** Bull. EC 1/2-1993, point 1.3.1

*Second meeting in Luxembourg on 8 June.* At this meeting, chaired by Mr Helveg Petersen (Danish Minister for Foreign Affairs and President of the Council) and attended by Mr Delors and Mr van den Broek, Finland was represented by Mr Salolainen (Minister for Foreign Trade) and Mr Värynen (Minister for Foreign Affairs).



The issues of free movement of workers, transport policy, health and consumer protection, research and information technology, education, company law and social policy were settled (the question of the Social Fund being deferred). The parties also reached agreement on safety belts, Finnish retirement arrangements, exemption for some credit institutions from the provisions of existing directives and transitional periods in respect of direct investment and the laws on statistics.

Mr Salolainen hoped that rapid headway would be made on matters such as advertising of alcoholic products, regulating the financial system and agriculture and regional policy, all of which come under the European Economic Area, on matters arising out of the Treaty on European Union and on the broader Community issues such as the budget and participation in the institutions.

## Norway

1.3.4. Ministerial conference on Norway's accession to the European Union.

**Application for membership:** Bull. EC 11-1992, point 1.4.3

**Commission opinion on the application:** COM(93) 142; Bull. EC 3-1993, point 1.3.1; Supplement 2/93 — Bull. EC

**Ministerial meeting opening the negotiations:** Bull. EC 4-1993, point 1.3.2

*Second meeting in Luxembourg on 9 June.* At this meeting, chaired by Mr Helveg Petersen (Danish Minister for Foreign Affairs and President of the Council) and attended by Mr van den Broek, Norway was represented by Mr Holst (Minister for Foreign Affairs) and Mr Godal (Minister for Trade and Shipping).

Norway has accepted the *acquis communautaire* in consumer policy and health protection, research and information technology, education, company law and social policy (the question of the European Social Fund having been deferred). These issues are therefore regarded as settled. The participants also reached agreement on specific points submitted for their approval (dimensions of returnable bottles, safety belts) and Norway accepted the extension of the work programme to cover

fisheries, energy and taxation. Mr Godal and Mr Helveg Petersen welcomed the principle that negotiations with the four applicant countries would be conducted in parallel and remarked favourably on the progress already made. They also noted with satisfaction that exploratory discussions had begun on several of the issues still outstanding.

## Sweden

1.3.5. Ministerial conference on Sweden's accession to the European Union.

**Application for membership:** Bull. EC 7/8-1991, point 1.3.3

**Commission opinion on the application:** Bull. EC 7/8-1992, point 1.4.1; Supplement 5/92 — Bull. EC

**Ministerial meeting opening the negotiations:** Bull. EC 1/2-1993, point 1.3.1

*Second meeting in Luxembourg on 8 June.* At this meeting, chaired by Mr Helveg Petersen (Danish Minister for Foreign Affairs and President of the Council) and attended by Mr Delors and Mr van den Broek, Sweden was represented by Mr Dinkelspiel (Minister for European Affairs and Foreign Trade).

The conference agreed to draw the line under the negotiations on the free movement of workers, transport policy, health protection and consumer policy, research and information technology, education, statistics and company law. These areas are therefore seen as not raising any problems. It was noted that, in Sweden's opinion, freedom to provide services, freedom of establishment, the free movement of capital, competition policy, social policy and energy, apart from a few specific points, would not appear to pose any problems and the Ministers therefore decided to open negotiations on fisheries and taxation.

On the specific items submitted to the conference for approval, agreement emerged regarding the conservation of natural habitats, wild fauna and flora and wild birds.

Sweden said it would be submitting proposals on areas on which negotiations had not yet begun, such as taxation, agriculture and regional policy. It also underscored the import-

ance it attaches to protecting health and the environment and to safety.

## Mediterranean countries

### References:

Conclusions of the Maastricht European Council: Bull. EC 12-1991, point I.4

Commission report 'Europe and the challenge of enlargement': Supplement 3/92 — Bull. EC

Conclusions of the Lisbon European Council: Bull. EC 6-1992, point I.4

Conclusions of the Copenhagen European Council: point I.11 of this Bulletin

## Cyprus

### 1.3.6. Commission opinion on Cyprus's application for membership.

**Reference:** Agreement establishing an Association between the European Economic Community and the Republic of Cyprus (OJ L 133, 21.5.1973), as last amended by the Protocol laying down the conditions and procedures for the implementation of the second stage of the Agreement establishing an Association between the Community and Cyprus: OJ L 393, 31.12.1987; Bull. EC 12-1987, point 2.2.24

**Application for membership:** Bull. EC 7/8-1990, point 1.4.24

*Adopted by the Commission on 30 June.* The Commission handed down a favourable opinion on Cyprus's application, pointing in particular to the wealth of contacts of all kinds between the Community and Cyprus which confer on it the kind of European identity that suits it to membership of the Community.

Nevertheless, the Commission considers that integration of Cyprus into the Community will depend on a peaceful, balanced and lasting settlement of the conflict between the country's two communities. Such settlement would open the way to restoration of fundamental human rights and freedoms throughout the island and would encourage the development of pluralist democracy.

The Commission therefore wishes to send the authorities and people of Cyprus a positive

signal but it stresses that, if the intercommunal discussions do not result in a political settlement in the foreseeable future, the situation should be reassessed in the light of the positions adopted by each party in the talks and the question of the country's accession reconsidered in January 1995.

Where the economic situation is concerned, the Commission considers that in view of the progress already made towards a customs union, Cyprus's adoption of the *acquis communautaire* will not pose any insurmountable problems and that integration into the Community should help to narrow the present development gap between the north and the south of the island. It therefore proposes that, even before a political settlement of the conflict is achieved, all the instruments available under the Association Agreement be used to help Cyprus make the economic, social and political transition towards integration into the Community. The Commission also states that greater efficiency in the operation of the institutions of an enlarged Community and, particularly, the question of how to include smaller countries (Cyprus has only 700 000 inhabitants) should be assessed at the 1996 intergovernmental conference.

COM(93) 313

## Malta

### 1.3.7. Commission opinion on Malta's application for membership.

**Application for membership:** Bull. EC 7/8-1990, point 1.4.25

*Adopted by the Commission on 30 June.* The Commission considers, bearing in mind Malta's democratic constitution and its human rights record, that the country is justified in aspiring to be a member of the European Union and that the Community should endorse this aspiration. It therefore makes a number of assessments, poses questions and advances proposals on the more difficult issues raised by this application. The need for overall reform of the Maltese economy's regulatory framework is stressed. The question of compatibility between Malta's neutrality and the provisions of the Treaty on European Union

should be easily settled by an amendment to the Maltese constitution, since the Government has always said that it is committed to meeting the obligations and shouldering the responsibilities stemming from the *acquis communautaire* and the Union Treaty. The problem of how this country of 350 000 inhabitants can best participate in the Community institutions should be examined at the intergovernmental conference to be held in 1996.

Against that background the Commission considers it important to give the authorities and people of Malta a positive signal to encourage them to be resolute in undertaking the requisite reforms so that the accession negotiations may begin as soon as possible.

The Commission also proposes to embark immediately on detailed discussions with the Maltese Government to decide jointly on the content of, and timetable for, the reforms which should be given priority in the process of adjusting the Maltese economy to conditions of international competition and preparing the island for integration into the Community. These discussions should also cover technical assistance, financial cooperation, training resources and any other help the Community might wish to give Malta under an adjustment protocol to help implement the reforms and facilitate economic transition. It could also serve to familiarize Malta with all aspects of the *acquis communautaire* and help the island prepare for future accession negotiations.

COM(93) 312

## European Free Trade Association

### Relations with EFTA

#### *European Economic Area*

1.3.8. Draft Agreement establishing the European Economic Area.

Bull. EC 6-1993

**Signing of the Agreement:** Bull. EC 5-1992, point 1.2.1

**Assent of Parliament:** OJ C 305, 23.11.1992; Bull. EC 10-1992, point 1.4.1

**Council conclusions on the European Economic Area and the consequences of the 'no' vote in the Swiss referendum of 6 December:** Bull. EC 12-1992, point 1.4.3

**Commission recommendation and Council Decision authorizing the Commission to negotiate an additional protocol to the Agreement on the European Economic Area:** Bull. EC 1/2-1993, point 1.3.3

**Initialling of the protocol:** Bull. EC 1/2-1993, point 1.3.3

**Proposal for a Council Decision on the conclusion of the Agreement establishing the EEA as adjusted by the adjustment protocol:** COM(93) 98; Bull. EC 3-1993, point 1.3.2

**Decision on signing the adjustment protocol:** Bull. EC 3-1993, point 1.3.2

**Signing of the adjustment protocol:** Bull. EC 3-1993, point 1.3.2

*Assent given by Parliament to the conclusion of the Agreement on the European Economic Area as adjusted by the protocol on 23 June.*

OJ C 194, 19.7.1993

### Bilateral relations

#### *Austria*

1.3.9. Visit by Mr van den Broek on 14 and 15 June.

**Reference:** Ministerial conference on Austria's accession to the European Union: point 1.3.2 of this Bulletin

Mr van den Broek met Mr Klestil, President of the Republic of Austria, Mr Vranitzky, Chancellor, Mr Mock, Minister for Foreign Affairs, and Mr Schüssel, Minister for Economic Affairs. The discussions focused on the negotiations for Austria's accession to the European Union, the preparations for the Copenhagen European Council, the Uruguay Round, the situation in former Yugoslavia and security and human rights.

#### *Norway*

1.3.10. Visit by Mr van Miert on 21 and 22 June.

**Reference:** Ministerial conference on Norway's accession to the European Union: point 1.3.4 of this Bulletin

Mr van Miert met Mrs Bruntland, Prime Minister, Mr Kristensen, Minister for Industry, Mr Berge, Minister for Local Government and Employment, and Mr Naalsund, State Secretary at the Ministry of Foreign Affairs. The discussions focused on regional policy and State aid in the context of the enlargement negotiations.

### *Switzerland*

1.3.11. Mr Cotti, President of the Swiss Confederation and Minister for Foreign Affairs, and Mr Delamuraz, Minister for Economic Affairs, visited the Commission on 28 June.

**Reference:** Conclusions of the Copenhagen European Council; points I.3 to I.5 of this Bulletin

Mr Cotti and Mr Delamuraz met Mr Delors, Sir Leon Brittan, Mr Christophersen, Mr Marin, Mr Pinheiro and Mr van den Broek.

Mr Cotti and Mr Delamuraz said that the Federal Council intended to give priority to developing bilateral ties with the Community, while leaving open options such as intensifying relations in specific sectors, accession to the European Economic Area and membership of the European Community. They stressed that Switzerland shared the Community's concerns with regard to economic growth and combating unemployment, and was willing to cooperate at European level along the lines proposed by the Commission. They also emphasized the importance attached to cultural cooperation by Switzerland, which was keen to rejoin the MEDIA audiovisual programme.

## Central and Eastern Europe and the independent States of the former Soviet Union

1.3.12. It was established at the meeting of the European Council that any of the associ-

ated countries of Central and Eastern Europe which so wished could join the European Union when able to fulfil the necessary economic and political conditions. Against this background, guidelines were drawn up for future cooperation with those countries. The European Council also recognized the need to give appropriate assistance to Albania, and called on the Commission to make proposals for converting the trade agreements with the Baltic States into free-trade agreements, since the Community's aim was to conclude Europe Agreements with them when the time was right. It welcomed the progress made in the negotiations for a partnership and cooperation agreement with Russia, and agreed to suggest regular meetings between Russia's President and the Presidents of the European Council and Commission (→ points I.13, I.14, I.16 and I.26).

## Central Europe

### *Assistance for Central Europe*

**Reference:** Council Regulation (EEC) No 3906/89 on economic aid to certain countries of Central and Eastern Europe (OJ L 375, 23.12.1989; Bull. EC 12-1989, point 2.2.25), as last amended by Regulation (EEC) No 2334/92 in order to extend economic aid to include other countries of Central and Eastern Europe: OJ L 227, 11.8.1992; Bull. EC 7/8-1992, point 1.4.27

1.3.13. Council Regulation (EEC) No 1764/93 amending Regulation (EEC) No 3906/89 on economic aid for certain countries of Central and Eastern Europe.

**Commission proposal:** OJ C 110, 20.4.1993; COM(93) 113; Bull. EC 3-1993, point 1.3.5

**Parliament opinion:** OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.3.6

*Adopted by the Council on 30 June.* This new Regulation takes account of the constitutional changes which have occurred as a result of the dissolution of the Czech and Slovak Federal Republic. It accordingly adds the Czech Republic and Slovakia to the list of countries eligible for aid under PHARE.

OJ L 162, 3.7.1993

1.3.14. Indicative programme for PHARE operations in Albania.

*Signed in Brussels on 30 June.* The 1993-94 PHARE indicative programme was signed by Genc Ruli, Albania's Minister for Economic and Financial Affairs, and Sir Leon Brittan. Mr Bashkim Kopliku, the Deputy Prime Minister, was also present. The programme, which seeks to underpin the process of economic and social reform on which the country has embarked, will focus on a number of priority aims: restructuring of the private sector, agriculture and health care, the development of infrastructure in the civil service and environmental affairs, and the development of human resources through the Tempus programme.

### *Relations with Central Europe*

1.3.15. Parliament resolution on the situation of women in Central and Eastern Europe.

*Adopted by Parliament on 25 June.* Parliament observed that there had been a deterioration in the economic and social situation of women in Central and Eastern Europe, notably in terms of unemployment, and called on governments to take steps to enable women to participate fully in political and social affairs by involving them in decision-making, opening up all professions to them (especially by providing retraining and on-the-job training) and backing all measures to help them fulfil their work and family commitments without discrimination.

Parliament also hoped that cooperation between the Community and the countries of Central and Eastern Europe would help narrow the gap in living conditions in order to check the flow of migrants (increasing numbers of whom are women) to the Community. It urged the Commission to afford women easier access to information on the Community programmes for which those countries were eligible (Tempus and PHARE in particular), and to make provision in the programmes for specific measures to promote and maintain jobs for women, primarily through practical schemes in sectors of the economy in which women predominated.

OJ C 194, 19.7.1993

### *Bilateral relations*

#### **Romania**

1.3.16. Visit made by Sir Leon Brittan on 14 and 15 June.

**Reference:** conclusions of the Copenhagen European Council: points I.13, I.14 and I.26 of this Bulletin

Sir Leon met Ion Iliescu, Romania's President, Nicolae Vacaroiu, the Prime Minister, Teodor Melanescu, the Foreign Minister, Misu Negritoiu, Minister with responsibility for economic reform, and Constantin Teculescu, Minister of Commerce. The talks focused on the Community's assistance towards restructuring the Romanian economy, on the reforms under way and on the Commission's proposals to the Copenhagen European Council.

#### **Visegrad countries (Poland, Hungary, Czech Republic and Slovakia)**

**Reference:** Europe Agreement with the Czech and Slovak Federal Republic: Bull. EC 12-1991, point 1.3.2

1.3.17. Draft Europe Agreements between the Community and the Czech Republic and between the Community and Slovakia.

**Commission recommendation:** Bull. EC 1/2-1993, point 1.3.12

**Negotiating directives:** Bull. EC 4-1993, point 1.3.16

*Initialled on 23 June.*

1.3.18. Draft exchanges of letters between the Community and the Czech Republic and between the Community and Slovakia concerning the two republics' readiness to assume all the obligations stemming from agreements between the Czech and Slovak Federal Republic and the Communities.

**Commission recommendation:** Bull. EC 3-1993, point 1.3.13

*Negotiating directives adopted by the Council on 1 June.* The Commission was authorized to negotiate exchanges of letters confirming the readiness of the Czech Republic and Slovakia

to assume all the obligations stemming from agreements between the Czech and Slovak Federal Republic and the Communities, pending the entry into force of the separate Europe Agreements (→ point 1.3.17).

*1.3.19. Parliament resolution on the Gabčíkovo-Nagymaros dam.*

*Adopted by Parliament on 25 June.* Parliament considered that the absence of a solution to the problem of the temporary water flow arrangements at Gabčíkovo was threatening to heighten political tension in the region. It called on the Slovak Government to expedite implementation of the compromise proposals formulated by Community experts and, more particularly, to allow arbitration by the International Court of Justice in The Hague to go ahead.

OJ C 194, 19.7.1993

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

### *Bilateral relations*

#### **Russian Federation**

*1.3.20. Sir Leon Brittan's visit to Moscow, 3 to 7 June.*

##### **References:**

Proposal for a Council Regulation concerning the provision of technical assistance to economic reform and recovery in the independent States of the former Soviet Union and Mongolia: OJ C 48, 19.2.1993; COM(93) 475; Bull. EC 1/2-1993, point 1.3.15

Draft partnership and cooperation agreement with Russia: Bull. EC 4-1993, point 1.3.18

Sir Leon met Boris Yeltsin, Russia's President, Viktor Chernomyrdin, the Prime Minister, Andrei Kozyrev, the Foreign Minister, Oleg Lobov, Deputy Prime Minister and Economics Minister, Boris Fyodorov, Deputy Prime Minister and Minister of Finance, Alexander Shokhin, Deputy Prime Minister with responsibility for External Economic Relations, and Sergei Glaziev, Minister for External Economic

Relations. Talks centred on negotiations for a partnership and cooperation agreement with the Russian Federation. Sir Leon said that the Community was the only one of Russia's trading partners which was offering it the prospect of free trade arrangements. He also proposed that a clause be included in the forthcoming partnership and cooperation agreement making provision, after a few years of operation, for adjustments in the light of Russia's progress towards establishing a market economy. Also discussed were Community assistance for the independent States of the former Soviet Union (TACIS), the Community's role in backing up the economic reform on which the Russian Federation had embarked and future relations between Russia and the GATT.

## **Mediterranean and Middle East**

*1.3.21. The European Council adopted a declaration in which it encouraged negotiators to promote a fair and viable settlement acceptable to all three constituent peoples of Bosnia-Herzegovina, excluding any territorial solution which would be at the expense of the Bosnian Muslims. It also decided to respond positively to the request of the UN Secretary-General for men and money to establish safe areas. In addition, the Council welcomed the adoption of opinions by the Commission on Cyprus's and Malta's applications for accession and expressed its support for closer relations with Turkey, in line with the conclusions of the European Council in Lisbon. Stressing the need to further strengthen relations with the Maghreb countries within the framework of an upgraded partnership, the European Council called for the speedy conclusion of the partnership agreement with Morocco and took note with satisfaction of the Commission's intention to submit draft directives for the negotiation of a similar agreement with Tunisia (→ points I.11, I.12, I.19 and I.27).*

## Mediterranean countries

### *Bilateral relations*

#### **Bosnia-Herzegovina**

1.3.22. Parliament resolution on the results of the Copenhagen European Council concerning the situation in Bosnia-Herzegovina.

**References:**

Parliament resolution on Bosnia-Herzegovina: OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.3.18

Conclusions of the European Council in Copenhagen: point I.27 of this Bulletin

*Adopted by Parliament on 24 June.* Parliament endorsed the continuation and stepping-up of humanitarian aid to the population of Bosnia-Herzegovina and the protection of civilians in besieged towns. Shocked at the continuing attacks on the towns which have been declared safe areas, Parliament urged the EC Member States to implement immediately the UN Security Council resolutions and to allocate men and money for this purpose. Parliament considered it to be the duty of the Member States to accept refugees. It called for Article 51 of the UN Charter concerning the right to self-defence to be observed and stressed that any agreement on the future of Bosnia-Herzegovina must be agreed by all parties to the conflict, that territorial gains accomplished by force must not be accepted by the international community and that the objective of such an agreement must be to restore a multi-ethnic society in Bosnia-Herzegovina.

OJ C 194, 19.7.1993

1.3.23. Parliament resolution on the European volunteers killed in Bosnia-Herzegovina.

*Adopted by Parliament on 24 June.* Parliament paid tribute to the European volunteers killed in Bosnia-Herzegovina and expressed its highest regard for the civil and humanitarian voluntary aid groups, associations and organizations involved in helping the victims and bringing about reconciliation and dialogue in the former Yugoslavia. It called on the Commission and the Member States to guarantee aid volunteers

working in war zones adequate welfare protection.

Parliament stated its intention to erect a memorial to the victims of the conflict in the former Yugoslavia.

#### **Former Yugoslav Republic of Macedonia**

1.3.24. Financing decision under an aid programme for the former Yugoslav Republic of Macedonia.

**Reference:** Conclusions of the European Council in Edinburgh: Bull. EC 12-1992, point I.74

**Basic Regulation:** Council Regulation (EEC) No 3906/89 on economic aid for certain countries of Central and Eastern Europe (OJ L 375, 23.12.1989; Bull. EC 12-1989, point 2.2.25), as last amended by Council Regulation (EEC) No 1764/93 with a view to extending economic aid to other countries of Central and Eastern Europe: OJ L 162, 3.7.1993; point 1.3.13 of this Bulletin

*Adopted by the Commission on 2 June.* The ECU 25 million granted from the PHARE budget is in line with the decisions of the Edinburgh Council on economic aid for the former Yugoslav Republic of Macedonia. The programme will target three priority sectors: financing of imports of raw materials, goods and equipment (notably in the health, oil and power generation sectors), customs and statistics services and financing of technical assistance to coordinate aid.

#### **Morocco**

1.3.25. Draft Euro-Maghreb Association Agreement with Morocco.

**References:**

EEC-Morocco Cooperation Agreement: OJ L 264, 27.9.1978

Additional Protocol to the EEC-Morocco Cooperation Agreement: OJ L 224, 13.3.1988; Bull. EC 6-1988, point 2.2.36.

Commission communication to the Council: 'The future of relations between the Community and the Maghreb': Bull. EC 4-1992, point 1.4.6

Declaration by the European Council in Lisbon on relations between Europe and the Maghreb: Bull. EC 6-1992, point I.34

**Recommendation for a Council Decision:** Bull. EC 12-1992, point 1.4.20

*Recommendation for a decision on additional directives adopted by the Commission on 16 June.* The Commission adopted a proposal for detailed negotiating directives on trade in agricultural products supplementing the general approach proposed to the Council last December with a view to opening negotiations with Morocco on the conclusion of an association Agreement.

The aim of the new directives proposed by the Commission is progressively to attain greater liberalization of trade in agricultural products between the Community and Morocco. The Commission is also calling for due consideration to be given at Community level to the advantages currently enjoyed by Morocco as a result of the special arrangements applied to it by France.

### 1.3.26. Financing decision.

#### References:

Council Regulation (EEC) No 1762/92 on the implementation of the Protocols on financial and technical cooperation concluded by the Community with Mediterranean non-member countries: OJ L 181, 1.7.1992; Bull. EC 6-1992, point 1.4.16

Council Decision 92/548/EEC on the conclusion of the fourth financial Protocol with Morocco: OJ L 352, 2.12.1992; Bull. EC 11-1992, point 1.4.18

*Commission Decision adopted on 16 June.* ECU 80 million is being granted to support the economic reforms launched by Morocco within the framework of a structural adjustment programme, of which ECU 20 million is payable under the fourth financial Protocol and ECU 60 million from the funds earmarked to provide support for economic recovery programmes in all Mediterranean non-member countries.

## Slovenia

1.3.27. Draft agreement on trade and economic cooperation between the European Econ-

omic Community and the Republic of Slovenia.

**Commission recommendation:** Bull. EC 6-1992, point 1.4.14

**Negotiating directives:** Bull. EC 7/8-1992, point 1.4.26

**Agreement initialled:** COM(92) 487; Bull. EC 11-1992, point 1.4.31

**Proposal for a Council Decision on the conclusion of the Agreement:** COM(92) 487; Bull. EC 11-1992, point 1.4.31

**Council Decision concerning the signing of the Agreement:** Bull. EC 4-1993, point 1.3.22

**Agreement signed:** Bull. EC 4-1993, point 1.3.22

*Endorsed by Parliament on 25 June.*

OJ C 194, 19.7.1993

1.3.28. Draft Protocol on financial cooperation between the European Economic Community and the Republic of Slovenia.

**Commission proposal on the conclusion of the Protocol:** OJ C 74, 16.3.1993; COM(93) 56; Bull. EC 1/2-1993, point 1.3.21

**Protocol signed:** Bull. EC 4-1993, point 1.3.23

*Endorsed by Parliament on 25 June.*

OJ C 194, 19.7.1993

1.3.29. Visit to the Commission by Mr Lojze Peterle, Foreign Minister, on 29 June.

Mr Peterle met Sir Leon Brittan and Mr van den Broek to whom he reported on developments in his country and confirmed the country's commitment to Europe both in its efforts to stabilize the economic situation and in those undertaken to take part in European integration: closer links with the Community, the EFTA countries and the Visegrad countries. To this end Slovenia would officially approach the Community in the very near future with a view to starting negotiations on a Europe Agreement.

Sir Leon Brittan pledged the Commission's continued support for Slovenia's efforts to achieve economic reforms and recovery, through the continuation of the PHARE programme and the launching of bilateral cooperation.

## Turkey

1.3.30. Information report of the Economic and Social Committee on the European Community's relations with Turkey.



**References:**

EEC-Turkey Association Agreement: OJ L 217, 29.12.1964

Additional Protocol: OJ L 293, 29.12.1972

Conclusions of the Lisbon European Council: Bull. EC 6-1992, point I.4

Thirty-third meeting of the Association Council: Bull. EC 11-1992, point 1.4.26

*Adopted by the Economic and Social Committee on 30 June.* The report follows on from the proposal to consider the setting up of the Joint Consultative Committee envisaged by the Association Agreement and mooted at the Association Council meeting of November 1992. Its aim is to provide the basis for an answer to the question of how to move towards full implementation of the Association Agreement. To this end, the Committee looks at the current state of cooperation between the Community and Turkey and reviews a number of issues such as Turkey's position on the world scene, the country's socio-economic situation, its application for accession to the Community and the problem of Cyprus. In its conclusions the Committee points at reinforced cooperation as a means to foster and strengthen current civil, democratic and social development in Turkey. Accordingly, it calls for more intensive and sustained cooperation and for measures to develop interdependence between the Community and Turkey. Four areas should be given priority: completion of the customs union, closer financial cooperation, promotion of industrial and technological cooperation and the strengthening of political and cultural links.

**Former Yugoslavia**

*1.3.31.* Proposal for a Council Regulation prohibiting the satisfying of claims with regard to contracts and transactions the performance of which was affected by the United Nations Security Council Resolution 757 (1992) and related resolutions.

**References:**

Council Regulation (EEC) No 3541/92 prohibiting the satisfying of Iraqi claims with regard to contracts and transactions the performance of which was affected by United Nations Security Council Resolution 661 (1990)

and related resolutions: OJ L 361, 10.12.1992; Bull. EC 12-1992, point 1.4.28

Council Regulation (EEC) No 990/93 concerning trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro); Decision 93/235/ECSC of the representatives of the Governments of the Member States meeting within the Council concerning trade between the European Coal and Steel Community and the Federal Republic of Yugoslavia (Serbia and Montenegro): OJ L 102, 28.4.1993; Bull. EC 4-1993, point 1.3.27

*Approved by the Commission on 22 June.* The proposal aims at implementing paragraph 9 of United Nations Security Council Resolution 757 (92) preventing the Federal Republic of Yugoslavia (Serbia and Montenegro) from obtaining compensation for the negative effects of the embargo imposed by the Council. The proposal follows, *mutatis mutandis*, the formulation of Council Regulation (EEC) No 3541/92 imposing a similar prohibition in relation to the embargo against Iraq.

OJ C 187, 9.7.1993; COM(93) 283

**Financial and technical cooperation**

*1.3.32.* Financing proposal.

**Reference:** Council Regulation (EEC) No 1763/92 concerning financial cooperation in respect of all Mediterranean non-member countries: OJ L 181, 1.7.1992; Bull. EC 6-1992, point 1.4.17

*Approved by the Commission on 8 June.* It is proposed to grant ECU 2 million to support the training and agricultural research programme in southern and eastern Mediterranean countries launched by the International Centre for Advanced Mediterranean Agronomic Studies (Icamas), Paris.

**United States, Japan and other industrialized countries****Relations between the Community, the United States, Canada and Japan**

*1.3.33.* Quadripartite meetings.

**Previous meeting:** Bull. EC 5-1993, point 1.3.23

*Meetings held in Paris, on 2 June, and Tokyo, on 23 and 24 June.* Continuing the talks started at their previous meeting, Mr Kantor, US Trade Representative, Mr Wilson, Canadian Minister for Foreign Trade, Mr Muto, Japan's Minister for Foreign Affairs, and Sir Leon Brittan discussed at length several key issues relating to market access for goods and services in the context of the Uruguay Round. In a public statement issued at the conclusion of their meeting in Tokyo, they confirmed that they were in a position to achieve significant progress, particularly on the questions of reciprocal dismantling of tariff and non-tariff barriers, and the harmonization and substantial reduction of duties in key sectors. The participants also restated their desire to achieve a broad and balanced agreement and expressed their belief that the progress made represented a significant contribution to reactivating the multilateral negotiations.

## United States

### References:

EC-US joint declaration: Bull. EC 11-1990, point 1.5.3

Visit to the Commission by Mr W. Christopher, US Secretary of State: Bull. EC 5-1993, point 1.3.28

*1.3.34.* EC-US meeting in the context of the Transatlantic Declaration.

*Meeting held in Brussels on 9 June.* At this meeting, which was attended by Mr Christopher, US Secretary of State, the Foreign Ministers of the Member States and Mr van den Broek, talks focused mainly on the situation in the former Yugoslavia. Mr Christopher agreed that UN Security Council Resolution 836, which provided for the creation of safe areas, represented a useful step towards ending the fighting and avoiding war in the Balkans. The participants also discussed EC-US relations and aid to Central European States, Russia and the other independent successor States of the former Soviet Union. Other subjects raised included the Middle East peace process and the problem of the disturbing pro-

liferation of weapons of mass destruction, particularly in Iran.

*1.3.35.* Parliament resolution on unitary taxation in the State of California.

*Adopted by Parliament on 25 June.* Parliament expressed its deep concern at the punitive impact on EC business interests of the system of unitary taxation in force in California and called on the Commission to seek a speedy and satisfactory solution to this problem at the forthcoming transatlantic dialogue meeting and, if necessary, to discuss appropriate retaliatory action with Member States.

OJ C 194, 19.7.1993

## Japan

*1.3.36.* Additional own-initiative opinion of the Economic and Social Committee on EC-Japan relations.

### References:

Economic and Social Committee own-initiative opinion on relations between the United States and Japan and between the European Community and Japan: OJ C 159, 17.6.1991; Bull. EC 4-1991, point 1.3.31

EC-Japan joint declaration: Bull. EC 7/8-1991, point 1.3.33

Commission communication to the Council 'A consistent and global approach: A review of the Community's relations with Japan': COM(92) 219; Bull. EC 5-1992, point 1.2.27

Council conclusions on the Commission communication: 'A consistent and global approach: A review of the Community's relations with Japan': Bull. EC 6-1992, point 1.4.23

*Adopted by the Economic and Social Committee on 30 June.* The Committee noted the improvement in EC-Japanese cooperation since adoption of the joint declaration and stressed the importance of maintaining a consistent and global approach to Japan. It also underlined the commitment expressed by the Japanese Government to develop not only its political and economic relations with the Community but also bilateral relations in the fields of culture, science and technology and the environment.

The Committee stated that Japan and the Community, faced with the prospect of a period of economic recession, must examine ways of restoring the trade balance, which currently showed a considerable deficit in the Community's trade with Japan. The aim was to identify existing distortions and to decide what provisions were needed to remove the various obstacles which still blocked access to the Japanese market. The Committee went on to underline the need to launch a programme of conferences, note-swapping sessions and research projects on topics of common interest, to set up a Euro-Japan Institute, which would provide a point of reference for researchers, universities and members of the business and social sectors, and to publish a Europe-Japan newspaper as a vehicle for the two parties' proposals.

## Asia and Latin America

### Asia

#### *Bangladesh*

1.3.37. Parliament resolution on the flood action plan in Bangladesh.

*Adopted by Parliament on 24 June.* Parliament took the view that priority should be given to helping Bangladesh cope better with cyclone disasters. It stressed the need to avert damage through the construction of storm shelters, coastal afforestation, improved warning and evacuation procedures and better water and land management measures.

It also called for Community involvement in the flood action plan currently under examination through an institutional framework which stressed a flexible, interdisciplinary approach and guaranteed the full involvement of local communities in the implementation of projects.

OJ C 194, 19.7.1993

#### *Republic of Korea*

1.3.38. Council conclusions on relations with the Republic of Korea.

**Reference:** Commission communication to the Council on relations between the European Community and the Republic of Korea: Bull. EC 5-1993, point 1.3.30

*Adopted by the Council on 8 and 9 June.* The Council took cognizance of the Commission communication and expressed the view that trade between the two sides should be boosted further.

It noted that, despite the country's recent positive steps to remove trade barriers and improve conditions for foreign investors, there had been a trend towards raising external tariffs in some sectors. It therefore urged Korea to abolish tariff and non-tariff barriers which firms seeking to export to that country still faced, to harmonize its tariff rates and to adopt liberalization measures in line with GATT principles, notably the principle of non-discrimination between trading partners.

The Council also asked Korea to play an active part in helping conclude the Uruguay Round negotiations, particularly those relating to market access and services. It stressed the importance, in addition to the general development of economic and trade relations, of greater cooperation in areas such as science and technology, customs and product conformity assessment. The Council also felt that cooperation should also encompass energy, industry and the environment, and underlined the need to foster economic and cultural contacts.

#### *India*

1.3.39. Draft Cooperation Agreement between the European Economic Community and the Republic of India.

**Commission recommendation:** Bull. EC 9-1992, point 1.3.33

**Negotiating directives:** Bull. EC 10-1992, point 1.4.34

**Initialling of the Agreement:** Bull. EC 12-1992, point 1.4.37

**Proposal for a Council Decision on conclusion:** OJ C 103, 14.4.1993; COM(93) 82; Bull. EC 3-1993, point 1.3.35

*Decision on signature adopted by the Council on 1 June.* The new Agreement focuses on economic cooperation and investment in the private sector, intellectual property rights and development in the widest sense. It aims to strengthen and diversify economic and trade relations between the Community and India, foster cooperation on development and promote environmental protection.

The Agreement is founded on respect for human rights and general democratic principles, the basis for Community cooperation with non-member countries.

### *Indonesia*

1.3.40. Visit to the Commission by Mr Alatas, Minister of Foreign Affairs, on 23 June.

Mr Alatas saw Mr Marín, with whom he discussed the state of relations between the Community and the Association of South-East Asian Nations (ASEAN) and between the Community and Indonesia.

Their talks centred on the environment, trade and industrial cooperation, and respect for human rights. Mr Alatas stressed that both his country and ASEAN had always acknowledged the link between human rights and development.

### *Philippines*

1.3.41. Visit to the Commission by Mr Romulo, Secretary of State for Foreign Affairs, on 21 June.

Mr Romulo saw Mr Marín, with whom he discussed bilateral cooperation and cooperation between the Community and ASEAN. Three financing agreements, worth ECU 45 million, were signed for development projects in the Philippines. Mr Romulo said that his government was seeking new economic cooperation ties with the Community in order to boost trade and investment. He also reiterated

his country's commitment to democracy and human rights.

### *Thailand*

1.3.42. Visit to the Commission by Mr Prasong Soonsiri, Minister of Foreign Affairs, on 14 June.

Mr Prasong Soonsiri saw Mr Marín, with whom he discussed bilateral relations in areas such as industrial cooperation, investment and trade. Mr Marín welcomed the growth in trade between the Community and Thailand and stressed the need for Thailand to establish adequate protection for intellectual property rights.

The talks also covered the situation in Cambodia, relations with China and assistance for the poorest members of ASEAN.

## **Cooperation with Asia and Latin America**

1.3.43. Project financing.

**Basic Regulation:** Council Regulation (EEC) No 443/92 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America: OJ L 52, 27.2.1992; Bull. EC 1/2-1992, point 1.4.40

*Commission financing decisions adopted on 11, 15 and 30 June* to provide assistance for the following projects:

□ *Cambodia:* ECU 10 million for Phase II of the EC-Cambodia rehabilitation programme. The aim is to consolidate and extend initiatives already under way to resettle displaced persons and raise living standards in rural regions and secondary towns;

□ *The International Agricultural Research Centres (IARC) of the Consultative Group for International Agricultural Research (CGIAR):* ECU 10 million in assistance for international agricultural research;

□ *Costa Rica:* ECU 5.5 million to consolidate the Osa-Golfito integrated development project. Since 1987, this scheme has provided

organizational help, equipment and support for 1 006 families of former workers and small farmers in the southern region. The scope of the project will also be extended to 18 other land reform areas, including those in the Osa Peninsula;

- *India*: ECU 150 million to provide support for primary education;
- *Southern Cone Common Market (Mercosur)*: ECU 3.95 million for an EC-Mercosur technical standards cooperation programme;
- *Vietnam*: ECU 12.5 million for a Community and international programme of social and economic reintegration for Vietnamese refugees.

## ACP countries and OCTs

### Stabex and Sysmin

1.3.44. Commission report on the operation in 1992 of the export earnings stabilization system under the fourth ACP-EEC Convention.

**Reference:** Fourth Lomé Convention: Bull. EC 9-1991, point 1.3.38

**Previous report:** Bull. EC 4-1992, point 1.4.24

*Adopted by the Commission on 4 June.* The report covers the activities of the ACP-EEC institutions and the management of the system in 1992, particularly the allocation of transfers for 1991, the second year of application of Stabex under the fourth ACP-EEC Convention. For that year of application, the Commission notes that 35 ACP States were eligible for 67 Stabex transfers totalling ECU 391.5 million. This amount was covered by the system's ordinary resources, to which the ACP-EEC Committee of Ambassadors decided to add ECU 75 million. Following this decision, coverage of eligible amounts amounted to around 40%, as in the preceding year, although the total amount allocated to the financial year in question was lower (ECU 391.5 million, as against ECU 483.7 million).

As regards individual products, as in the three previous financial years, falls in revenue due to very low prices on the international market for coffee and cocoa accounted for the lion's share (81.7%) of the amounts transferred.

### Financial and technical cooperation

1.3.45. Financing of projects.

Commission decisions allocating a total of ECU 148 764 000 from the fifth, sixth and seventh EDFs (see Table 8).

Table 8 — *Financing of operations under the fifth, sixth and seventh EDFs*

Country	Purpose	Amount	
		Grant	Special loan
	<i>Economic infrastructure</i>		
Aruba	Extension of the airport	4.000	2.250
Mauritania	Rehabilitation of wharf in Nouakchott	2.237	1.363
	<i>Rural production</i>		
Zimbabwe	Agriculture	3.300	—
Mauritania	Drinking water supplies	0.529	—

(million ECU)

		<i>(million ECU)</i>	
Country	Purpose	Amount	
		Grant	Special loan
West Africa SADCC <sup>1</sup>	Research programme on trypanosomiasis	7.100	—
	Research programme on crop improvement	3.970	—
	<i>Industrialization</i>		
Seychelles	Assistance for small businesses	1.000	—
Burkina Faso	Regional solar energy programme	2.000	—
	<i>Social development</i>		
Uganda	Health programme	20.000	—
Swaziland	Training	5.000	—
New Caledonia	Education infrastructure	2.375	—
PALOP <sup>2</sup>	Strengthening education systems	4.450	—
	<i>Special aid</i>		
Ethiopia/Eritrea	Aid for the return of refugees	1.690	—
Senegal	AIDS	1.700	—
	<i>Other</i>		
Zambia	General technical cooperation	1.850	—
Tanzania	Structural adjustment support	55.000	—
Mali	Structural adjustment support	26.250	—
All ACP countries	Evaluation and monitoring of EDF-financed programmes	2.700	—
	<b>Total</b>	<b>145.151</b>	<b>3.613</b>

<sup>1</sup> Southern Africa Development Coordination Conference: Angola, Botswana, Lesotho, Malawi, Mozambique, Swaziland, Tanzania, Zambia, Zimbabwe.

<sup>2</sup> PALOP = Angola, Cape Verde, Guinea-Bissau, Mozambique, São Tomé and Príncipe.

## Bilateral relations

### *Guinea-Bissau*

1.3.46. Mr Correira, Prime Minister, visited the Commission on 21 June.

Mr Correira met Mr Marín, with whom he reviewed the most important aspects of cooperation between the Community and Guinea-Bissau. Mr Marín confirmed the Commission's support for the electoral process under way in

Guinea-Bissau, and welcomed the relaunching of the structural adjustment programmes.

### *Haiti*

1.3.47. Council Regulation (EEC) No 1608/93 introducing an embargo on certain trade between the European Economic Community and Haiti.

*Proposal adopted by the Commission on 22 June.*

COM(93) 301

*Adopted by the Council on 24 June.* Following the adoption of United Nations Security Council Resolution 841 of 16 June, which obliges all States to restrict trade with Haiti, and in view of the fact that the Community and its Member States had agreed to deploy a Community instrument to ensure uniform application of the embargo throughout the Community, in accordance with the stance adopted by the international community *vis-à-vis* the Haitian crisis, this Regulation prohibits the sale or supply of petroleum and petroleum products to any person or body in Haiti for the purpose of any business transactions in Haiti, and any activity promoting such transactions. Vehicles or vessels carrying petroleum or petroleum products are also banned from entering the territory or territorial sea of Haiti, while other commercial transactions involving such products are subject to prior authorization by the Member States.

OJ L 155, 22.6.1993

## *Mali*

1.3.48. Mr Konare, President of the Republic, visited the Commission on 2 June.

**Reference:** Fourth Lomé Convention: Bull. EC 9-1991, point 1.3.38

Mr Konare met Mr Delors and Mr Marín. Their discussions focused primarily on the consolidation of the democratic process following the inauguration of the government that emerged from the elections held in 1991 and 1992, and on strengthening the government by providing support for the State institutions and for the education and health services. The points raised included the political and economic situation in West Africa, Community support for measures to develop the River Senegal, Community cooperation in the light of the forthcoming negotiation of the second financial Protocol under the fourth Lomé Convention, and the successful implementation of cooperation between the Community and Mali under the first financial Protocol.

## *Somalia*

1.3.49. Parliament resolution on the situation in Somalia.

**Reference:** European political cooperation statement on Somalia: point 1.4.6 of this Bulletin

*Adopted by Parliament on 24 June.* Stressing the need for UN intervention in Somalia, and the positive role played by the UN security forces in distributing humanitarian aid to the starving, but deploring the belligerents' failure to respect the declaration of Addis Ababa and recent events in the country, Parliament expressed its shock at the death of 23 UN soldiers on 5 June, and condemned the attack. It also deplored the large number of revenge killings by supporters of General Aidid following the ambush, and called for the appointment of independent judges to preside over the inquiry into the deaths of the Somalis shot by Pakistani UN troops on 13 June. Calling for an end to the armed anarchy reigning in Somalia, Parliament urged all parties to cooperate with Unosom, as the sponsor and financial supporter of a constitutional committee set up to find a political solution to a conflict pitting several Somali faction leaders against each other.

OJ C 194, 19.7.1993

## *Togo*

1.3.50. Archbishop Kpodzro, President of Togo's High Council, visited Strasbourg on 22 June.

**Reference:** Joint statement on Togo: Bull. EC 5-1993, point 1.4.5

Archbishop Kpodzro met Mr Marín, with whom he discussed the delicate political situation in Togo in recent months. The Archbishop said that an international arbitrator or mediator acceptable to all parties was needed to facilitate the resumption of dialogue, the reaching of an agreement and compliance with it. Mr Marín reiterated the Commission's support for the Togolese people's efforts to find a solution to the crisis. He also noted the Commission's condemnation of the armed forces' intervention in the political process, and also referred to the recent European political cooperation statement, in which the Community and its Member States had voiced their belief

that elections held in the prevailing circumstances would not allow the Togolese people to choose freely.

## General development cooperation

### Commodities and world agreements

#### *Cocoa*

1.3.51. Meeting of the International Cocoa Council.

**Reference:** Council Decision establishing directives with a view to negotiating a fifth International Cocoa Agreement: Bull. EC 4-1992, point 1.4.28

**Previous meeting:** Bull. EC 1/2-1992, point 1.4.62

*Seventeenth extraordinary meeting, from 8 to 12 June.* The main subject for discussion between representatives of the producer and consumer countries was progress with negotiations for the fifth International Cocoa Agreement, which is to include provisions on production policy and a section on consumption. The producer countries also succeeded in obtaining abolition of the current buffer stock.

### Cooperation via non-governmental organizations

1.3.52. Projects in developing countries.

*Commission cofinancing:* commitment of ECU 8 784 743 for 81 operations.

1.3.53. Campaigns to raise public awareness

*Commission contribution:* ECU 465 718 for 8 operations.

## Humanitarian aid

### Emergency aid

1.3.54. Commission decisions: see Table 9.

Table 9 — *Emergency aid*

<i>(million ECU)</i>		
Country	Purpose	Amount
<i>Financing: EDF (ACP countries)</i>		
Guinea-Bissau	Senegalese refugees	0.3
Kenya	Displaced persons	0.4
Rwanda	Fighting and displaced persons	3
Somalia	Fighting	1.296
Sudan	Conflict, drought and displaced persons	1
<i>Financing: 1993 budget</i>		
Algeria	Tuareg refugees	0.5
Azerbaijan	Displaced persons	4
Iraq	Population of northern Iraq	11.5
Mongolia	Medical aid	0.875
Occupied Territories	Palestinians	2.45
Former Yugoslavia	Fighting	100

### Food aid

#### *Storage programmes and early warning systems*

1.3.55. Commission decisions. Grant of ECU 457 850 to the Save the Children Fund for its work in Sudan (ECU 291 750) and six other African countries (ECU 166 100).



## Aid for refugees and displaced persons

1.3.56. Commission decisions: see Table 10.

Table 10 — *Aid for the self-sufficiency of refugees and displaced persons*

<i>(million ECU)</i>		
Country	Number of programmes	Total amount
Afghanistan	1	2.1
Guatemala	1	0.55
Nicaragua	1	0.7

## Commercial policy

### General matters

#### *Commercial policy instruments*

#### Illicit commercial practices

1.3.57. Commission Decision 93/388/EEC terminating the examination procedure concerning illicit commercial practices within the meaning of Council Regulation (EEC) No 2641/84 consisting of the imposition in Japan of a port charge or fee used for the creation of a harbour management fund.

#### References:

Regulation (EEC) No 2641/84 on the strengthening of the common commercial policy with regard in particular to protection against illicit commercial practices: OJ L 252, 20.9.1984; Bull. EC 9-1984, point 2.2.5

Initiation: OJ C 40, 16.2.1991; Bull. EC 1/2-1991, point 1.3.73

Suspension: OJ L 74, 20.3.1992; Bull. EC 3-1992, point 1.3.67

*Adopted by the Commission on 9 June.*

OJ L 166, 8.7.1993

Bull. EC 6-1993

### Council anti-dumping measures

1.3.58. Proposal for a Council Regulation extending the provisional anti-dumping duty on imports of certain electronic weighing scales originating in Singapore and the Republic of Korea.

**Reference:** Provisional duty: OJ L 112, 6.5.1993; Bull. EC 4-1993, point 1.3.68

*Adopted by the Commission on 16 June.*

COM(93) 288

1.3.59. Council Regulation (EEC) No 1607/93 extending the provisional anti-dumping duty on imports of bicycles originating in the People's Republic of China.

**Commission proposal:** COM(93) 257; Bull. EC 5-1993, point 1.3.56

*Adopted by the Council on 24 June.*

OJ L 155, 26.6.1993

1.3.60. Council Regulation (EEC) No 1473/93 imposing a definitive anti-dumping duty on imports of magnesium oxide originating in the People's Republic of China.

**Commission proposal:** COM(93) 181; Bull. EC 5-1993, point 1.3.58

*Adopted by the Council on 14 June.*

OJ L 145, 17.6.1993

#### Commission anti-dumping measures

1.3.61. Notice of initiation of a review of Council Regulation (EEC) No 3121/89 concerning imports of certain acrylic fibres originating in Mexico.

**Reference:** Definitive duty and undertakings: OJ L 301, 19.10.1989; Bull. EC 10-1989, point 2.2.2

*Published on 5 June.*

OJ C 154, 5.6.1993

1.3.62. Notice of initiation of a review of Council Regulation (EEC) No 3068/92 imposing a definitive anti-dumping duty on imports of potassium chloride originating in Belarus, Russia or Ukraine.

**Reference:** Definitive duty: OJ L 308, 24.10.1992; Bull. EC 10-1992, point 1.4.59

*Published on 26 June.*

OJ C 175, 26.6.1993

1.3.63. Notice of the impending expiry of an anti-dumping measure concerning imports of paracetamol originating in the People's Republic of China.

**Reference:** Definitive duty: OJ L 348, 17.12.1988; Bull. EC 12-1988, point 2.2.6a

*Published on 19 June.*

OJ C 168, 19.6.1993

1.3.64. Notice of the impending expiry of an anti-dumping measure concerning imports of polyester yarn originating in the Republic of Korea, Taiwan and Turkey.

**Reference:** Definitive duty: OJ L 347, 16.12.1988; Bull. EC 12-1988, point 2.2.6a

*Published on 26 June.*

OJ C 175, 26.6.1993

1.3.65. Commission Decision 93/376/EEC terminating the review of anti-dumping measures adopted under Council Regulation (EEC) No 1698/85 imposing a definitive anti-dumping duty on imports of electronic typewriters originating in Japan.

**Reference:** Notice of initiation of a review: OJ C 315, 14.12.1990; OJ C 283, 30.10.1991; Bull. EC 12-1990, point 1.4.75 and 10-1991, point 1.3.57

*Adopted by the Commission on 16 June.*

OJ L 157, 29.6.1993

1.3.66. Commission Decision 93/377/EEC terminating the proceeding to review anti-dumping measures applicable to certain imports of gas-fuelled, non-refillable pocket flint lighters originating in the People's Republic of China.

**Reference:** Notice of initiation of a review: OJ C 62, 11.3.1992; Bull. EC 3-1992, point 1.3.62

*Adopted by the Commission on 22 June.*

OJ L 158, 30.6.1993

## Council anti-subsidy measures

1.3.67. Council Regulation (EEC) No 1781/93 imposing a definitive countervailing duty on imports of ball bearings with a greatest external diameter not exceeding 30 mm, originating in Thailand but exported to the Community from another country, and definitively collecting the provisional duty.

**Reference:** Provisional duty: OJ L 56, 9.3.1993; Bull. EC 3-1993, point 1.3.67

*Proposal adopted by the Commission on 7 June.*

COM(93) 264

*Adopted by the Council on 30 June.*

OJ L 163, 6.7.1993

## Individual sectors

### Steel

1.3.68. Commission Decision No 1535/93/ECSC amending Decision No 3788/90/ECSC 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.

**Commission draft:** Bull. EC 1/2-1993, point 1.3.63

**Economic and Social Committee opinion:** OJ C 161, 14.6.1993; Bull. EC 4-1993, point 1.6.35

**Council assent:** OJ C 158, 10.6.1993; Bull. EC 5-1993, point 1.3.72

*Formally adopted by the Commission on 22 June.*

OJ L 151, 23.6.1993

### Textiles

1.3.69. Council Regulation (EEC) No 1399/93 on the opening of supplementary quotas for imports into the Community of certain textile products originating in certain third countries participating in the 1993 Berlin trade fairs.

**Commission proposal:** COM(93) 199; Bull. EC 5-1993, point 1.3.74

*Adopted by the Council on 7 June.*

OJ L 137, 8.6.1993

## International organizations and conferences

*1.3.70.* The European Council stressed the importance of restarting the Geneva multilateral talks on all issues, including agriculture, as soon as possible with a view to reaching a comprehensive, lasting and balanced agreement on the Uruguay Round by the end of the year (→ point I.9).

### General Agreement on Tariffs and Trade

*1.3.71.* Recommendation for a Council Decision authorizing the Commission to open negotiations on bananas under Article XXVIII of the GATT (→ point 1.2.193).

### Organization for Economic Cooperation and Development

*1.3.72.* Annual ministerial meeting.

**Previous meeting:** Bull. EC 5-1992, point 1.2.73

*Meeting held in Paris on 2 and 3 June.* The meeting was chaired by Australia's Finance Minister, Mr Dawkins; the Commission was represented by Sir Leon Brittan and Mr Christophersen.

Against a general background of low or zero economic growth and mounting unemployment, discussion centred on growth and employment. Most of the ministers present stressed the need to improve the working of the labour market, relaunch growth and bring it to a level at which job creation could resume. Mr Christophersen felt that interest rates,

especially in Europe, should be cut still further to encourage investment, since budget and tax restraints had left governments so little room for manoeuvre. The ministers emphasized the need for a concerted and differentiated strategy. They also thought it necessary to maintain and reinforce an open multilateral trade system: it was generally felt that conditions appeared to be ripe for the conclusion of the Uruguay Round negotiations by the end of the year.

### European Bank for Reconstruction and Development

#### *Financing*

#### **Czech Republic**

#### *Thurn & Taxis Dobrovice (TTD)*

*1.3.73.* The Bank took a ECU 33 million share (33% of capital) in the TTD sugar refinery in Bohemia. This enterprise had recently been privatized, with a French sugar cooperative, the Sucrière de Berneuil sur Aisne, taking a 52% majority shareholding. This capital investment should enable TTD to carry out an investment programme aimed at increasing capacity and improving productivity.

#### **Poland**

#### *Polspan*

*1.3.74.* A loan of DM 43 million was granted to Polspan, a Polish paperboard producer. The firm is a wholly-owned subsidiary of Austria's Kronospan group, the European leader in this sector. The loan will cover the modernization and extension of two factories in Szczecinek and Poznan. DM 15 million of the loan will be syndicated to the Austrian bank Kreditanstalt.

### *Huta Sandomierz/Pilkington*

1.3.75. The Bank granted a loan of USD 34 million (ECU 27.5 million) to a joint venture between the British company Pilkington and the Polish Government. The loan will help the privatization of the Huta Sandomierz glass factory. The present plant will be shut down as soon as the new float plant, which the loan will help finance, comes fully on stream. This will be the first Polish plant to produce glass by Pilkington's float method, which has gradually been adopted by all Western producers.

### *Rockwool*

1.3.76. A loan of DM 12 million (ECU 6.2 million) was granted to Rockwool Poland, a joint company linking ZBMIB Izolacja, a State-owned producer of insulating materials for the construction industry, which brought all its assets to the venture, and the Danish group Rockwool International, one of the world's leading producers of glass wool. A Danish investment fund also took a 30% share in the capital of Rockwool Poland. The investment will permit the modernization of the present factory and the expansion of capacity.

### **Russia**

#### *Chernogorskoye*

1.3.77. A loan of USD 40 million was granted to Chernogorskoye to finance oil production in Western Siberia. The recipient is a joint venture linking Chernogorneft (50%), a State-owned oil producer, and Anderman Smith Overseas (50%), a US-based oil exploration and production firm. The project is also being funded by EXIM, the American export credit agency.

### **Various countries of Central and Eastern Europe**

#### *Investment Fund for Eastern Europe*

1.3.78. The EBRD took a 12.5% capital share (USD 25 million) in an investment fund

managed by the US financial house Capital Group, which specializes in establishing funds in emerging markets. A substantial part of the capital of the fund, which the promoters hope will reach USD 200 million, will come from US pension funds. The aim is to invest this capital in international joint ventures in Eastern Europe.

## Human rights in the world

### **World Conference on Human Rights**

1.3.79. United Nations World Conference on Human Rights.

**Reference:** Declaration by the Council and the representatives of the Member States, meeting within the Council, on human rights, democracy and development: Bull. EC 5-1993, point 1.3.41

*Meeting held in Vienna from 14 to 25 June.* Delegates from more than 180 UN member countries and about 70 UN specialized agencies and organizations gathered in Vienna for the second World Conference on Human Rights, the first being the 1968 Tehran conference. The conference had been convened in December 1990 by the United Nations General Assembly with the aim of:

- taking stock of the progress made worldwide since the adoption of the Universal Declaration of Human Rights in 1948;
- examining the connection between development and full enjoyment of economic, social and cultural rights, as well as civil and political rights;
- helping improve the application of international standards on human rights and the existing monitoring and protection apparatus.

A special committee, set up by the General Assembly to prepare the conference, met four times in the period 1991-93 to draw up the agenda and draft a final document for the conference. Regional meetings were also

organized by the countries of Africa (Tunis 1992), Latin America (San José 1993) and Asia (Bangkok 1993); each of the meetings resulted in the adoption of common positions for the forthcoming conference.

From the outset of the preparatory process, the Community and its Member States coordinated their positions closely within the framework of European political cooperation. In April they adopted a detailed common position and formally presented it to the conference secretariat, which distributed it as an official document. The Council too contributed to the debate, with its May declaration on human rights, democracy and development.

In Vienna, where the Community was represented by a joint delegation comprising delegates from the Presidency and the Commission, the President of the Council, the Danish Foreign Minister, Mr Helveg Petersen, presented in plenary session a declaration setting out the ideas and expectations of the Community and its Member States. Mr van den Broek spoke on behalf of the Commission. He then met representatives of various non-governmental organizations, for whose participation in the preparations for the conference and in the conference itself the Community had provided some ECU 1.5 million.

As during the preparatory process, the start of the conference was marked by considerable differences of opinion about the universality and indivisibility of human rights, principles on which regional traditions differed. Nevertheless, intense negotiations enabled the conference to close on a high note, with the adoption by consensus of the final document, the Vienna declaration and action programme.

This document establishes no legal obligations, containing only political commitments. In line with one of the chief objectives of the Community and its Member States, it reaffirms the universality and indivisibility of human rights and makes their defence a legitimate concern of the international community. It affirms, for the first time by consensus, the right to development, underlining at the same time the interdependence of democracy, development and human rights. The final document calls for the United Nations Centre for Human Rights to

be strengthened and its budget increased, and recommends that the next General Assembly consider, as a matter of priority, the appointment of a High Commissioner for Human Rights. Among the specific issues touched on by the document are racism and xenophobia, torture, the situation of minorities and indigenous peoples, migrant workers, women and children.

### Angola

*1.3.80.* Parliament resolution on humanitarian aid in Angola.

*Adopted by Parliament on 24 June.* Parliament called for humanitarian aid to be brought to victims of the fighting and appealed to all humanitarian organizations and NGOs to take part. It called for the establishment of the conditions necessary to enable humanitarian organizations to act with all possible speed and without discrimination, and hoped that the various sides would permit and facilitate action by those organizations.

OJ C 194, 19.7.1993

*1.3.81.* Parliament resolution on the worsening plight of the 353 Portuguese and 128 other foreign nationals being held in Huambo, Angola.

**Reference:** Parliament resolution of 22 April 1993 on the situation in Angola: OJ C 150, 31.5.1993; Bull. EC 4-1993, point 1.3.90

*Adopted by Parliament on 24 June.* Parliament condemned the situation in which foreign nationals had been put and demanded their immediate evacuation. It recommended the Community and its Member States to call on UNITA to respect fully the human rights of foreign civilians working in Angola and reiterated its appeal to the UN and the Community to pursue their efforts for the resumption of the peace process and the immediate end of the war.

OJ C 194, 19.7.1993

### Guatemala

*1.3.82.* Parliament resolution on the situation in Guatemala.

**Reference:** Parliament resolution of 27 May 1993 on the coup in Guatemala: OJ C 176, 28.6.1993; Bull. EC 5-1993, point 1.3.83

*Adopted by Parliament on 24 June.* Parliament welcomed the democratic convictions demonstrated by the people and professional organizations of Guatemala, and by every sector of society in the country, and hoped that the new President would consolidate the democratic process in the country and make decisive progress with regard to respect for human rights. It acknowledged the role played by the Constitutional Court and army officers, and stressed the importance for Guatemala's future of integrating the Indian population into national life. It called on the Commission to make a special effort to establish cooperation with Guatemala and so help consolidate constitutional democracy.

OJ C 194, 19.7.1993

## Tibet

*1.3.83.* Parliament resolution on repression in Tibet and the exclusion of the Dalai Lama from the World Conference on Human Rights.

**Reference:** United Nations World Conference on Human Rights: point 1.3.79 of this Bulletin

*Adopted by Parliament on 24 June.* Parliament deplored the brutal suppression of demonstrations and the harsh treatment of political prisoners in Tibet. It called on the Chinese Government to allow foreign observers to attend the trials of those arrested and on Community ambassadors to China to draw up an in-depth report on their visit to Tibet from 16 to 23 May. It called on the foreign ministers,

meeting within the framework of European political cooperation, to use their good offices to induce the Chinese Government to lift its ban on travel by foreign journalists to Tibet and for an independent investigation into the brutal suppression of demonstrations. It deeply regretted that pressure from China had brought about the cancellation of the Dalai Lama's planned address to the World Conference on Human Rights. Lastly, it called for a resumption of negotiations between the Dalai Lama and the Chinese authorities, and a democratic, genuinely autonomous solution for Tibet.

OJ C 194, 19.7.1993

## Former Yugoslavia

*1.3.84.* Parliament resolution on the arrest and maltreatment of Mr Vuk Draskovic and his wife.

*Adopted by Parliament on 24 June.* Shocked by the arrest, imprisonment and physical assault in Belgrade on 2 June of the leader of the Serbian Renewal Movement (SPO), Mr Draskovic, and by the arrest of Mrs Draskovic and several SPO deputies, Parliament called for their immediate release and condemned the violence and brutality of the police and the methods of Mr Milosevic. It warned that the establishment in Serbia of a dictatorship under Mr Milosevic would lead the Serbs themselves to suffer the same violations of human rights as those perpetrated against the Albanians in Kosovo and other minority groups in Serbia.

OJ C 194, 19.7.1993

## 4. Intergovernmental cooperation

### European political cooperation

*1.4.1.* The joint statements adopted and published in June are reproduced below in chronological order.

#### Tibet

*1.4.2.* The following joint statement was published in Copenhagen and Brussels on 1 June:

'The Community and its Member States were deeply concerned by reports of arrests of Tibetans including Mr Gendun Rinchen and Mr Lobsang Yonten before and during the visit to Tibet which their representatives in Peking undertook from 16 to 23 May 1993. During the visit the representatives tried to obtain full clarification from the Chinese authorities and requested that those detained were released at once. They also requested access to them. If there was any question of bringing individuals to trial, they urged the Chinese authorities to facilitate the presence of foreign observers. The Community and its Member States will continue to seek full information from the Chinese authorities in Peking.

The Community and its Member States are also concerned at subsequent reports of police action against demonstrations in Lhasa.

The Community and its Member States, having received reports from their representatives who visited Tibet, express their disquiet at the general human rights situation of the Tibetan people and urge the Chinese authorities to ensure that these rights are fully respected.

The Community and its Member States believe that the problems of Tibet can best be resolved through dialogue between the Chinese authorities and the representatives of the Tibetan people, including its spiritual leader the Dalai Lama, and urge both sides to engage in this without preconditions.'

#### Malawi

*1.4.3.* The following joint statement was published in Copenhagen and Brussels on 2 June:

'The Community and its Member States have followed closely developments in Malawi since the announcement of the referendum to decide whether Malawi should maintain the existing single-party system of government or adopt a multi-party system.

The Community and its Member States were pleased to note that many of the suggestions put forward by the United Nations concerning the conduct of the referendum have been adopted, even though some key recommendations were resisted until a late stage in the referendum timetable.

The Community and its Member States feel bound to draw the attention of the Malawi Government to certain important areas of concern. There are numerous reports of harassment and intimidation in various forms: physical maltreatment of individual multi-party advocates, obstruction, and cancellation of meetings. It is worrying that no responsible government representatives have made any public effort to restrain, for example, the activities of the Malawi Young Pioneers. Another concern is that the advocates of multi-party democracy have been denied satisfactory coverage of their views on the government-controlled media, particularly radio, as laid down in the regulations for the referendum.

In the light of the above, the Community and its Member States believe that the Malawi authorities have failed to reach acceptable standards of democratic campaigning, thus calling into question their commitment to increased respect for human rights. Such action could lead international opinion to the conclusion that the referendum did not take place in a free and fair climate.

Nevertheless, the Community and its Member States are encouraged by the fact that advocates of both systems of government have now committed themselves to continued participation in the referendum process. For this reason, the Community and its Member States are providing international observers and financial support for the referendum. For this support to be maintained it is imperative that the remaining part of the campaign takes place under circumstances that permit the true views of the Malawi people to be reflected in the vote.

Finally, the Community and its Member States recall that the respect of human rights and of the

rules of good government remain the necessary conditions for the resumption of normal cooperation.'

## **Guatemala**

*1.4.4.* The following joint statement was published in Copenhagen and Brussels on 7 June:

'The European Community and its Member States welcome the return to constitutional order in Guatemala through legal and peaceful means.

They express their support to the new constitutional President, Ramiro de Leon Carpio, and believe that his appointment will contribute to achieving the necessary respect of the democratic institutions which are essential to a successful conclusion of the peace process and the full observance of human rights and fundamental freedoms.'

## **Former Yugoslavia**

*1.4.5.* The following joint statement was published in Copenhagen, Luxembourg and Brussels on 8 June:

'The Community and its Member States pledge themselves to intensify efforts to achieve a lasting and equitable peace in the former Yugoslavia in close cooperation with the rest of the international community. In this context, the Community and its Member States are looking forward to meeting the US Secretary of State, Warren Christopher, in Luxembourg on 9 June 1993.

The Vance-Owen Peace Plan remains the centrepiece of EC strategy for peace in Bosnia-Herzegovina. There is no feasible alternative to the Vance-Owen Peace Plan as the basis for reaching a durable political solution based on the principles agreed by all at the London Conference, including the sovereignty of the Republic of Bosnia-Herzegovina, the inviolability of its territorial integrity, respect for its pluralist character, and the inadmissibility of the acquisition of territory by force. Lord Owen and Thorvald Stoltenberg, who have the authority to pursue implementation of the Vance-Owen Peace Plan through contacts with the parties, have our full confidence and support in this matter.

The Community and its Member States welcome the measures developed and supported by the Community and its Member States in the joint action programme agreed on 22 May 1993 in Washington by the Foreign Ministers of five members of the Security Council, with the aim of preparing the ground for the implementation of the Vance-Owen

Peace Plan. They attach importance to the new commitments of the United States and Russia in this task.

The Community and its Member States lend their full support to UN Security Council Resolution 836 on safe areas, which has as its immediate objective the protection of lives now threatened by aggressive military action, and which constitutes a first step in the comprehensive implementation of the Vance-Owen Peace Plan. Implementation of this resolution requires additional troops and funding, and the Community and its Member States support the efforts of the UN Secretary-General to this end with other members of the international community.

The sanctions imposed by the United Nations Security Council against Serbia/Montenegro and the Bosnian Serbs will be rigorously enforced until the conditions in the relevant UN Security Council resolutions for their lifting have been met. The Community and its Member States will continue to monitor closely the situation in the Krajina, as well as any Croatian acts in contravention of the Vance-Owen Peace Plan in Bosnia-Herzegovina. They will initiate restrictive measures against Croatia if the situation so requires. They insist that all parties protect the lives and safety of relief personnel and let relief convoys pass unimpeded. The Community and its Member States are concerned about a possible spill-over of the conflict. They support a substantial increase in the preventive international presence in Kosovo and the former Yugoslav Republic of Macedonia.

The Community and its Member States reaffirm that options for new and tougher measures must be kept open.'

## **Somalia**

*1.4.6.* The following joint statement was published in Copenhagen, Luxembourg and Brussels on 8 June:

'The Community and its Member States express their deep concern over the events in Mogadishu in recent days and condemn without reservation the premeditated killing and wounding of Pakistani soldiers who were conducting a weapons verification inspection with Unosom II. They express their regret and sympathy to the people and Government of Pakistan, and especially to the families of those who lost their lives.

The Community and its Member States reiterate their full support for the United Nations in its efforts to bring peace and stability to Somalia. They look



forward to the publication of the Secretary-General's enquiry into the recent incident and the role of the factional leaders involved.

The Community and its Member States call on all Somali parties, movements, and factions to respect the ceasefire, to comply with the agreements on political reconciliation they entered into in Addis Ababa in March and to cooperate fully with Unosom II so that it can fulfil its essential humanitarian mandate.'

## **Cambodia**

*1.4.7.* The following joint statement was published in Copenhagen and Brussels on 10 June:

'The Community and its Member States wish to congratulate the people of Cambodia on the historic and successful election of representatives for a constituent assembly. The impressive high voter participation in spite of the special atmosphere that surrounded the election is a victory for democracy and for the peace process.

The Community and its Member States also wish to congratulate and thank the United Nations Secretary-General, UNTAC and participating international polling station officers for the enormous effort and hard work invested in the preparation and actual implementation of the elections.

The Community and its Member States call on all Cambodian parties to abide by their commitment under the Paris Agreements to respect the results of the elections, the conduct of which has been characterized as free and fair by all observers. They also call upon the constituent assembly to complete its task of drafting and adopting a new Cambodian constitution within three months of the date of the elections. They encourage the parties which participated in the elections to work together constructively under the aegis of Prince Sihanouk, to facilitate the emergence of a government of reconciliation.

The Community and its Member States reaffirm their determination to continue their support for the peace process and for the reconstruction of Cambodia.'

## **North Korea**

*1.4.8.* The following joint statement was published in Copenhagen and Brussels on 16 June:

'The European Community and its Member States take note of the joint statement of the Democratic

People's Republic of Korea and the United States of America issued in New York at the conclusion on 11 June 1993 of government-level talks between the two countries, and the intention of the DPRK and the USA to continue the dialogue with a view to resolving the nuclear issue and to achieving a nuclear-free Korean peninsula.

In this connection the Community and its Member States welcome the unilateral decision of the DPRK to suspend the effectuation of its withdrawal from the Treaty on the Non-Proliferation of Nuclear Weapons. This positive step should now be followed by the DPRK's reaffirmation of its commitment to the NPT.

In the light of their strong commitment to a strengthening of the nuclear non-proliferation regime, the European Community and its Member States call upon the Democratic People's Republic of Korea to honour all its obligations under its Safeguards Agreement with the IAEA and to reaffirm its commitment to the bilateral inspection arrangements agreed in principle with the Republic of Korea.'

## **Azerbaijan**

*1.4.9.* The following joint statement was published in Copenhagen and Brussels on 17 June:

'The European Community and its Member States are following developments in Azerbaijan with great concern and are alarmed by the possibility that the present armed rebellion might lead to civil war. They condemn any attempt to remove by unconstitutional means the democratically elected President. They urge all the leading figures in Azerbaijani political life to work for a peaceful and constitutional solution to the present crisis in which respect for democratic institutions and for the rule of law are upheld.

The Community and its Member States also consider a stable, constitutional Azerbaijan vital in efforts to negotiate a peaceful political solution to the conflict in Nagorno-Karabakh. They regret that the present crisis should coincide with the positive responses of all parties to the Nagorno-Karabakh dispute to the peace plan presented by the CSCE. They hope that a swift resolution of Azerbaijan's domestic crisis will allow for the early implementation of this peace plan.'

## **Nagorno-Karabakh**

*1.4.10.* The following joint statement was published in Copenhagen and Brussels on 24 June:

'The Community and its Member States welcome the acceptance by all the parties to the Nagorno-Karabakh dispute of the CSCE plan put to them by Signor Raffaelli. They believe that this plan represents the best hope for a comprehensive ceasefire in the region, for the implementation of UN Security Council Resolution 822 of 30 April and for real progress towards a negotiated settlement to the Nagorno-Karabakh conflict. They pay tribute in particular to President Ter Petrossian of Armenia for his successful personal intervention to secure the agreement of representatives of the Armenian community in Nagorno-Karabakh to this plan.

The Community and its Member States hope that the Armenian Government will continue to urge full acceptance of the peace plan on those elements in Nagorno-Karabakh who have not yet accepted it and that those elements in Nagorno-Karabakh will refrain from exploiting the present internal difficulties in Azerbaijan on the ground in and around Nagorno-Karabakh. They warn that in the present circumstances any offensive operation by whatever side may jeopardize the peace plan.

The Community and its Member States urge the parties to the conflict to continue to lend their full support to the plan, thus facilitating the deployment of the first phase of the CSCE monitoring mission. They also urge the parties to agree to accept the withdrawal of troops from occupied territories and guarantee the security of CSCE observers on the ground as soon as they are deployed.'

## **Nigeria**

*1.4.11.* The following joint statement was published in Copenhagen and Brussels on 25 June:

'The Community and its Member States deplore the arbitrary decision of the Nigerian military government to annul the Nigerian presidential elections, suspend the National Electoral Commission, and thereby to stop the promised transition to civilian rule. Reports from international observers suggest that the elections gave Nigerians a fair and adequate chance to express their choice for a democratically elected civilian government.

The Community and its Member States have consistently supported the programme for a return to democratic civilian rule, and had expected this process to be completed and power handed over to a democratic civilian government by 27 August. The Community and its Member States call upon the Nigerian authorities to reconsider their decision to annul the elections.'

## **South Africa**

*1.4.12.* The following joint statement was published in Copenhagen and Brussels on 26 June:

'The European Community and its Member States have constantly urged all parties in South Africa to support the ongoing peaceful negotiations for the establishment of a non-racial, united and democratic South Africa.

The European Community and its Member States are deeply disturbed by and strongly condemn the violent actions perpetrated by right-wing groups at the World Trade Centre on 25 June 1993 leading to a totally unwarranted disruption of the deliberations of the multi-party negotiating Council.

The European Community and its Member States strongly hope that such actions will not be allowed to hamper the efforts of the negotiating parties to reach an agreement in the very near future that will set South Africa firmly on the road towards democracy.'

## **Former Yugoslavia**

*1.4.13.* The following joint statement on the arrest of Vuk Draskovic and his wife was published in Copenhagen and Brussels on 28 June:

'The Community and its Member States have approached the Belgrade leadership on the detention and ill-treatment of Vuk Draskovic and his wife, requesting their release and demanding to visit both.

The Community and its Member States have received no answer to the request, put to the Belgrade authorities on 7 June.

The detention, ill-treatment and lack of information on the health of Mr and Mrs Draskovic constitute flagrant violations of their human rights. They represent a further illustration of the irresponsible policy of the Serbian leadership that will contribute to isolate Serbia-Montenegro from the international community, carrying serious consequences for the Serbian-Montenegrin population.

The Community and its Member States have not given up their request for the release of Vuk Draskovic and his wife and urgent demands to be given the possibility to visit them.'

## **Tadjikistan**

*1.4.14.* The following joint statement was published in Copenhagen and Brussels on 29 June:

'The Community and its Member States strongly deplore the decision of the authorities in Tadjikistan to ban the four main opposition parties. They strongly condemn the mistreatment and forced exile of opposition figures since the present government reasserted its control in Tadjikistan at the beginning of 1993. The Community and its Member States express the hope that the ban will be repealed by the Tadjik parliament at its next session.'

The Community and its Member States consider these actions contrary to human rights and fundamental freedoms as enshrined in the Charter of Paris and other basic CSCE documents, including elected democratic government and political pluralism, to which Tadjikistan is publicly committed. They also consider these actions contrary to the objective of national reconciliation which is badly needed in a country so recently wracked by civil war. They consider that freedom of expression for all sections of the Tadjik population, including through political parties and other political organizations, should form a vital part of such a reconciliation.'

## Congo

*1.4.15.* The following joint statement on the situation in the Congo was published in Copenhagen and Brussels on 30 June:

'The Community and its Member States have from the start consistently supported and closely followed the move towards greater democracy in the Congo, which had highly auspicious beginnings.'

They note with regret that this democratic process is currently facing a crisis which has virtually paralysed the economic life of the capital and resulted in material difficulties for the population. The Community and its Member States express the hope that the Congolese people and their political leaders will swiftly work out a peaceful solution which is the only way of carrying to a successful conclusion the democratic process desired by the Congolese people and re-establishing normal economic conditions.'

## Moldova

*1.4.16.* The following joint statement on legal proceedings in Transnistria was published in Copenhagen and Brussels on 30 June:

'The Community and its Member States support the efforts of the Moldovan Government to organize a fair trial in accordance with the relevant international human rights standards, including in particular those derived from the CSCE, for the follow-

ing six prisoners: Ilie Ilascu, Alexandru Lesco, Tudor Petrov-Popa, Petru Godiac, Andrei Ivantoc and Valentin Garbuz.

The Community and its Member States do not recognize the legitimacy of the court in Tiraspol (Transnistria). The Community and its Member States call on all interested parties to use their influence on the self-proclaimed authorities in Transnistria to hand over the prisoners to the legitimate Moldovan authorities.

The Community and its Member States believe that the trial of these prisoners in the Transnistrian region will have a negative effect on negotiations on a settlement to the dispute over the status of the Transnistria region.'

## Other intergovernmental cooperation

*1.4.17.* Stressing that the single market could be brought about only by implementing fully Article 8a of the Treaty, the European Council called on the ministers responsible to bring forward urgently their work on measures to combat crime and drug trafficking and to ensure effective control of external borders (→ point I.21).

*1.4.18.* Six-monthly meeting of ministers responsible for immigration.

**Reference:** 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 2.2.9

**Previous meeting:** Bull. EC 12-1992, point 1.5.12

*Meeting held in Copenhagen on 1 June.* The meeting was chaired by Mrs B. Weiss, Denmark's Minister for the Interior, and was attended by Mr Vanni d'Archirafi, Member of the Commission. The ministers approved the report to the European Council concerning free movement of persons. The Commission expressed disappointment at the lack of tangible and positive progress on abolition of bor-

der checks and said that it would like to see genuine political determination to meet in full the obligations stemming from the Treaty.

Referring to the importance of the conclusions adopted at their previous meeting six months earlier in London on 30 November, the ministers adopted a resolution on guidelines concerning the admission of groups of persons at risk and considered to be particularly vulnerable originating from the former Yugoslavia. They also approved a resolution on the harmonization of national policies with regard to the reunion of families, conclusions on the application of the provisions governing transit in cases of deportation, and a recommendation concerning control and deportation of nationals of non-Community countries who were illegal residents or workers.

The ministers also noted the efforts under way by the Member States concerned to resolve the last problem holding up the draft Convention on the crossing of external borders, and also the resolve of the Member States in which ratification was in progress to do all they could to ensure that the Dublin Convention on examining requests for asylum could enter into force as soon as possible.

**1.4.19. Six-monthly meeting of ministers of the TREVI Group.**

**Reference:** Special meeting of the ministers responsible for home affairs and justice: Bull. EC 5-1993, point 1.4.9

**Previous meeting:** Bull. EC 5-1993, point 1.4.8

*Meeting held in Copenhagen on 2 June.* In accordance with the procedure agreed at their special meeting at Kolding on 6 May, the ministers responsible for internal security matters, with Mr E. Olsen, Denmark's Minister for Justice, in the chair and with a Commission representative in attendance, signed the agreement establishing the Europol Drugs Unit (EDU). They also decided to proceed with a detailed study of violence sparked by racism and xenophobia, the outcome of which would form part of the programme approved by the ministers at their special meeting at Kolding on 6 and 7 May.

**1.4.20. Special meeting of the ministers of the TREVI Group.**

**Reference:** Six-monthly meeting of ministers of the TREVI Group in Lisbon: Bull. EC 6-1992, point 1.5.14

**Previous meeting:** Point 1.4.19 of this Bulletin

*Meeting held in Copenhagen on 29 June.* The European Council having failed to take a decision on the seats of the organizations and bodies set up but not yet given a final location, the ministers responsible for internal security matters met once more with Mr E. Olsen in the chair, and with a Commission representative in attendance, but were unable to reach agreement on the provisional seat of the Drugs Unit (EDU). In order to allow the preparatory work to continue and develop, however, they agreed to renew and extend the terms of reference of the task force which they had decided to set up at their meeting in Lisbon in June the previous year.

# 5. Financing Community activities

## Budgets

### General budget

#### *Budgetary procedures*

#### 1992 financial year

1.5.1. Commission communication to the Court of Auditors, Parliament and the Council on the balance sheets and accounts of the fifth, sixth and seventh European Development Funds for the 1992 financial year.

*Adopted on 28 June.*

COM(93) 234

#### 1993 financial year

1.5.2. Letter of amendment No 1 to preliminary draft supplementary and amending budget No 1/1993.

**Preliminary draft supplementary and amending budget No 1/1993:** Bull. EC 3-1993, point 1.5.2

*Adopted by the Commission on 21 June.* The letter of amendment is intended to offset some of the impact which changes in the rate between the ecu and the Belgian and Luxembourg francs have had on the institutions' administrative budgets and to share out the available margin of ECU 20 million in proportion to the administrative appropriations of each institution.

#### 1994 financial year

1.5.3. Preliminary draft budget for 1994.

**Commission approval:** Bull. EC 4-1993, point 1.5.1

*Adopted by the Commission on 21 June.*

COM(93) 400

1.5.4. Parliament resolution on the estimates of Parliament's revenue and expenditure for the 1994 financial year.

*Adopted on 24 June.* The estimates adopted come to ECU 665 798 000, a sum which corresponds to a nominal increase of 5.68% over the 1993 budget and which is consistent with a balanced division of administrative expenditure among the Community institutions.

OJ C 194, 19.7.1993

### ECSC operating budget

1.5.5. Draft amending budget for 1993.

*Adopted by the Commission on 30 June.* The draft amending budget comes to ECU 551.8 million, an increase of ECU 3.8 million over the initial budget.

On the expenditure side, a further ECU 1.8 million will go to coal research and ECU 2 million to interest subsidies in connection with conversion. A further ECU 20 million will be allocated to this item by redeploying appropriations.

The financing of the budget has also changed considerably. The losses incurred by the ECSC as a result of difficulties at Klöckner and Saarstahl and other potential extraordinary expenditure have led to a sharp drop in the positive net balance from the ECSC's financial activities in 1992 (ECU 114 million instead of ECU 269 million).

In the past, the net balance has always been a considerable source of revenue for the following year's budget. The Commission has therefore decided to allocate some of the 1992 balance to a reserve and to book the remainder

together with the 1993 balance, i.e. the balance for the current year, to the operating budget. The positive balance thus totals ECU 252 million. This change in procedure will be permanent. In future, it will always be the current-year balance which is entered in the budget as a resource.

The Commission also decided to allocate ECU 51 million to the budget from ECSC reserves.

## Financial operations

### General

*1.5.6.* Proposal for a Council Decision amending Decision 77/270/Euratom, to authorize the Commission to contract Euratom borrowings in order to contribute to the financing required for improving the degree of efficiency and safety of nuclear power stations in certain non-member countries.

**Commission proposal:** OJ C 22, 26.1.1993; COM(92) 467; Bull. EC 12-1992, point 1.6.7

*Agreed on 7 June.* The Council agreed to the use of the Euratom borrowing facilities currently available, up to an amount of ECU 1 000 million.

This means that Euratom loans can be granted to projects in the following countries: Bulgaria, Hungary, Lithuania, Romania, Slovenia, the Czech Republic, Slovakia, Russia, Armenia and Ukraine. Such projects may cover either nuclear power stations or fuel-cycle installations, whether in service or under construction, or — by way of exception — the decommissioning of installations where modification is technically or economically not feasible.

### Loans raised

*1.5.7.* In June the Commission contracted:

on behalf of the ECSC, a number of private placings in marks, lira, Belgian francs and

French francs, for the equivalent of ECU 28.8 million;

on behalf of the EEC:

- (i) an ECU 20 million three-year bank loan at LIBOR 6m + 0.03125%;
- (ii) an ECU 10 million three-year bank loan at LIBOR 6m + 0.03125%.

### Loans granted

*1.5.8.* Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans totalling ECU 90.4 million.

#### *Industrial loans*

*1.5.9.* Industrial loans (Article 54) totalling ECU 13.6 million were made to Italy.

#### *Conversion loans*

*1.5.10.* Conversion loans (Article 56) totalling ECU 75.6 million were made to Germany, France and Italy.

#### *Workers' housing*

*1.5.11.* Loans totalling ECU 1.2 million were granted for steelworkers and mineworkers in Germany, Italy and Portugal.

## Measures to combat fraud

*1.5.12.* Council conclusions on the fight against fraud.

### **References:**

Council conclusions on the fight against fraud: Bull. EC 9-1992, point 1.5.7; Bull. EC 11-1992, point 1.6.14

Commission's fourth annual report on the fight against fraud — 1992 report and action programme for 1993: COM(93) 141; Bull. EC 4-1993, point 1.5.13

*Adopted on 7 June.* The Council noted the improvements made to the structure of the Commission's annual report and pointed to the progress made in a number of the priority areas listed in its conclusions of September and November 1992.

It also strongly supported simplification of the regulations governing the common agricultural policy and the Structural Funds and the estab-

lishment of clear criteria allowing the identification of fraud and irregularities.

The Council stressed the need for an effective level of internal control, administrative rigour and coordination in the Community institutions and in the administrations of the Member States and called on the Commission to step up joint action.

It also asked the Commission to propose in its next annual report the improvements it considered necessary for the further development of the Community's strategy against fraud.

## 6. Community institutions

### Parliament

*1.6.1. Resolution on the deliberations of the Committee on Petitions during the parliamentary year 1992/93.*

*Adopted on 25 June.* Parliament instructed the Committee on Petitions to continue its efforts to provide a political response to any request for action addressed to it on subjects which fall within the framework of Community activities. It drew attention to the urgent need to increase the means available to the Committee, given the rise in the number of petitions received, and asked that the Commission reply more promptly to requests for information.

OJ C 194, 19.7.1993

### Strasbourg: 21 to 25 June

*1.6.2.* This part-session was marked by the visit of the President of the Republic of Tunisia, Mr Ben Ali. Speaking at a special sitting, Mr Ben Ali underlined the need to intensify relations between his country and the Community, proposing the adoption of a Euro-Maghreb Charter which would guarantee the rights of North African immigrant communities.

The parliamentary proceedings centred chiefly on two debates, one on the results of the Copenhagen European Council and the other on the Structural Funds.

Mr Rasmussen, President of the Council, presented the results of the Copenhagen European Council. With regard to the crisis in the former Yugoslavia, he commended the European Council's decision to ask the Member States to step up efforts to protect the safe areas in Bosnia. Turning to the economic crisis currently afflicting the Community, he referred to the short-term measures decided at

Copenhagen, which are intended to consolidate the Edinburgh European Council decisions on economic recovery. He also expressed his support for the broad policy guidelines presented by the President of the Commission, Mr Jacques Delors. The debate which followed focused primarily on Parliament's concern over the inadequacy and slowness of measures to stimulate employment and the threat to the Community's achievements in the social field. The debate also covered institutional issues, in particular the democratic deficit and the lack of transparency. The House expressed its views on Community action in response to the crisis in the former Yugoslavia. Speaking on behalf of Mr Delors, Mr van den Broek, Member of the Commission, highlighted the very difficult context in which the European Council took place. Recalling the proposals put forward at Copenhagen, he stressed the urgency of measures to boost the competitiveness of the European economy and underlined the importance of achieving economic and monetary union. Mr Christophersen, Member of the Commission, also addressed the House, highlighting the imperative need for a definition of a medium to long-term economic recovery strategy. This will be outlined in a White Paper to which all institutions, and in particular Parliament, will be asked to contribute. Mr Christophersen also reminded Members of the importance of short-term measures and asked that Parliament promptly approve the legislation enabling the Community to proceed to the second phase of EMU. At the end of the debate Parliament adopted two resolutions — one on the outcome of the European Council in general (→ point I.42) and another with more specific reference to the situation in Bosnia-Herzegovina (→ point 1.3.22).

Parliament debated at length the proposals to amend the Regulations relating to the Structural Funds, calling for over 400 amendments. A number of these are intended to expand the consultations referred to as 'partnership' to



include representatives of the two sides of industry, non-governmental organizations and local and regional authorities, and to allow for more effective involvement of Parliament in the process of preparing, implementing and monitoring Structural Fund operations. The Commission's position on this latter issue was the main bone of contention during the debate, prompting many to take the floor. Parliament expressed its approval of the concentration of resources and the maintenance of the additionality principle. It also supported the introduction of the concept of sustainable development and voiced its concern over the predicament of women and the long-term unemployed, requesting that over 10% of Structural Fund resources be reserved for Community initiatives. At the end of the debate, Parliament delivered its opinions, at first reading, on the proposal for a coordination Regulation (→ point 1.2.129) and on the ERDF Regulation (→ point 1.2.130), both of which are subject to the cooperation procedure. The reports on the other four proposals for Regulations, subject to the consultation procedure, were referred back to committee. Parliament will be able to state its views on the whole Structural Fund package in July, once the Council has adopted a common position.

In the external relations field the House gave its assent to the Protocol adjusting the Agreement on the European Economic Area, following the Swiss referendum in December 1992 (→ point 1.3.8). It also delivered opinions on the agreements relating to trade cooperation (→ point 1.3.27) and transport (→ point 1.2.119) and on a Protocol on financial cooperation (→ point 1.3.28) with Slovenia. The situation in Somalia was the subject of a debate on topical and urgent issues, after which Parliament adopted a resolution calling for support for the UN forces and a political solution to the crisis (→ point 1.3.49).

On the budget front, Parliament adopted a resolution on the estimates of revenue and expenditure for 1994 (→ point 1.5.4).

A number of resolutions were passed in the human rights field (→ points 1.3.80 to 1.3.84), calling for humanitarian aid to Angola, highlighting the plight of numerous foreign

nationals detained there, and condemning human rights violations in Guatemala and the former Yugoslavia. After hearing a Commission statement on the Vienna Conference on Human Rights, Parliament adopted a resolution on human rights in Tibet condemning the exclusion of the Dalai Lama from the Conference. The House also expressed its concern over the increase in racism in Europe and raised the issue of freedom of the press in the Community (→ points 1.2.228 and 1.2.229). Finally, it called for measures for the assistance and protection of European volunteers in Bosnia-Herzegovina (→ point 1.3.23).

Under the consultation procedure Parliament delivered opinions on the fisheries agreement with the Argentine Republic (→ point 1.2.212) and on two proposals for Regulations setting up licensing arrangements (→ point 1.2.218) and on the conclusion of a Protocol to the fisheries Agreement between the Community and Seychelles (→ point 1.2.216). In the field of agriculture, Parliament delivered opinions on a proposal for a Directive concerning the Community list of less favoured farming areas in respect of Greece (→ point 1.2.184) and on two proposals for Regulations fixing standard qualities for certain cereals (→ point 1.2.188) and specific measures for the smaller Aegean islands (→ point 1.2.142). On the environment front, Parliament gave opinions on two proposals for Decisions, one on the conclusion of the Framework Convention on Climatic Change and the other on the conclusion of the Convention on Biological Diversity (→ points 1.2.175 and 1.2.167). It also delivered opinions on a proposal for a Decision concerning the Community system of information on home and leisure accidents (→ point 1.2.127) and on two proposals for Directives concerning the definition of compatible technical standards and specifications for the procurement of air traffic management equipment and systems (→ point 1.2.117) and laying down minimum standards for the keeping of animals in zoos (→ point 1.2.169). Parliament was in favour of retaining this last proposal, which appears on the 'Edinburgh' list of those which the Commission intends to withdraw or amend in line with the subsidiarity principle.

Under the cooperation procedure Parliament delivered its opinion at first reading on a pro-

posal for a Directive on packaging and packaging waste (→ point 1.2.159). Still in the environment field, Parliament gave opinions on a proposal for a Regulation laying down provisions with regard to possession of and trade in specimens of species of wild fauna and flora (→ point 1.2.168), introducing amendments intended to simplify the instrument, and on a proposal for a Directive on the control of volatile organic compound (VOC) emissions (→ point 1.2.170). Opinions were issued on two proposals for Directives on the legal protection of databases (→ point 1.2.32) and on personal protective equipment (→ point 1.2.10). Parliament also delivered its opinion at second reading on a proposal for a Directive relating to fruit juices (→ point 1.2.17).

Parliament adopted a considerable number of resolutions, notably in the environment field. These dealt with the moratoriums on nuclear testing (→ point 1.2.178), the dumping of nuclear waste in the Atlantic (→ point 1.2.177), the Gabcikovo-Nagymaros Dam (→ point 1.3.19), the results of the pan-European Environment Ministers Conference (→ point 1.2.154), and the urban environment (→ point 1.2.172). An important resolution was passed with regard to the fourth framework programme in the field of research and technological development (→ point 1.2.87), whereby Parliament underlined the need to provide adequate resources, to improve the coordination of research efforts at national and Community level and to introduce continuous monitoring. Parliament will deliver its opinion on the financial aspects of the proposal under the co-decision procedure to be introduced after the Treaty on European Union is ratified. Other resolutions related to the flood action plan in Bangladesh (→ point 1.3.37) and the severe flooding in Ireland and Wales (→ point 1.2.227). On the social front, there were resolutions on economic and social cohesion, vocational training for women (→ point 1.2.100), the assessment of women's unwaged work (→ point 1.2.152), the situation of women in Central and Eastern Europe (→ point 1.3.15) and that of managerial staff in the European Community (→ point 1.2.147). Finally, Parliament adopted resolutions on the development of the French overseas departments in the context of the single market

(→ point 1.2.141), on unitary taxation in the State of California (→ point 1.3.35) and on the single market for postal services (→ point 1.2.121). In the institutional field, Parliament passed a resolution on the deliberations of the Committee on Petitions (→ point 1.6.1).

Report of proceedings:

OJ Annex No 431

Full text of opinions and resolutions:

OJ C 197, 19.7.1993

## Council

### 1666th meeting

1.6.3. Labour and social affairs (Luxembourg, 1 June).

**Previous meeting:** Bull. EC 4-1993, point 1.6.5

**President:** Ms Andersen, Danish Minister for Labour.

**Commission:** Mr Flynn and Mr Ruberti.

### Main items

- Access to continuing vocational training: proposal for a recommendation agreed (→ point 1.2.97).
- Flexible retirement arrangements: draft resolution agreed (→ point 1.2.146).
- Organization of working time: common position on a proposal for a Directive agreed (→ point 1.2.148).
- Community-wide framework for employment: conclusions adopted (→ point 1.2.143).
- Minimum safety and health requirements for work on board fishing vessels: common position on a proposal for a Directive agreed (→ point 1.2.150).

### Other business

- Establishment of European Works Councils: exchange of views.

- Protection of young people at work: discussion continued.
- Combating social exclusion: delegation statement.
- Protection of data relating to workers: delegation statement.
- European Year of Older People and of Solidarity between Generations: Commission statement.

### 1667th meeting

1.6.4. Economic and financial affairs (Luxembourg, 7 June).

**Previous meeting:** Bull. EC 4-1993, point 1.6.6

**President:** Ms Jelved, Danish Minister for Economic Affairs.

**Commission:** Mr Christophersen, Mr Schmidhuber, Mr Vanni d'Archirafi and Mrs Scrivener.

#### *Main items*

- Euratom borrowings to improve the degree of safety and efficiency of nuclear power stations in certain countries in Central and Eastern Europe and in the former Soviet Union: proposal agreed (→ point 1.5.6).
- Fight against fraud: conclusions adopted (→ point 1.5.12).
- Financial assistance to Albania: conclusions adopted (→ point 1.6.34).

#### *Other business*

- Economic trends in the Community: exchange of views.
- Interinstitutional Agreement on budgetary discipline: progress report.
- Seventh VAT Directive: discussed.
- CO<sub>2</sub>/energy tax: conclusions of the Presidency.
- Company taxation: Commission statement.
- Deposit guarantee schemes: discussed.

### 1668th meeting

1.6.5. Transport (Luxembourg, 7, 8 and 19 June).

**Previous meeting:** Bull. EC 3-1993, point 1.6.7

**President:** Mr Mortensen, Danish Minister for Transport, and Mr Trøjborg, Danish Minister for Industry.

**Commission:** Mr Matutes.

#### *Main items*

- Action programme in the field of transport infrastructure: proposal for a Regulation agreed (→ point 1.2.112).
- White Paper on the future development of the common transport policy: conclusions adopted (→ point 1.2.110).
- Common policy on safe seas: resolution adopted (→ point 1.2.115).
- Taxation of road transport: discussed and conclusions adopted (→ point 1.2.111).
- Goods cabotage: discussed and proposal for a Regulation agreed (→ point 1.2.113).

#### *Other business*

- Relations with third countries in the field of air transport: progress report.
- Computerized reservation systems: general discussion.
- Relations with Switzerland in the field of transport: exchange of views.
- Outline plans for networks: favourable reaction.
- Transport to and from Greece: exchange of views.
- Common rules and standards for ship inspection and survey organizations: proposal for a Directive presented by the Commission.
- Minimum level of education for seafarers: proposal for a Directive presented by the Commission.

### 1669th meeting

1.6.6. General affairs and political cooperation (Luxembourg, 7, 8 and 9 June).

**Previous meeting:** Bull. EC 5-1993, point 1.6.3

**President:** Mr Helveg Petersen, Danish Minister for Foreign Affairs.

**Commission:** Mr Delors, Sir Leon Brittan, Mr van den Broek and Mr Millan.

#### *Political cooperation*

- The former Yugoslavia: declaration adopted (→ point 1.4.5).
- Somalia: declaration adopted (→ point 1.4.6).

#### *Other business*

- Relations with Parliament: discussed.
- Accession negotiations: positions defined.
- Situation in South Africa: discussed.
- Common foreign and security policy: progress report.
- Situation in Iraq: exchange of views.
- State of play in Uruguay Round negotiations: exchange of views.
- Relations with the countries of Central and Eastern Europe: discussed.
- Relations with Russia: statement presented.
- Access to information: exchange of views.
- Reform of the Structural Funds: discussed.
- Copenhagen European Council: preparations discussed.

### 1670th meeting

1.6.7. Education (Luxembourg, 11 June).

**Previous meeting:** Bull. EC 11-1992, point 1.7.14

**President:** Mr Vig Jensen, Danish Minister for Education.

**Commission:** Mr Ruberti.

#### *Main items*

- Furthering an open European space for cooperation within higher education: conclusions adopted (→ point 1.2.95).
- Vocational education and training in the 1990s: resolution adopted (→ point 1.2.99).

#### *Other business*

- Integrating young people into working and social life: wide-ranging discussion.
- Guidelines for Community action in the field of education and vocational training: general discussion.
- Memoranda on higher education and vocational training: summary of discussions in the Member States.
- European Schools: report presented.

### 1671st meeting

1.6.8. Internal market (Luxembourg, 14 June).

**Previous meeting:** Bull. EC 4-1993, point 1.6.4

**President:** Mr Trøjborg, Danish Minister for Industry.

**Commission:** Mr Bangemann and Mr Vanni d'Archirafi.

#### *Main items*

- Term of protection of copyright and certain related rights: common position on a proposal for a Directive agreed (→ point 1.2.31).
- Community coordination in drawing up business registers for statistical purposes: proposal for a Regulation agreed (→ point 1.2.42).
- Approximation of the laws of the Member States relating to machinery: Directive adopted (→ point 1.2.8).
- Maximum speed, torque and engine power of two- or three-wheeled motor vehicles: common position on a proposal for a Directive agreed (→ point 1.2.7).

Future system for the free movement of medicinal products: three Directives adopted (→ point 1.2.11).

*Other business*

- Operation of the internal market, including trans-European networks: exchange of views.
- Mutual assistance between customs and agriculture administrations: progress report.
- Freedom of management and investment of funds held by institutions for retirement provision: discussed.
- Information procedure in the field of technical standards and regulations: general discussion.
- Community trade mark: discussed.
- Convention on the Elaboration of a European Pharmacopoeia: discussed.
- Footwear labelling: exchange of views.
- Dual-use goods and technologies: progress report.
- Fire behaviour of upholstered furniture: information provided by the Commission.

**1672nd meeting**

1.6.9. Agriculture (Luxembourg, 14 June).

**Previous meeting:** Bull. EC 5-1993, point 1.6.6

**President:** Mr Westh, Danish Minister for Agriculture and Fisheries.

**Commission:** Mr Steichen.

*Main item*

Fees for health inspections and controls of fresh meat: Decision adopted (→ point 1.2.18).

*Other business*

- Milk and non-milk fats: discussed.
- Specific measures for the smaller Aegean islands: favourable reaction.
- Uruguay Round — agricultural aspects: progress report.

Community protection for new plant varieties: exchange of views.

Health rules concerning minced meat and meat preparations: progress report.

Protection of animals at the time of slaughter: discussed.

Review of the Regulations on the Structural Funds: exchange of views.

**1673rd meeting**

1.6.10. Telecommunications (Luxembourg, 16 June).

**Previous meeting:** Bull. EC 5-1993, point 1.6.4

**President:** Mr Melchior, Danish Minister for Communications.

**Commission:** Mr Bangemann and Mr Van Miert.

*Main items*

Development of technology and standards in the field of advanced television services: resolution adopted (→ point 1.2.230).

Satellite earth station equipment: common position on a proposal for a Directive agreed (→ point 1.2.125).

Situation in the telecommunications sector and need for further development: resolution adopted (→ point 1.2.122).

*Other business*

Green Paper on the development of the single market for postal services: general discussion.

**1674th meeting**

1.6.11. Fisheries (Luxembourg, 24 and 25 June).

**Previous meeting:** Bull. EC 3-1993, point 1.6.9

**President:** Mr Westh, Danish Minister for Agriculture and Fisheries.

**Commission:** Mr Paleokrassas.

*Main items*

- Control system applicable to the common fisheries policy: proposal for a Regulation agreed (→ point 1.2.208).
- Application of the Act of Accession of Spain and Portugal in the fisheries sector: conclusions adopted (→ point 1.2.210).
- European fisheries research — current position and prospects: conclusions adopted (→ point 1.2.209).
- Situation on the market in fisheries products: conclusions adopted (→ point 1.2.219).

*Other business*

- Harmonization of various technical measures in Mediterranean fisheries: favourable reaction.
- Fisheries agreements with Russia, Canada and Argentina: discussed.
- Irish memorandum on the common fisheries policy: report presented by the Commission.
- Multiannual guidance programmes for the fishing fleet: communication presented by the Commission.
- Exercise of competence in respect of fisheries in the FAO: statement presented by the Commission.

**1675th meeting**

1.6.12. Energy (Luxembourg, 25 June).

**Previous meeting:** Bull. EC 11-1992, point 1.7.15

**President:** Mr Sjursen, Danish Minister for Energy.

**Commission:** Mr Matutes.

*Main items*

- Nuclear safety in Central and Eastern Europe and the former USSR: conclusions adopted (→ point 1.2.179).
- Altener programme: proposal for a Decision agreed (→ point 1.2.105).

- SAVE programme: proposal for a Directive agreed (→ point 1.2.103).
- State aid to the coal industry: guidelines adopted (→ point 1.2.108).

*Other business*

- CO<sub>2</sub>/energy tax: progress report.
- Internal energy market: policy debate and conclusions of the Presidency.
- Second progress report on the internal market in energy: oral presentation by the Commission.
- Prospection, exploration and production of hydrocarbons: exchange of views.
- European Energy Charter: progress report.

**1676th meeting**

1.6.13. Environment (Luxembourg, 28 and 29 June).

**Previous meeting:** Bull. EC 3-1993, point 1.6.10

**President:** Mr Auken, Danish Minister for the Environment.

**Commission:** Mr Paleokrassas.

*Main items*

- Emission standards for light commercial vehicles: Directive adopted (→ point 1.2.171).
- Control of volatile organic compound emissions: common position on a proposal for a Directive agreed (→ point 1.2.170).
- Convention on Biological Diversity: proposal for a Decision on conclusion agreed (→ point 1.2.167).
- Incineration of hazardous waste: proposal for a Directive agreed (→ point 1.2.160).
- Follow-up to UNCED: conclusions adopted (→ point 1.2.153).
- Follow-up to the Conference of European Environment Ministers: exchange of views and conclusions adopted (→ point 1.2.155).
- Common policy on safe seas: conclusions adopted (→ point 1.2.115).

*Other business*

- New emission standards for motor vehicles: policy debate.
- Protection of the ozone layer: exchange of views.
- Conservation of wild birds: discussed.
- Possession of and trade in specimens of wild fauna and flora species: progress report.
- Packaging and packaging waste: general discussion on a proposal for a Directive.
- Flows of recyclable material: report presented by the Commission.
- Community strategy on climate change: progress report.
- Exports of hazardous waste: discussed.
- Community policy on the European coastal zone: progress report.

**1677th meeting**

*1.6.14.* Research (Luxembourg, 30 June).

**Previous meeting:** Bull. EC 4-1993, point 1.6.9

*President:* Mr Bergstein, Danish Minister for Research and Technology.

*Commission:* Mr Ruberti.

*Main item*

- Management of Community R&TD programmes: conclusions adopted (→ point 1.2.88).

*Other business*

- Fourth framework R&TD programme: discussed in detail.

**Commission****Appointment of Vice-Presidents****References:**

Membership of the new Commission: Bull. EC 12-1992, point 1.7.14

Allocation of portfolios: Bull. EC 1/2-1993, point 1.6.13

*1.6.15.* On 30 June the Representatives of the Governments of the Member States appointed the Vice-Presidents of the Commission of the European Communities for the period from 1 July 1993 until entry into force of the Treaty on European Union or until 5 January 1995, whichever is the earlier.

The six Vice-Presidents are as follows:

Mr Henning Christophersen,  
Mr Manuel Marin Gonzalez,  
Mr Martin Bangemann,  
Sir Leon Brittan QC,  
Mr Karel Van Miert,  
Mr Antonio Ruberti.

**Proposals adopted**

*1.6.16.* The Commission adopted a number of proposals for Decisions relating to the fourth framework programme in the field of research and technological development (→ point 1.2.86). It also adopted a proposal for a Regulation on substances that deplete the ozone layer (→ point 1.2.173).

**Communications, green papers and reports**

*1.6.17.* The Commission adopted a communication on reinforcing the effectiveness of the internal market, accompanied by a working document on a strategic programme on the internal market (→ point 1.2.1). It also adopted communications on guidelines for the development of Community postal services (→ point 1.2.120) and on the future of Community initiatives under the Structural Funds (→ point 1.2.134).

**Other decisions**

*1.6.18.* The Commission adopted its opinions on the applications for membership from Cyprus (→ point 1.3.6) and Malta (→ point 1.3.7).

## Community lawcourts

### Legislation

*1.6.19.* Council Decision 93/350/Euratom, ECSC, EEC amending Decision 88/591/ECSC, EEC, Euratom establishing a Court of First Instance of the European Communities.

**Decision amended:** Decision 88/591/ECSC, EEC, Euratom: OJ L 319, 25.11.1988; Bull. EC 10-1988, point 2.4.7

**Commission opinion:** Bull. EC 3-1992, point 1.6.13

**Parliament opinion:** OJ C 241, 21.9.1992

*Adopted on 8 June.* Extends the jurisdiction of the Court of First Instance to all actions brought by natural or legal persons (applications for annulment, actions relating to an institution's failure to act, claims for damages).

However, jurisdiction in cases relating to the protection of trade will not be transferred until a date to be decided by the Council.

OJ L 144, 16.6.1993

### Court of Justice

*1.6.20.* Decisions given by the Courts are covered in the Bulletin for the month in which they are reported in the Official Journal. The operative part of the main decisions is reproduced; other decisions are simply listed by field and legal basis. Decisions in disputes between the Community and its staff are not reported.

#### *Main decisions*

#### Agriculture

##### *Article 175 of the EEC Treaty*

□ 27.5.1993: Case C-290/91 *Peter v HZA Regensburg*

Community law as it stands at present does not preclude a national provision which empowers the

national authorities to remit in the individual case on grounds of equity the levy payable pursuant to Article 5c of Council Regulation (EEC) No 804/68 of 27 June 1968 on the common organization of the market in milk and milk products, as amended by Regulation (EEC) No 856/84 of 31 March 1984, provided that there is no discrimination in the way that provision is applied compared with the way in which equivalent, purely national revenue debts are treated and that it is not applied in a way which runs counter to the objectives of the milk quota scheme introduced by the Regulation. It is not compatible with the objectives of the milk quota scheme to exempt a producer from the obligation to pay the additional levy on the ground that he is in financial difficulties even where he has relied on the mistaken belief that an additional quota would subsequently be granted to him.

OJ C 168, 19.6.1993

#### Competition

##### *Article 177 of the EEC Treaty*

□ 19.5.1993: Case C-320/91 *Corbeau v Régie des postes*

It is contrary to Article 90 of the EEC Treaty for legislation of a Member State which confers on an entity such as the Régie des postes the exclusive right to collect, carry and distribute mail to prohibit, under threat of criminal sanctions, an economic operator established in that State from offering certain specific services dissociable from the service operated in the public interest which fulfil economic operators' specific needs and call for certain additional benefits not available from the conventional postal service, in so far as those services do not jeopardize the economic stability of the service operated in the general economic interest by the holder of the exclusive right. It is for the national court to consider whether the services in question in the main proceedings satisfy those criteria.

OJ C 172, 23.6.1993

#### State aid

##### *Article 173 of the EEC Treaty*

□ 19.5.1993: Case C-198/91 *William Cook v Commission*

Commission Decision NN 12/91, which is addressed to the Spanish Government and was communicated



to Cook by letter of 29 May 1991, 'to raise no objections' to several State aids granted to PYRSA is annulled in so far as it relates to aids other than the subsidy of PTA 975 905 000 granted by the Spanish Government.

OJ C 160, 12.6.1993

## External relations

### *Articles 178 and 215 of the EEC Treaty*

□ 25.5.1993: Case C-370/89 *SGEEM and Etroy v European Investment Bank*

The application is dismissed.

(Application pursuant to Article 178 and the second paragraph of Article 215 of the EEC Treaty for compensation in respect of the damage suffered by the applicants by reason of the unlawful conduct of the EIB in the award of a public works contract in Mali.)

OJ C 167, 18.6.1993

### *Other decisions*

## European Coal and Steel Community

### *Article 40 of the ECSC Treaty*

□ 18.5.1993: Case C-220/91P *Commission v Stahlwerke Peine-Salzgitter*

OJ C 160, 12.6.1993

## Free movement of goods

### *Article 177 of the EEC Treaty*

□ 26.4.1993: Case C-386/92 *Monin Automobiles-Maison du deux roues v French State*

OJ C 178, 30.5.1993

□ 18.5.1993: Case C-126/91 *Schutzverband gegen Unwesen in der Wirtschaft v Yves Rocher*

OJ C 172, 23.6.1993

□ 25.5.1993: Case C-271/92 *LPO v UNSOF and Others*

OJ C 172, 23.6.1993

## Customs union

### *Article 177 of the EEC Treaty*

□ 27.5.1993: Case C-33/92 *Gausepohl-Fleisch v Oberfinanzdirektion Hamburg*

OJ C 168, 19.6.1993

## Agriculture

### *Article 177 of the EEC Treaty*

□ 3.5.1993: Case C-221/92 *Hau v Land Hessen*

OJ C 167, 18.6.1993

□ 19.5.1993: Case C-81/91 *Twijnstra v Minister van Landbouw, Natuurbeheer en Visserij*

OJ C 160, 12.6.1993

□ 25.5.1993: Case C-197/91 *Frutticoltori associati cuneesi v Associazione tra produttori ortofrutticoli piemontesi and Azienda di Stato per gli interventi sul mercato agricolo*

OJ C 167, 18.6.1993

□ 25.5.1993: Case C-308/91 *Süddeutsche Zucker v HZA Hamburg-Jonas*

OJ C 172, 23.6.1993

□ 25.5.1993: Case C-321/91 *The Queen v Intervention Board for Agricultural Produce*

OJ C 168, 19.6.1993

## Free movement of workers and social policy

### *Article 173 of the EEC Treaty*

□ 25.5.1993: Case C-199/91 *Foyer culturel du Sart-Tilman v Commission*

OJ C 172, 23.6.1993

□ 25.5.1993: Case C-334/91 *Innovation et reconversion industrielle v Commission*

OJ C 172, 23.6.1993

*Article 177 of the EEC Treaty*

□ 20.4.1993: Case C-126/92 *Esser v Hubert Krementz Wwe*

OJ C 153, 4.6.1993

□ 26.5.1993: Case C-171/91 *Tsiotras v Landeshauptstadt Stuttgart*

OJ C 175, 26.6.1993

□ 27.5.1993: Case C-310/91 *Schmid v Belgian State (Minister van Sociale Voorzorg)*

OJ C 172, 23.6.1993

**Transport**

*Article 177 of the EEC Treaty*

□ 11.5.1993: Case C-304/91 *van Doesselaar v Belgian State (Minister van Verkeer en Waterstaat)*

OJ C 157, 9.6.1993

**Competition**

*Article 175 of the EEC Treaty*

□ 3.5.1993: Case C-424/92 *Ladbroke Racing v Commission*

OJ C 160, 12.6.1993

**State aid**

*Articles 173, 185 and 186 of the EEC Treaty*

□ 18.5.1993: Joined Cases C-356/90 and C-180/91 *Belgium v Commission*

OJ C 160, 12.6.1993

**Taxation**

*Article 177 of the EEC Treaty*

□ 25.5.1993: Case C-193/91 *Finanzamt München III v Mohnsche*

OJ C 173, 24.6.1993

**Infringements**

*Article 169 of the EEC Treaty*

□ 25.5.1993: Case C-228/91 *Commission v Italy*

OJ C 173, 24.6.1993

□ 26.5.1993: Case C-52/92 *Commission v Portugal*

OJ C 172, 23.6.1993

**Protocol on the Privileges and Immunities of the European Communities**

*Articles 13 and 14 of the Protocol*

□ 25.5.1993: Case C-263/91 *Kristoffersen v Danish State (Skatteministeriet)*

OJ C 168, 19.6.1993

**Court of First Instance**

*Other decisions*

**Competition**

*Article 173 of the EEC Treaty*

□ 5.5.1993: Joined Cases T-157/89 and T-168/89 *Algemene Financieringsmaatschappij Nefico and MGM v Commission*

OJ C 158, 10.6.1993

*Article 185 of the EEC Treaty*

□ 13.5.1993: Case T-24/93R *Compagnie maritime belge transport v Commission*

OJ C 171, 22.6.1993

## Analysis of judgments delivered between 1 April and 30 June 1993

### *Free movement of goods and customs union*

1.6.21. Judgment of 22 June, Case C-11/92 *The Queen v Secretary of State for Health, ex parte Gallagher* — Public health — Free movement of goods.

**Reference:** Council Directive 89/622/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products: OJ L 356, 8.12.1989; Bull. EC 12-1989, point 2.1.91

The Court accepted the Commission's view that only a minimum degree of harmonization could be brought about by a directive based on Article 100a (in this case, Directive 89/622/EEC concerning the labelling of tobacco products). In other words, the use of Article 100a as a legal basis did not necessarily entail full harmonization of the conditions of competition.

Although the Directive required health warnings to cover 'at least 4%' of specified surface areas of cigarette packets, the United Kingdom legislation required that they cover 'at least 6%' in the case of cigarettes manufactured in the UK. The Court acknowledged that the degree of harmonization sought at Community level could give rise to less favourable treatment of domestic products compared with imported products which met only the minimum requirements laid down by the Directive, so that there would remain certain inequalities in conditions of competition.

Reference may also be made to the judgment given the same day in Case C-222/91 *Ministero delle Finanze and Others v Philip Morris Belgium and Others*.

### *Free movement of persons and services*

1.6.22. Judgment of 4 May, Case C-17/92 *Federación de Distribuidores Cinematográficos v Spanish State* — National legislation

intended to favour the distribution of national films — Freedom to provide services.

The Court was asked whether national rules were compatible with the freedom to provide services and with the free movement of goods if they subjected the granting of licences to dub non-EEC films into one of the official languages of Spain to a requirement that the distributors concerned must undertake to distribute films made in Spain.

The Court reiterated its ruling in *Coditel* (Case 262/81 [1982] ECR 3381) to the effect that the distribution of films was an activity which fell under the freedom to provide services rather than the free movement of goods. It held that the national rules in question constituted a form of discrimination contrary to the Treaty and rejected the Spanish Government's contention that the legislation was for a cultural purpose, namely to protect domestic film production.

Apart from the fact that cultural policy was not one of the grounds in Article 56 of the EEC Treaty that might justify a restriction on freedom to provide services, the decree in question encouraged the distribution of domestic films whatever their content or quality.

### *Competition — State aids*

1.6.23. Judgment of 22 April, Case T-9/92 *Automobile Peugeot and Peugeot v Commission* (supported by Eco System and the European Bureau of Consumers' Unions) — Motor vehicle distribution — Definition of intermediary dealer.

**Reference:** Commission Regulation (EEC) No 123/85 on the application of Article 85(3) of the EEC Treaty to certain categories of motor vehicle distribution and servicing agreements: OJ L 15, 18.1.1985; Bull. EC 12-1984, point 2.1.50

In 1989, to protect its distribution network, Peugeot sent via its subsidiaries a circular to all the agents making up the network in Belgium, France and Luxembourg, instructing dealers to suspend deliveries to Eco System or any other intermediary providing final consumers

with a service involving the purchase of motor vehicles in the countries with the lowest prices.

The Commission took the view that the dispatch of this circular and its implementation by Peugeot dealers amounted to an agreement or at least a concerted practice prohibited by Article 85(1) of the EEC Treaty.

The Court of First Instance upheld this view, having considered whether Eco System satisfied a number of strict tests whereby an intermediary might be distinguished from a reseller (in terms of the risk relating to non-performance of contract or the exchange-rate risk, for example). Since Eco System was not acting as a reseller but simply as an intermediary, Peugeot was not entitled under Regulation (EEC) No 123/85 to protect its exclusive distribution network by prohibiting sales to such an intermediary. In view of the practical difficulties which the end consumer may encounter in finding a given vehicle at the cheapest price in the whole Community and having it delivered, the exclusion of intermediaries acting in a professional capacity would rob point 11 of Article 3 of the Regulation of any meaning and would have the effect of preventing parallel imports and, consequently, sealing off national markets.

*1.6.24. Judgment of 19 May, Case C-320/91 Corbeau — Postal monopoly.*

This judgment is important in that it assesses, in the light of the Treaty, the rights and obligations of undertakings operating a service in the general economic interest.

The Court pointed out that under Article 90(2) Member States might confer on such undertakings exclusive rights which were contrary to the rules of competition, on condition that departures from these rules were essential to the performance of the particular tasks assigned to them. The Court acknowledged that this could even mean the exclusion of all competition from other economic operators.

Undertakings of this kind, unlike others, had to subsidize their less viable activities from their more profitable business if they were to provide their services in balanced economic conditions.

On the other hand, the exclusion of competition was not justified in the case of specific services which were dissociable from the service operated in the general interest, met the special needs of businesses and involved certain additional work not performed by the conventional postal service.

*1.6.25. Judgment of 16 June, Case C-325/91 France v Commission — Communication on transparency in Member States' financial relations with public undertakings.*

**Reference:** Commission Directive 80/723/EEC on the transparency of financial relations between Member States and public undertakings: OJ L 195, 29.7.1980; Bull. EC 6-1980, point 2.1.34

The Court annulled the Commission's communication to the Member States concerning the application of Articles 92 and 93 of the EEC Treaty and Article 5 of Directive 80/723/EEC to public undertakings in the manufacturing sector.

It held that the Commission had imposed new obligations over and above those laid down in Article 5 of the Directive by requiring Member States to supply each year full details of all financial relations between the State and any public undertakings with an annual turnover exceeding ECU 250 million or undertakings belonging to the same holding company. Such obligations could not be imposed by a mere communication and should have been the subject of an instrument adopted under the same procedure as the Directive, namely on the basis of Article 90(3) of the EEC Treaty.

*1.6.26. Judgment of 19 May, Case C-198/91 William Cook v Commission and judgment of 15 June, Case C-225/91 Matra v Commission — State aid — Complaint from a firm — Failure to initiate the procedure laid down in Article 93(2) of the EEC Treaty.*

In *Cook*, the Court annulled the Commission Decision to raise no objections under Article 92(3)(a) to several regional aids granted towards the construction of a foundry in Spain. It held that the Commission, having encountered serious difficulties in establishing the facts, particularly as regards the absence of overcapacity in the relevant submarket, should

have initiated the Article 93(2) procedure and thus obtained all the requisite opinions.

The Commission could not adopt a decision approving an aid scheme solely on the basis of Article 93(3) unless it was able to establish, from preliminary investigations, that the scheme was compatible with the Treaty. Otherwise, it was required to initiate the Article 93(2) procedure. Whatever the circumstances, sufficiently reliable data were needed to establish the existence (or absence) of overcapacity where this was a decisive factor in assessing the compatibility of the aid.

But in *Matra*, which related to Portuguese aid for a joint venture between Ford of Europe and Volkswagen, the Court held that the Commission had not encountered serious difficulties (particularly as regards its economic analysis of the risk of creating overcapacity) in assessing the scheme's compatibility with the Treaty and that, consequently, it had been justified in not initiating the Article 93(2) procedure.

### *Agriculture and fisheries*

1.6.27. Judgment of 27 May, Case C-290/91 *Peter v HZA Regensburg* — Additional milk levy — Remission on grounds of fairness — Member States' obligation to cooperate.

**Reference:** Council Regulation (EEC) No 2176/84 on protection against dumped or subsidized products from countries not members of the EEC, as amended by Regulation (EEC) No 2423/88: OJ L 201, 30.7.1984; Bull. EC 7/8-1984, point 2.2.7; OJ L 209, 2.8.1988; Bull. EC 7/8-1988, point 2.2.8

This judgment is interesting from the point of view of the Member States' obligation under Article 5 of the EEC Treaty to help ensure that Community rules (in this case the collection of the additional milk levy) are implemented on their territory.

Where no common rules apply, national authorities act in accordance with the procedural rules and substantive provisions of their own domestic law. This reliance on domestic law inevitably leads to differences in the ways the levy is collected from one Member State to

another. The Court observed, however, that domestic laws must be reconcilable with the need to apply Community law uniformly so as to avoid unequal treatment of traders, and must not have the effect of making it virtually impossible to implement Community regulations (see Joined Cases 205 to 215/82 *Deutsche Milchkontor* [1983] ECR 2633, at paragraphs 17 and 19).

A Member State could not therefore decide that it would not collect a levy on grounds of fairness. A producer could not be exempted from payment of the milk levy because he was encountering financial difficulties. To apply a criterion of individual fairness would be incompatible with the main objective of the additional levy, which was to limit milk production by discouraging farmers from producing milk in excess of their personal quota.

This did not hold true, however, where national authorities simply deferred collection of the amount due or authorized payment by instalments in cases of genuine hardship.

### *Common commercial policy*

1.6.28. Judgment of 1 April, Case C-136/91 *Findling Wälzlager and Others v HZA Karlsruhe* — Anti-dumping duties.

**Reference:** Council Regulation (EEC) No 2176/84 on protection against dumped or subsidized imports from countries not members of the EEC, as amended by Regulation (EEC) No 2423/88: OJ L 201, 30.7.1984; Bull. EC 7/8-1984, point 2.2.7; OJ L 209, 2.8.1988; Bull. EC 7/8-1988, point 2.2.8

The Court interpreted the basic Regulation as laying down the principle (also in Article 8 of the GATT Anti-dumping Code) that the amount of the anti-dumping duty must not exceed the dumping margin and must be less if such lesser duty was adequate to remove the injury. That principle would be breached if the anti-dumping duty charged on a product exported by a particular company were higher than that which would apply where the same product was exported to the Community by the firm which sold it to the company in question. If, in the latter case, the duty was considered sufficient to remove the injury, the

application of a higher duty in the other case would be disproportionate to the objective pursued.

### *Institutional and budgetary matters*

1.6.29. Judgment of 1 April, Case C-25/91 *Pesqueras Echebatar v Commission* — Fisheries — Community financial aid for the construction of a fishing vessel — Action under Article 175.

**Reference:** 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

The action, which was brought under Article 175 of the EEC Treaty, sought a declaration that the Commission, by failing to act on Echebatar's application for Community financial aid for the construction of a new fishing vessel, had failed to meet its obligations under Regulation (EEC) No 4028/86.

The Court found that the Commission, which had in fact rejected the application on the grounds that insufficient funds were available, had defined its position once called upon to do so, albeit after the expiry of the two-month time-limit laid down in the second paragraph of Article 175. The fact that the position taken by the Commission was not to the satisfaction of Echebatar was in that respect irrelevant. The Court had consistently held that Article 175 of the Treaty referred to failure to act or to define a position and not to the adoption of a measure which differed from that which the parties concerned would have wished or considered necessary (see Joined Cases C-15/91 and C-108/91 *Buckl*, not yet reported).

1.6.30. Judgment of 29 April, Case C-182/91 *Forafrique Burkinabe v Commission* — Lomé Convention — EDF project — Garnishee order — Immunity of EC property from measures of constraint.

It was claimed by the applicant that the Commission had not only failed to comply with a garnishee order served against Burkina Faso but had also continued to make payments from the EDF to that State without regard to the

wrongful use made of the sums in question and after being informed that the applicant had not been paid for work carried out on a project because Burkina Faso had embezzled the funds.

The Court held that no misconduct could be attributed to the Commission. As far as the Commission's failure to comply with the garnishee order was concerned, the Court noted that, unless immunity had been waived by the Commission itself or lifted by authorization of the Court, the Commission could not be censured for failing to comply with a garnishee order since the immunity it enjoyed precluded the execution of any such order.

As far as the continued EDF payments to Burkina Faso despite the alleged embezzlement were concerned, the Court had consistently held that public-sector contracts financed by the EDF remained national contracts which the authorities of each ACP State alone had the power to prepare, negotiate and conclude, that intervention by Commission representatives was solely for the purpose of ascertaining whether or not the conditions for Community financing had been satisfied, and that undertakings tendering for or being awarded contracts had a legal relationship solely with the ACP State responsible for the contract.

1.6.31. Interlocutory judgment of 2 December 1992 and final judgment of 25 May 1993, Case C-370/89 *SGEEM and Etroy v EIB*, supported by the Commission — Public works contract in an ACP State — Co-financing by the EIB — Non-contractual liability to an unsuccessful tenderer.

The case before the Court was the first claim for damages against the EIB for its management of EDF venture capital.

The Court held that the EIB had acted on behalf of the Community and that any acts or omissions on its part were the responsibility of the Community as such; it accordingly had jurisdiction under Article 178 of the EEC Treaty. The word 'institutions' in the second paragraph of Article 215 of the Treaty should not be construed as referring only to the Community institutions listed in Article 4(1) but as extending also to such Community bodies as

the EIB for purposes of the system of non-contractual liability established by the Treaty.

*1.6.32. Judgment of 30 June, Joined Cases C-181/91 and C-248/91 Parliament v Council and Commission — Emergency aid — Prerogatives of Parliament — Budgetary rules.*

The actions brought by Parliament under Article 173 of the EEC Treaty sought the annulment of a Council act granting special aid to Bangladesh and of Commission measures to implement that act.

The Court held that the first of these applications was inadmissible under Article 173 on the grounds that the act contested did not in fact constitute a Council act subject to the supervisory jurisdiction of the Court but an act adopted collectively by the Member States. The Community did not have exclusive powers in matters of Community aid, and the Member States could exercise their powers in this field both within and outside the Council.

The Court observed, however, that it did not suffice that an act should be described as a 'decision of the Member States' for it to escape judicial review by the Court. It was still necessary to verify whether or not the contested act in fact constituted a Council decision, having regard to its content and all of the circumstances in which it was adopted.

The implementing measures adopted by the Commission, which the Member States had instructed to coordinate their collective action, affected neither the Community's own resources nor Community expenditure. The measures could not therefore encroach on the prerogatives of Parliament.

The Court held that the fourth indent of Article 155 of the Treaty did not preclude Member States from entrusting to the Commission the task of ensuring the coordination of collective action undertaken by them on the basis of an act adopted by their Representatives meeting in Council.

*1.6.33. Judgment of 17 June, Case C-88/92 Jansen van Rosendaal v Staatssecretaris van Financiën — Protocol on the Privileges and Immunities of the EC — Tax domicile of a Community official.*

The Court was asked to rule whether, despite the provision in Article 14 of the Protocol that an official or servant of the Communities remains domiciled for tax purposes in his country of origin (if he has left that country for the performance of his duties in the service of the Communities), an official may choose to transfer his tax domicile to the Member State where he performs his duties. The Court, pointing out that the provisions of the Protocol had been drawn up solely in the interests of the Communities, held that the distribution of powers in tax matters (established by Articles 13 and 14) between the Communities, the Member State of origin and the Member State where the official performed his duties would be deprived of its effect if the official could choose to move his tax domicile to a State other than that where he had originally been domiciled for tax purposes.

The presumption made in Article 14 as regards the location of the tax domicile could be rebutted only by evidence that the official had already taken measures to transfer his tax domicile independently of his entry into the service of the Communities.

## European Investment Bank

### General

*1.6.34. Council conclusions on the Community guarantee to the European Investment Bank against losses under loans granted to Albania.*

#### References:

Council Decision 92/482/EEC providing financial assistance for Albania: OJ L 287, 2.10.1992; Bull. EC 9-1992, point 1.3.7

Proposal for a Council Decision granting a Community guarantee to the European Investment Bank: Bull. EC 4-1993, point 1.6.18

Commission communication concerning the intervention of the European Investment Bank in Central and East European countries; proposal for a Council Decision granting a Com-

munity guarantee to the European Investment Bank against losses under loans for projects in Central and East European countries (Poland, Hungary, the Czech Republic, Slovakia, Romania, Bulgaria, Latvia, Estonia, Lithuania and Albania): COM(93) 212; Bull. EC 5-1993, point 1.6.13.

*Adopted on 7 June.* The Council recalled the present economic situation of Albania and recognized the desirability of ensuring adequate support, through grants, loans or both.

The Council noted that the Commission will consult the Monetary Committee as soon as possible, in the light of Albania's progress in implementing the terms of its IMF stand-by arrangement, on the question of release of the second tranche of up to ECU 35 million of the balance of payments grant for Albania.

Taking account of the proposal for a Council Decision on a framework for guarantees for EIB lending to the countries of Central and Eastern Europe, the Council agreed that it would be appropriate to consider guarantees as regards Albania in the context of this Decision. The Council also agreed that, if this Decision cannot be adopted before the end of October, it will come back to the Commission proposal on a specific Community guarantee as regards EIB loans to Albania.

## Financing

1.6.35. In June the European Investment Bank, the European Community's financial institution, granted loans totalling ECU 1 811.7 million, of which 531.5 million went outside the Community.

## Community

### Links with Community policies

1.6.36. In the period in question loans were made for the following measures:

ECU 1 000.2 million for the economic development of disadvantaged regions;

ECU 396.7 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;

ECU 156.6 million for the protection of the environment and the improvement of the quality of life;

ECU 77.1 million for the pursuit of Community objectives in the field of energy;

ECU 30.4 million for the enhancement of the international competitiveness of industry and its integration within the Community.

The Bank also continued its operations to support small businesses (since the beginning of the year around ECU 803 million has been granted in global loans).

In many cases individual loans come under several Community policies; some are therefore counted more than once in the above amounts.

## Geographical distribution

### Belgium

1.6.37. ECU 25 million was granted in the form of a global loan to finance small and medium-scale projects.

### Denmark

1.6.38. ECU 317.9 million was provided for communications: the road and rail bridge over the Great Belt and improvement of interurban telecommunications. ECU 5.4 million went towards the extension of the waste water collection and treatment network in Aarhus.

### Germany

1.6.39. ECU 15.5 million was granted in the form of a global loan to finance small and medium-scale projects.

### Spain

1.6.40. ECU 33.2 million was provided for the improvement of communications: the building and launching of two telecommuni-



cations satellites and the improvement of the Santander/Bilbao rail link.

### *France*

1.6.41. ECU 30.4 million is to be used to modernize the production and research and development facilities of the Société nationale d'études et de construction de moteurs d'avion (Snecma).

### *Italy*

1.6.42. ECU 71.9 million was provided for the collection of natural gas from the Adriatic and the construction of a combined-cycle power station run on natural gas in Piedmont. ECU 39.3 million was granted in the form of global loans to finance small and medium-scale projects. ECU 19.3 million went towards the purchase of two helicopters for use in firefighting. ECU 13 million was provided for the improvement of facilities and environmental protection at the Rosignano chemical complex in Tuscany, ECU 12.5 million for various measures for the distribution, collection and treatment of waste water in the Po basin in Emilia-Romagna, Lombardy, Piedmont and Trentino-Alto Adige and ECU 2.8 million for the installation of a solid waste incinerator in Piedmont and an energy recovery plant in Tuscany.

### *Portugal*

1.6.43. ECU 300 million was granted for the construction of a motor vehicle plant near Lisbon. ECU 95 million was granted in the form of global loans to finance small and medium-scale projects. ECU 95 million was provided to improve the country's road network and ECU 31.9 million to extend the thermal power station and electricity grid in the Azores.

### *United Kingdom*

1.6.44. ECU 73.2 million, partly financed under the Edinburgh financial mechanism, was provided for the development of the road network and for the improvement of the water

supply system in Scotland and Cleveland. ECU 68.8 million went towards the extension of a pharmaceutical production plant in South Humberside and ECU 30 million towards construction of a new bridge over the Severn estuary.

## *Community development cooperation policy*

### **ACP countries**

#### *Mozambique*

1.6.45. ECU 2.9 million was granted from risk capital to open up a graphite flake deposit at Ancuabe.

#### *Nigeria*

1.6.46. ECU 1.1 million was granted from risk capital to increase palm oil production.

### **Mediterranean**

#### *Algeria*

1.6.47. ECU 200 million was provided for the construction of the Algerian section of the Maghreb/Spain gas pipeline and ECU 60 million for the construction of the Hamman Boughrara barrage south of Oran.

#### *Morocco*

1.6.48. ECU 60 million was provided for the extension and modernization of the country's electricity network.

#### *Tunisia*

1.6.49. ECU 35 million was granted in the form of a global loan to finance small and medium-scale projects.

### *Egypt*

1.6.50. ECU 7.5 million, including ECU 1.5 million from risk capital, was granted to develop 1 000 hectares of horticultural land south of Alexandria.

### *Central and Eastern Europe*

#### *Slovakia*

1.6.51. ECU 55 million was provided for the extension of an underground natural gas storage facility on the frontier with Austria and the Czech Republic. ECU 45 million is to be used for the extension and modernization of the telecommunications network.

#### *Czech Republic*

1.6.52. ECU 65 million was granted for the modernization and extension of the telecommunications network.

opinions on the following proposals on which it had been consulted:

- (i) undertakings for collective investment in transferable securities (→ point 1.2.29);
- (ii) aid to shipbuilding (→ point 1.2.56);
- (iii) payment deadlines in commercial transactions (→ point 1.2.84);
- (iv) technology initiative for disabled and elderly people (→ point 1.2.224);
- (v) minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (→ point 1.2.149);
- (vi) offer of compensation to certain producers of milk or milk products temporarily prevented from carrying on their trade (→ point 1.2.194);

an own-initiative opinion on the Community's relations with Japan (additional opinion) (→ point 1.3.36);

an information report on EC relations with Turkey (→ point 1.3.30).

1.6.55. The Committee adopted opinions on the following without debate:

export and import of certain dangerous chemicals (→ point 1.2.158);

trans-European data-communications networks (IDA) (→ point 1.2.101);

inter-administration telematic networks for statistics relating to the trading of goods between the Member States (Comedi) (→ point 1.2.102);

health and safety/training (own-initiative opinion) (→ point 1.2.151);

Convention on Biological Diversity (→ point 1.2.167);

operations to promote tropical forests (→ point 1.2.166).

## Economic and Social Committee

### **307th plenary session**

1.6.53. The Economic and Social Committee held its 307th plenary session on 30 June, chaired in turn by Mrs Tiemann and Mr Liverani.

1.6.54. The Committee debated and adopted:

**PART TWO**

**DOCUMENTATION**

# 1. The ecu

## Values in national currencies of ECU 1

June 1993 <sup>1</sup>		
BFR/ LFR	Belgian franc and Luxembourg franc	40.2060
DKR	Danish krone	7.49122
DM	German mark	1.95633
DR	Greek drachma	266.402
ESC	Portuguese escudo	186.246
FF	French franc	6.58549
HFL	Dutch guilder	2.19419
IRL	Irish pound	0.801888
LIT	Italian lira	1 778.29
PTA	Spanish peseta	150.332
UKL	Pound sterling	0.783888
AUD	Australian dollar	1.75536
CAD	Canadian dollar	1.51528
FMK	Finnish markka	6.58371
ISK	Icelandic króna	77.1639
NKR	Norwegian krone	8.27132
NZD	New Zealand dollar	2.19443
OS	Austrian schilling	13.7671
SFR	Swiss franc	1.74522
SKR	Swedish krona	8.80658
USD	United States dollar	1.18495
YEN	Japanese yen	127.134

<sup>1</sup> Average for the month; OJ C 179, 1.7.1993.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3, and Bull. EC 9-1989, point 2.1.3.

## Representative rates ('green' rates)

Conversion rates into national currencies for the ecu used in connection with the common agricultural policy

June 1993					
National currency/sector		Value in national currency of ECU 1	National currency/sector		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc — All products	48.5563	HFL	Dutch guilder — All products	2.65256
DKR	Danish krone — All products	8.97989	IRL	Irish pound — All products	0.957268
DM	German mark — All products	2.35418	LIT	Italian lira — All products	2 194.16 on 21.5.1993
DR	Greek drachma — All products	314.412 on 1.4.1993 315.843 on 21.6.1993	PTA	Spanish peseta — All products	2 166.58 on 21.6.1993  179.488 on 28.5.1993
ESC	Portuguese escudo — All products	222.758 on 18.5.1993	UKL	Pound sterling — All products	182.744 on 1.6.1993  0.959111 on 28.5.1993
FF	French franc — All products	7.89563			

## 2. Infringement proceedings

### Letters of formal notice

#### *Failure to communicate any measures incorporating Directives into national law*

2.2.1. In June the Commission sent letters of formal notice in the following cases:

#### *Industry*

Directive 90/677/EEC (OJ L 373, 31.12.1990)  
Veterinary medicinal products  
Germany, Spain, Ireland, Portugal, United Kingdom

Directive 92/18/EEC (OJ L 97, 10.4.1992)  
Standards and protocols in respect of testing of veterinary medicinal products  
Denmark, Greece, Spain, France, Ireland, Luxembourg, Netherlands, Portugal

Directive 91/226/EEC (OJ L 103, 27.11.1991)  
Spray-suppression systems of certain categories of motor vehicles and their trailers  
Belgium, Germany

#### *Employment, industrial relations and social affairs*

Directive 89/655/EEC (OJ L 393, 30.12.1989)  
Use of work equipment  
Greece, Italy

Directive 89/656/EEC (OJ L 393, 30.12.1989)  
Use of personal protective equipment  
Greece

#### *Agriculture*

Directive 93/3/EEC (OJ L 54, 5.3.1993)  
Marketing of seed potatoes  
Denmark, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

Directive 92/63/EEC (OJ L 221, 6.8.1992)  
Undesirable substances and products in animal nutrition  
Denmark, Germany, Greece, Spain, Ireland, Italy, Luxembourg, Portugal, United Kingdom

Directive 92/64/EEC (OJ L 221, 6.8.1992)  
Feedingstuffs  
Denmark, Germany, Greece, France, Ireland, Italy, Luxembourg, Portugal, United Kingdom

Directive 92/87/EEC (OJ L 319, 4.11.1992)  
Preparation of compound feedingstuffs for animals other than pets  
Belgium, Denmark, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom

Directive 92/102/EEC (OJ L 355, 5.12.1992)  
Identification and registration of animals  
Belgium, Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Portugal, United Kingdom

#### *Environment, nuclear safety and civil protection*

Directive 88/610/EEC (OJ L 336, 7.12.1988)  
Major-accident hazards of certain industrial activities  
Portugal

Directive 89/618/EEC (OJ L 357, 7.12.1989)  
Informing the general public in the event of an emergency  
Spain, Luxembourg

#### *Internal market and financial services*

Directive 89/646/EEC (OJ L 386, 30.12.1989)  
Taking-up and pursuit of the business of credit institutions  
Spain

#### *Customs and indirect taxation*

Directive 92/12/EEC (OJ L 76, 23.3.1992)  
Products subject to excise duty  
Greece

Directive 92/77/EEC (OJ L 316, 31.10.1992)

Common system of value-added tax  
Ireland

Directive 92/78/EEC (OJ L 316, 31.10.1992)

Taxes other than turnover taxes on the consumption  
of manufactured tobacco  
Greece

Directive 92/79/EEC (OJ L 316, 31.10.1992)

Taxes on cigarettes  
Greece

Directive 92/80/EEC (OJ L 316, 31.10.1992)

Taxes on manufactured tobacco other than ciga-  
rettes  
Ireland

Directive 92/81/EEC (OJ L 316, 31.10.1992)

Structures of excise duties on mineral oils  
Greece, United Kingdom

Directive 92/82/EEC (OJ L 316, 31.10.1992)

Rates of excise duty on mineral oils  
Greece, United Kingdom

Directive 92/83/EEC (OJ L 316, 31.10.1992)

Excise duties on alcohol and alcoholic beverages  
Greece, United Kingdom

Directive 92/84/EEC (OJ L 316, 31.10.1992)

Rates of excise duty on alcohol and alcoholic bever-  
ages  
Greece

Directive 92/108/EEC (OJ L 390, 31.12.1992)

Products subject to excise duty  
Greece, Portugal, United Kingdom

Directive 92/111/EEC (OJ L 384, 30.12.1992)

Simplification measures with regard to VAT  
Greece, Spain, France, Luxembourg, Portugal,  
United Kingdom

## Reasoned opinions

### *Failure to communicate any measures incorporating Directives into national law*

2.2.2. In June the Commission delivered  
reasoned opinions in the following cases:

### *Industry*

Directive 89/106/EEC (OJ L 40, 11.2.1989)

Construction products  
Belgium

Directive 90/487/EEC (OJ L 270, 2.10.1990)

Electrical equipment for use in potentially explosive  
atmospheres employing certain types of protection  
Germany, Greece, Italy

### *Agriculture*

Directive 90/167/EEC (OJ L 92, 7.4.1990)

Medicated feedingstuffs  
Netherlands

Directive 90/667/EEC (OJ L 363, 27.12.1990)

Disposal and processing of animal waste  
Belgium

Directive 91/494/EEC (OJ L 268, 24.9.1991)

Animal health conditions governing trade in fresh  
poultrymeat  
Ireland

Directive 91/685/EEC (OJ L 377, 31.12.1991)

Community measures for the control of classical  
swine fever  
Belgium

Directive 91/687/EEC (OJ L 377, 31.12.1991)

Measures relating to swine fever  
Belgium

Directive 91/688/EEC (OJ L 377, 31.12.1991)

Animal health measures on import of certain ani-  
mals and meat  
Belgium

### *Transport*

Directive 91/224/EEC (OJ L 103, 23.4.1991)

Combined transport of goods between Member  
States  
Ireland

### *Environment, nuclear safety and civil protection*

Directives 89/369/EEC (OJ L 163, 14.6.1989) and

89/429/EEC (OJ L 203, 15.7.1989)

Incineration of municipal waste  
Italy

Directive 90/415/EEC (OJ L 219, 14.8.1990)

Limit values and quality objectives for discharges  
of certain dangerous substances  
Greece, Portugal

Directive 80/836/EEC (OJ L 246, 17.9.1980) and Article 171 of the EEC Treaty  
Health protection of the general public — ionizing radiation  
Italy

Directive 84/467/EEC (OJ L 265, 5.10.1984) and Article 171 of the EEC Treaty  
Health protection of the general public  
Italy

*Failure properly to incorporate  
Directives into national law*

2.2.3. In June the Commission delivered reasoned opinions in the following cases:

*Environment, nuclear safety and civil protection*

Directive 80/68/EEC (OJ L 20, 26.1.1980)  
Groundwater  
France

Directive 85/203/EEC (OJ L 87, 27.3.1985)  
Nitrogen dioxide  
United Kingdom

Directive 84/466/EEC (OJ L 265, 5.10.1984) and Articles 33 and 161 of the EEC Treaty  
Radiation protection of persons undergoing medical examinations  
Ireland, Portugal

*Infringements of the Treaties or of  
Regulations; failure properly to apply  
Directives in practice*

2.2.4. In June the Commission delivered reasoned opinions in the following cases:

*Industry*

Article 30 of the EEC Treaty  
Equipment supplies  
Italy

Article 30 of the EEC Treaty  
Ban on cosmetic advertising  
Germany

Directive 64/221/EEC (OJ 56, 4.4.1964)  
Refusal to issue residence permits  
France

Directive 64/221/EEC (OJ 56, 4.4.1964)  
Right of residence for students  
France

*Agriculture*

Regulations (EEC) Nos 804/68 (OJ L 146, 28.6.1968) and 1422/78 (OJ L 171, 28.6.1978)  
Discrimination by the Milk Marketing Boards in the distribution of profits from commercial activities  
United Kingdom

*Transport*

Articles 7, 48, 52, 58 and 221 of the EEC Treaty  
Registration of commercial vessels  
Italy

Articles 7, 48, 52 and 58 of the EEC Treaty  
Registration of commercial vessels  
Belgium

Articles 5, 7, 48, 52 and 58 of the EEC Treaty  
Registration of commercial vessels  
Ireland

Articles 5, 7, 48, 52, 58 and 221 of the EEC Treaty  
Registration of commercial vessels  
Netherlands

Articles 7, 48, 52, 58 and 221 of the EEC Treaty  
Registration of commercial vessels  
Germany

*Environment, nuclear safety and civil protection*

Directive 79/409/EEC (OJ L 103, 25.4.1979)  
Birds — non-designation of areas  
Italy

Directives 79/923/EEC (OJ L 281, 10.11.1979), 76/160/EEC (OJ L 31, 5.2.1976), 76/464/EEC (OJ L 129, 18.5.1976) and 85/337/EEC (OJ L 175, 5.7.1985)  
Pollution of Bantry Bay  
Ireland

Directive 80/778/EEC (OJ L 229, 30.8.1980)  
Drinking water  
United Kingdom

Directive 85/411/EEC (OJ L 233, 30.8.1985)  
Birds — designation of areas  
Netherlands



*Fisheries*

Regulation (EEC) No 170/83 (OJ L 24, 27.1.1983)  
and Articles 7, 52 and 58 of the EEC Treaty  
Registration of fishing vessels  
Ireland

**Cases referred to the Court of Justice***Failure to communicate any measures incorporating Directives into national law*

2.2.5. In June the Commission referred the following cases to the Court of Justice:

*Industry*

Directive 90/486/EEC (OJ L 270, 2.10.1990)  
Electrically operated lifts  
Italy

*Environment, nuclear safety and civil protection*

Directive 85/337/EEC (OJ L 175, 5.7.1985)  
Impact assessment  
Luxembourg

Directive 88/609/EEC (OJ L 336, 7.12.1988)  
Emissions of pollutants  
Greece

Directive 88/610/EEC (OJ L 336, 7.12.1988)  
Major-accident hazards  
Greece

**Proceedings terminated***Failure to communicate any measures incorporating Directives into national law*

2.2.6. In June the Commission decided not to continue the following infringement proceedings:

*Industry*

Directive 89/107/EEC (OJ L 40, 11.2.1989)  
Additives in foodstuffs  
Italy  
Reasoned opinion delivered on 2 December 1991

Directive 89/397/EEC (OJ L 186, 30.6.1989)  
Official control of foodstuffs  
Spain, Portugal  
Reasoned opinions delivered on 25 February 1992

Directive 90/496/EEC (OJ L 276, 6.10.1990)  
Nutrition labelling for foodstuffs  
Italy  
Reasoned opinion delivered on 15 April 1993

Directive 89/178/EEC (OJ L 64, 8.3.1989)  
Labelling of dangerous preparations  
Ireland  
Reasoned opinion delivered on 27 January 1992

Directive 89/530/EEC (OJ L 281, 30.9.1989)  
Trace elements  
Italy  
Reasoned opinion delivered on 5 March 1992

Directive 89/686/EEC (OJ L 399, 30.12.1989)  
Personal protective equipment  
Belgium  
Reasoned opinion delivered on 12 March 1993

Directive 90/35/EEC (OJ L 19, 24.1.1990)  
Safety of child-resistant fastenings  
Ireland, Luxembourg  
Reasoned opinions delivered on 27 and 28 January 1992

Directive 89/235/EEC (OJ L 98, 11.4.1989)  
Motorcycles — sound level  
Greece  
Reasoned opinion delivered on 13 July 1992

Directives 84/525/EEC and 84/527/EEC (OJ L 300, 19.11.1984)  
Steel gas cylinders  
Portugal  
Reasoned opinion delivered on 31 December 1991

Directive 84/526/EEC (OJ L 300, 19.11.1984)  
Aluminium gas cylinders  
Portugal  
Reasoned opinion delivered on 31 December 1991

Directive 87/354/EEC (OJ L 192, 11.7.1987)  
Industrial products — distinctive numbers and letters  
Portugal  
Reasoned opinion delivered on 16 March 1992

Directives 85/384/EEC (OJ L 223, 21.8.1985), 85/614/EEC (OJ L 376, 31.12.1985) and 86/17/EEC (OJ L 27, 1.2.1986)

Architects

Greece

Reasoned opinions delivered on 22 January 1990

### *Agriculture*

Directives 66/404/EEC (OJ L 125, 11.7.1966), 69/64/EEC (OJ L 48, 26.2.1969), 71/161/EEC (OJ L 87, 17.4.1971) and 74/13/EEC (OJ L 15, 18.1.1974)

Forest reproductive material

Portugal

Reasoned opinions delivered on 25 April and 20 November 1991

Directive 89/424/EEC (OJ L 196, 12.7.1989)

Fodder plants and oil plants

Italy

Reasoned opinion delivered on 28 October 1991

Directive 90/44/EEC (OJ L 27, 31.1.1990)

Compound feedingstuffs

Greece, Luxembourg

Reasoned opinions delivered on 3 and 4 May 1993

Directive 90/167/EEC (OJ L 92, 7.4.1990)

Medicated feedingstuffs

Italy

Reasoned opinion delivered on 28 April 1993

Directive 91/334/EEC (OJ L 184, 10.7.1991)

Labelling of compound feedingstuffs for pets

Greece

Reasoned opinion delivered on 3 May 1993

Directive 91/357/EEC (OJ L 193, 17.7.1991)

Labelling of feedingstuffs for animals other than pets

Greece, Luxembourg

Reasoned opinions delivered on 3 and 4 May 1993

Directive 92/9/EEC (OJ L 70, 17.3.1992)

Marketing of seed of oil and fibre plants

France

Reasoned opinion delivered on 11 May 1993

Directive 92/19/EEC (OJ L 104, 22.4.1992)

Marketing of fodder plant seed

France

Reasoned opinion delivered on 11 May 1993

Directive 88/407/EEC (OJ L 194, 22.7.1988)

Deep-frozen semen of domestic animals of the bovine species

Belgium

Reasoned opinion delivered on 4 November 1991

Directive 88/409/EEC (OJ L 194, 22.7.1988)

Fees for inspecting meat

Spain

Reasoned opinion delivered on 4 December 1991

Directive 88/658/EEC (OJ L 382, 31.12.1988)

Intra-Community trade in meat products

Belgium

Reasoned opinion delivered on 30 October 1991

Directive 89/321/EEC (OJ L 133, 17.5.1989) and Articles 5 and 189 of the EEC Treaty

Examination for trichinae — fresh meat from domestic swine

Italy

Reasoned opinion delivered on 18 March 1991

Directive 89/361/EEC (OJ L 153, 6.6.1989)

Pure-bred breeding sheep and goats

Belgium

Reasoned opinion delivered on 13 November 1991

Directive 90/426/EEC (OJ L 224, 18.8.1990)

Movements and imports of equidae

Portugal

Reasoned opinion delivered on 14 April 1993

Directive 90/427/EEC (OJ L 224, 18.8.1990)

Intra-Community trade in equidae

Germany

Reasoned opinion delivered on 4 May 1993

Directive 90/539/EEC (OJ L 303, 31.10.1990)

Animal health conditions governing trade in poultry and hatching eggs

Luxembourg, Portugal

Reasoned opinions delivered on 14 April 1993

Directive 91/174/EEC (OJ L 85, 5.4.1991)

Zootechnical and pedigree requirements for the marketing of pure-bred animals

Germany

Reasoned opinion delivered on 4 May 1993

### *Environment, nuclear safety and civil protection*

Directive 80/68/EEC (OJ L 20, 26.1.1980) and Article 171 of the EEC Treaty

Groundwater

Netherlands

Reasoned opinion delivered on 26 April 1990

Directive 85/339/EEC (OJ L 176, 6.7.1985)

Containers of liquids for human consumption

Luxembourg

Reasoned opinion delivered on 31 October 1988

Directive 86/662/EEC (OJ L 384, 31.12.1986)

Noise emitted by hydraulic and rope-operated excavators

Italy

Reasoned opinion delivered on 26 February 1991

Directive 89/369/EEC (OJ L 163, 14.6.1989)  
Incineration of municipal waste  
Ireland

Reasoned opinion delivered on 6 July 1992

Directive 89/629/EEC (OJ L 363, 13.12.1989)  
Noise emissions from civil subsonic jet aeroplanes  
Ireland

Reasoned opinion delivered on 6 July 1992

### *Internal market and financial services*

Directive 89/299/EEC (OJ L 124, 5.5.1989)

Own funds of credit institutions

Spain, Luxembourg

Reasoned opinions delivered on 6 August and 29 September 1992

Directive 89/647/EEC (OJ L 386, 30.12.1989)

Solvency ratio for credit institutions

Spain, Luxembourg

Reasoned opinions delivered on 6 August and 1 October 1992

Directive 88/627/EEC (OJ L 348, 17.12.1988)

Major holding in a listed company

Luxembourg

Reasoned opinion delivered on 6 August 1992

### *Customs and indirect taxation*

Directive 83/181/EEC (OJ L 105, 23.4.1983) and Article 171 of the EEC Treaty

Exemption from VAT on final importation of certain goods

Italy

Reasoned opinion delivered on 29 January 1990

Directive 83/183/EEC (OJ L 105, 23.4.1983) and Article 171 of the EEC Treaty

Tax exemptions on permanent imports of personal property

Italy

Reasoned opinion delivered on 29 January 1990

Directive 89/604/EEC (OJ L 348, 29.11.1989)

Permanent imports of personal property

Italy

Reasoned opinion delivered on 31 December 1991

### *Consumers*

Directive 91/184/EEC (OJ L 91, 12.4.1991)

Cosmetics

Luxembourg, Portugal

Reasoned opinions delivered on 18 February and 16 March 1993

### *Failure properly to incorporate Directives into national law*

2.2.7. In June the Commission decided not to continue the following infringement proceedings:

#### *Environment, nuclear safety and civil protection*

Directive 79/409/EEC (OJ L 103, 25.4.1979) and Article 171 of the EEC Treaty

Wild birds

Italy

Reasoned opinion delivered on 28 August 1990

Directive 79/869/EEC (OJ L 271, 29.10.1979)

Surface water — measurement methods

Italy

Reasoned opinion delivered on 12 February 1991

Directive 80/68/EEC (OJ L 20, 26.1.1980)

Groundwater

Spain

Reasoned opinion delivered on 19 February 1992

Directive 80/778/EEC (OJ L 229, 30.8.1980)

Quality of water for human consumption

Luxembourg

Reasoned opinion delivered on 6 August 1992

Directive 80/778/EEC (OJ L 229, 30.8.1980)

Water for human consumption

Belgium, Germany

Reasoned opinions delivered on 16 May 1988 and 6 July 1989

Directive 80/779/EEC (OJ L 229, 30.8.1980)

Sulphur dioxide

Italy

Reasoned opinion delivered on 12 September 1988

Directives 86/280/EEC (OJ L 181, 4.7.1986) and 88/347/EEC (OJ L 158, 25.6.1988)

Dangerous substances — discharge limit values

Netherlands

Reasoned opinion delivered on 17 February 1992

### *Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice*

2.2.8. In June the Commission decided not to continue the following infringement proceedings:

*Industry*

Articles 5, 30 and 36 of the EEC Treaty  
Organization of Verona customs office  
Italy  
Reasoned opinion delivered on 5 June 1992

Article 30 of the EEC Treaty  
Amendment to German foodstuffs law following  
the 'Cassis de Dijon' judgment  
Germany  
Reasoned opinion delivered on 3 June 1988

Article 30 of the EEC Treaty  
Labelling of medical equipment  
Germany  
Reasoned opinion delivered on 30 July 1990

Article 30 of the EEC Treaty  
Decree on receiving equipment for broadcasts by  
telecommunications satellites  
Denmark  
Reasoned opinions delivered on 6 April 1990 and 8  
May 1991

Directive 83/189/EEC (OJ L 109, 26.4.1983)  
Determination of the phosphorus content of wash-  
ing powders  
Italy  
Reasoned opinion delivered on 4 November 1991

Directives 83/189/EEC (OJ L 109, 26.4.1983) and  
88/182/EEC (OJ L 81, 26.3.1988)  
Health and safety on panoramic lifts  
Belgium  
Reasoned opinion delivered on 8 October 1992

Directives 83/189/EEC (OJ L 109, 26.4.1983) and  
88/182/EEC (OJ L 81, 26.3.1988)  
Order of 10 July 1989 on sealed injection pumps  
Spain  
Reasoned opinion delivered on 23 October 1992

Directives 83/189/EEC (OJ L 109, 26.4.1983) and  
88/182/EEC (OJ L 81, 26.3.1988)  
Breathalyser equipment  
Italy  
Reasoned opinion delivered on 7 September 1992

Directives 83/189/EEC (OJ L 109, 26.4.1983) and  
88/182/EEC (OJ L 81, 26.3.1988)  
Approval of alarm systems  
Belgium  
Reasoned opinion delivered on 6 November 1992

Directive 73/148/EEC (OJ L 172, 28.6.1973)  
Issue of visas  
Belgium  
Reasoned opinion delivered on 26 March 1991

Articles 7, 48, 52 and 59 of the EEC Treaty  
Non-recognition of physiotherapy and osteopathy  
diplomas  
Italy  
Reasoned opinion delivered on 15 June 1989

*Employment, industrial relations and social  
affairs*

Regulation (EEC) No 1612/68 (OJ L 257,  
19.10.1968) and Article 48 of the EEC Treaty  
Protection against the risks of redundancy for  
expatriates in paid employment  
France  
Reasoned opinion delivered on 25 March 1993

Regulation (EEC) No 1612/68 (OJ L 257,  
19.10.1968) and Article 48 of the EEC Treaty  
Conditions of access to employment aboard ships  
Greece  
Reasoned opinion delivered on 16 December 1991

Article 48 of the EEC Treaty  
Permanent post of violinist  
Italy  
Reasoned opinion delivered on 12 February 1993

Regulation (EEC) No 1612/68 (OJ L 257,  
19.10.1968) and Article 48 of the EEC Treaty  
Access to employment in State education and State-  
assisted private education  
Belgium  
Reasoned opinion delivered on 6 August 1992

Regulation (EEC) No 1612/68 (OJ L 257,  
19.10.1968) and Article 48 of the EEC Treaty  
Access to employment in urban and rural transport  
Belgium  
Reasoned opinion delivered on 6 August 1992

Regulation (EEC) No 1612/68 (OJ L 257,  
19.10.1968) and Articles 5 and 52 of the EEC Treaty  
Refusal of a rail company in Greece to set reduced-  
rate fares  
Greece  
Reasoned opinion delivered on 8 October 1992

*Agriculture*

Directive 91/68/EEC (OJ L 46, 19.2.1991) and  
Article 30 of the EEC Treaty  
Intra-Community trade in ovine animals  
Spain  
Reasoned opinion delivered on 1 October 1992

## Article 30 of the EEC Treaty

Difficulties on importing deep-frozen minced meat into Spain

Spain

Reasoned opinion delivered on 15 July 1992

Regulation (EEC) No 2777/75 (OJ L 282, 1.11.1975), Directives 71/118/EEC (OJ L 55, 8.3.1971) and 83/643/EEC (OJ L 359, 22.12.1983), and Articles 30 and 171 of the EEC Treaty

Health checks in intra-Community trade in animals, meat and preparations

Germany

Reasoned opinion delivered on 16 March 1988

Regulation (EEC) No 3796/81 (OJ L 379, 31.12.1981), Directives 83/643/EEC (OJ L 359, 22.12.1983) and 87/53/EEC (OJ L 24, 27.1.1987) and Articles 5 and 30 of the EEC Treaty

Imports of salted fish — veterinary problems

Italy

Reasoned opinion delivered on 31 December 1991

Regulations (EEC) Nos 804/68 (OJ L 148, 28.6.1968) and 262/79 (OJ L 41, 16.2.1979)

Restrictions on marketing concentrated fractionated butter

Italy

Reasoned opinion delivered on 5 September 1984

*Personnel and administration*

Protocol on the Privileges and Immunities of the European Communities

Difficulties encountered by a temporary agent in importing a tax-free vehicle

Spain

Reasoned opinion delivered on 24 June 1992

*Environment, nuclear safety and civil protection*

Directives 75/442/EEC (OJ L 194, 25.7.1975) and 84/631/EEC (OJ L 326, 13.12.1984) and Articles 30 and 36 of the EEC Treaty

Decree prohibiting the storage and disposal in the Walloon region of waste from other Member States

Belgium

Reasoned opinion delivered on 17 October 1988

Directive 76/160/EEC (OJ L 31, 5.2.1976)

Bathing water

Greece, France

Reasoned opinions delivered on 2 August 1988 and 27 September 1991

Directive 76/160/EEC (OJ L 31, 5.2.1976) and Articles 5 and 189 of the EEC Treaty

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Directives 78/319/EEC (OJ L 84, 31.3.1978) and 75/442/EEC (OJ L 194, 25.7.1975)

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Directives 83/129/EEC (OJ L 91, 9.4.1983) and 85/444/EEC (OJ L 259, 1.10.1985)

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Regulations (EEC) Nos 1224/80 (OJ L 134, 31.5.1980) and 1496/80 (OJ L 154, 21.6.1980)

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Article 7 of the EEC Treaty

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Reasoned opinion delivered on 26 February 1991

### 3. Additional references in the Official Journal

2.3.1. This section lists the titles of legal instruments, communications and notices of Community institutions which have appeared in the Official Journal since the last Bulletin was published but relate to items appearing in earlier issues; 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 are followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

#### **Bull. EC 4-1993**

##### *Point 1.2.20*

Council Directive 93/16/EEC of 5 April 1993 to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications  
OJ L 165, 7.7.1993

##### *Point 1.5.2*

Decision 93/366/Euratom, ECSC, EEC of the European Parliament of 21 April 1993 giving discharge to the Commission in respect of the implementation of the general budget of the European Communities for the 1991 financial year as regards Sections I — Parliament, II — Council, III — Commission, IV — Court of Justice and V — Court of Auditors  
OJ L 155, 26.6.1993

##### *Point 1.5.4*

Decision 93/371/EEC of the European Parliament of 22 April 1993 giving discharge to the Administrative Board of the European Foundation for the Improvement of Living and Working Conditions in respect of the implementation of its budget for the 1991 financial year  
OJ L 155, 26.6.1993

##### *Point 1.5.5*

Decision 93/370/EEC of the European Parliament of 22 April 1993 giving discharge to the Management Board of the European Centre for the Development of Vocational Training in respect of the implementation of its budget for the 1991 financial year  
OJ L 155, 26.6.1993

##### *Point 1.5.6*

Decision 93/367/EEC of the European Parliament of 22 April 1993 giving discharge to the Commission in respect of the financial management of the fifth European Development Fund for the 1991 financial year

Decision 93/368/EEC of the European Parliament of 22 April 1993 giving discharge to the Commission in respect of the financial management of the sixth European Development Fund for the 1991 financial year

Decision 93/369/EEC of the European Parliament of 22 April 1993 giving discharge to the Commission in respect of the financial management of the seventh European Development Fund for the 1991 financial year  
OJ L 155, 26.6.1993

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