

PRESS RELEASE

7823/88 (Presse 120)

1260th Council meeting

- General Affairs -

Brussels, 25 July 1988

President: Mr Theodoros PANGALOS
Deputy Minister for
Foreign Affairs of the
Hellenic Republic

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Leo TINDEMANS Minister for Foreign Affairs
Mr Paul DE KEERSMAEKER State Secretary for European Affairs

Denmark:

Mr Knud-Erik TYGESEN State Secretary,
Ministry of Foreign Affairs

Germany:

Mr Werner UNGERER Ambassador,
Permanent Representative

Greece:

Mr Theodoros PANGALOS Deputy Minister for Foreign Affairs

Spain:

Mr Francisco FERNANDEZ ORDONEZ Minister for Foreign Affairs
Mr Pedro SOLBES MIRO State Secretary for Relations with
the European Communities

France:

Mr François SCHEER Ambassador,
Permanent Representative

Ireland:

Mr Sean CALLEARY Minister of State at the Department
of Foreign Affairs

Italy:

Mr Giulio ANDREOTTI

Minister for Foreign Affairs

Luxembourg:

Mr Jacques F. POOS

Minister for Foreign Affairs

Netherlands:

Mr P.C. NIEMAN

Ambassador,
Permanent Representative

Portugal:

Mr João de DEUS PINHEIRO

Minister for Foreign Affairs

Mr Vitor MARTINS

State Secretary for European
Integration

United Kingdom:

Mr Lynda CHALKER

Minister of State, Foreign and
Commonwealth Office

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Commission:

Mr Jacques DELORS

President

Mr Lorenzo NATALI

Vice-President

Mr Claude CHEYSSON

Member

Mr Willy DE CLERCQ

Member

RELATIONS WITH THE CMEA AND ITS MEMBER STATES

1. Following the major developments in relations between the Community and the CMEA and its Member States, the Council held a general debate on the outlook for these relations.

After taking stock of the situation, the Council focussed on relations with those East European countries with which exploratory talks were in progress.

The Council confirmed the importance the Community attaches to developing these relations on the basis of a pragmatic and flexible approach, taking account of the special features of each individual case, and on the basis of reciprocity and mutual advantage.

A favourable view was taken of the Commission approach to the development of relations between the Community and the East European countries, including the exploration of the possible content of an agreement with the Soviet Union.

A series of suggestions and ideas were put forward and will be further examined by the Commission and the Council. The Commission will also continue its exploratory contacts and talks.

2. The Council also instructed the Permanent Representatives Committee to give detailed consideration to the problems concerning participation by the Community, as such, in the Economic Conference proposed within the framework of the CSCE.

FOLLOW-UP TO THE HANOVER EUROPEAN COUNCIL

The Council reviewed the questions arising with regard to the organization of work to implement the conclusions of the Hanover European Council in the various areas concerned; in this connection, it took note of the intentions of both the Presidency and the Commission on this point.

SETTING-UP OF A COURT OF FIRST INSTANCE

The Council decided to set up a Court of First Instance of the European Communities. This decision is in response to the request from the Court of Justice to have attached to it a court with jurisdiction to hear and determine at first instance certain classes of action or proceeding brought by natural or legal persons, particularly in those areas where proceedings require scrutiny of complex facts. The purpose of this institution is to improve the judicial protection of individual interests and also, by relieving the Court of Justice of responsibility for examining questions of fact, to enable it to concentrate its activities on its fundamental task of ensuring uniform interpretation of Community law.

The Court will consist of 12 members, including the Advocates-General.

The Court of First Instance will exercise at first instance the jurisdiction conferred on the Court of Justice by the Treaties establishing the Communities and by the acts adopted in implementation thereof:

- in disputes between the Communities and their servants;
- in actions brought against an institution of the Communities by natural or legal persons and relating to the implementation of the competition rules applicable to undertakings;
- in actions brought against the Commission by undertakings or associations of undertakings and relating to matters covered by the ECSC Treaty.

As regards the jurisdiction of the Court of First Instance, the Council further provided that, in the light of experience, including the development of case law, it would, after the Court had been operational for 2 years, re-examine the proposal by the Court of Justice to give the Court of First Instance competence also to hear and determine actions in connection with dumping or subsidies.

The decision will be formally adopted in September after finalization of the text.

PARTIAL RENEWAL OF THE MEMBERS OF THE COURT OF JUSTICE

The Conference of the Representatives of the Governments of the Member States reached substantive agreement on the appointment of:

- as judges to the Court of Justice for the period from 7 October 1988 to 6 October 1994 inclusive:

Mr Fernand GREVISSE
Mr Thymen KOOPMANS
Mr Giuseppe Federico MANCINI
Mr José Carlos de Carvalho MOITINHO DE ALMEIDA
Sir Gordon SLYNN
Mr Manfred ZULEEG;

- as Advocates-General to the Court of Justice for the period from 7 October 1988 to 6 October 1994 inclusive:

Mr Marco DARMON
Mr Giuseppe TESAURO
Mr Walter VAN GERVEN;

- as Advocate-General to the Court of Justice for the period from 7 October 1988 to 6 October 1991 inclusive:

Mr Francis JACOBS.

The formal decision appointing the above members of the Court will be adopted in September, once the Conference of Representatives of the Governments of the Member States has also found a solution for the appointment of the 13th judge of the Court.

MISCELLANEOUS DECISIONS

Research policy

Following the agreement reached by the Research Council on 29 June 1988 on a joint guideline and following the European Parliament decision to waive the conciliation procedure, the Council formally adopted the Decisions:

- adopting a multiannual research and training programme in the field of controlled thermonuclear fusion;
- amending the Statutes of the Joint European Torus (JET) Joint Undertaking

(see Press release 7217/88 Presse 106 of 29.VI.88).

The Council further adopted two decisions:

- amending Decision 63/27/Euratom on the establishment of the "Kernkraftwerk RWE-Bayernwerk GmbH" Joint Undertaking;
- amending the Decision of 18 June 1963 on the conferring of advantages on the "Kernkraftwerk RWE-Bayernwerk GmbH" (KRB) Joint Undertaking and on the transfer of knowledge by that undertaking.

The Council also adopted a decision on the transition of the EUROTRA programme to the third phase (as at 1 July 1988).

Finally, the Council adopted the decision authorizing the conclusion by the Commission of the memorandum of understanding between the European Atomic Energy Community and the Government of Canada on the involvement of Canada in the European Atomic Energy Community contribution to the International Thermonuclear Experimental Reactor (ITER) Conceptual Design Activities.

Commercial policy

The Council formally adopted the Regulation amending Regulation No 1022/88 as regards certain electronic typewriters assembled in the Community by Sharp Manufacturing (UK) Ltd.

The Regulation provides that the anti-dumping duty concerned no longer applies to electronic typewriters assembled in the Community by Sharp Manufacturing (UK) Ltd., as this firm offered a price undertaking which the Commission, after examination, accepted as satisfactory.

Co-operation with EFTA countries

The Council approved the 11th report from the Permanent Representatives Committee on co-operation with the EFTA countries.

The report highlights the two major events that took place in EEC-EFTA relations during the period considered, namely:

- the ministerial meeting on the Internal Market held in Brussels on 2 February 1988 between the European Community and its Member States, led by Mr BANGEMANN, German Minister for Economic Affairs, and the European Free Trade Association led by Mr SALOLAINEN, Finnish Minister; and
- the meeting held in Tampere (Finland) on 15 June 1988 between the EFTA Ministers and Mr Willy DE CLERCQ, Member of the Commission of the European Communities responsible for External Relations and Commercial Policy.

The joint statement of Brussels and the joint conclusions of Tampere bear witness to a substantive improvement in EC-EFTA relations.

The full EC-EFTA ministerial meeting in the context of the Internal Market programme provided the necessary momentum for progress in EC-EFTA relations. This increased the credibility of EC-EFTA co-operation at a time when the Community was making substantial progress towards its 1992 objective.

The Tampere meeting was also a particularly successful one; the practical outcome of the meeting was a number of measures which are of particular importance in the context of the Luxembourg declaration and the creation of a European Economic space.

ECSC

The Council gave its assent pursuant to Article 56(2)(a) of the Treaty establishing the European Coal and Steel Community for:

- EFIBANCA 6 Ente Finanziario Interbancario, S.p.a. (Italy)
- Barclays Bank PLC (United Kingdom)
- Karstadt AG, Essen (Federal Republic of Germany)
- Centrobanca - Banca Centrale di Credito Popolare (Italy)
- Mediocredito Lombardo, Milan (Italy).

The Council and the Representatives of the Governments of the Member States, meeting within the Council, formally adopted the decisions amending the decisions on the opening of zero-duty tariff quotas for flat-rolled products of silicon-electrical steel for the Federal Republic of Germany, Benelux and Spain (in the sole Article of the Decisions, "30 June 1988" is replaced by "31 December 1988").

Bruxelles, le 21 septembre 1988

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CC : AUX MEMBRES DU SERVICE PORTE-PAROLE

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REUNION INFORMELLE DES MINISTRES DES AFFAIRES SOCIALES (Athènes, 20.9.88)
(C. LIEBANA)

(Texte reçu par telecopieur)

Les ministres des Affaires Sociales des Etats membres de la Communauté, réunis à Athènes en réunion informelle, ont conclu que la réalisation du marché intérieur d'ici à 1992 devra être accompagné d'un effort d'harmonisation de leurs dispositions sociales qui permette l'achèvement d'un grand espace européen. Cette harmonisation n'est toutefois pas à confondre avec une uniformisation et se fera tenant compte des différentes situations et traditions nationales. Cette harmonisation devra tenir compte, d'un côté, des exigences pour les entreprises européennes d'être pleinement compétitives pour faire face à la concurrence internationale et, de l'autre côté, du principe que la réalisation du marché intérieur doit en tout cas contribuer à l'amélioration du niveau de vie des citoyens communautaires et à la préservation de leur niveau de protection sociale.

Les Ministres ont été unanimes à souligner l'importance de la poursuite et de l'approfondissement du dialogue social à tous les niveaux, non seulement à cause des impératifs légaux de l'Acte unique mais aussi parce que l'engagement des partenaires sociaux dans tous les aspects qui les concernent est considéré comme une des principales conditions de la réussite du marché intérieur.

Dans le contexte de la dimension sociale du marché intérieur, et comme moyen privilégié de lutte contre le chômage (qui de l'avis des Ministres reste le problème social le plus urgent de la Communauté), l'importance de la formation professionnelle de base et formation continue a été soulignée, de manière à préparer les travailleurs communautaires au défi des nouvelles technologies et formes de travail et de faire coïncider davantage l'offre du travail à la demande.

Les Ministres ont aussi souligné la place prédominante de l'amélioration de l'environnement du travail dans la dimension sociale du grand marché. Dans ce contexte, ils ont réaffirmé leur volonté de donner la priorité dans les travaux du Conseil à l'ensemble des propositions présentées par la Commission dans le domaine de la santé et de la sécurité des travailleurs sur le lieu de travail et d'adopter toutes les mesures de procédure nécessaires afin d'accélérer leurs travaux de manière à ce que, au mois de décembre prochain, le Conseil soit en mesure d'adopter formellement plusieurs de ces directives afin que le reste soit adopté, sous présidence espagnole, dans le premier semestre de 1989.

Le Vice-Président Marin et le ministre grec des affaires sociales, M. Yannimatas, qui présidait la réunion, ont montré leur satisfaction par la convergence de vues et l'esprit de compromis montrés par les différentes délégations qui, même en mettant l'accent sur des aspects différents de la dimension sociale du marché intérieur, se sont montrées très pragmatiques à l'heure de prendre des orientations communes sur les lignes d'action à l'avenir.

Le Vice-Président Marin a demandé aux Ministres que, dans le même esprit, ils accélèrent les travaux dans le domaine de l'égalité de chances et plus concrètement sur la proposition de directive relative à la modification de la charge de la preuve, présentée par la Commission en mars dernier.

Amitiés


C.D. EHLERMANN

Bruxelles, le 22 Juillet 1988

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CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

Rendez-vous de midi - 22. 7. 1988 (C.D. EHLERMANN)

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CONSEIL AFFAIRES GENERALES DU 25 JUILLET 1988

1.) J'ai briefé les journalistes sur le Conseil des affaires générales prévu pour lundi prochain, dont l'ordre du jour sera léger. Après que le point "Birmanie" a été reporté, il ne reste plus qu'un dossier substantiel sur l'ordre du jour: le Tribunal de première instance.

Ce sujet, sur lequel je vous ai déjà donné des informations mercredi à la suite de la réunion de la Commission, ne comportera que deux points, à savoir

- les compétences des juges, notamment la question si les affaires anti-dumping et anti-subsidiation seront attribuées ou non à la Première Instance (ce qui semble peu probable compte tenu de l'opposition de la France qui s'appuie sur l'avis de la Commission) et éventuellement

- le niveau de rémunération des juges.

2.) Toujours au sujet de la Cour de Justice, il y aura à l'ordre du jour de la Conférence des représentants des Etats membres, la nomination des juges et avocats généraux. Le débat ne sera certainement pas facile vu le désaccord sur l'origine du juge en rotation qui est réclamé tant par l'Italie que par l'Espagne.

3.) Les journalistes ont posé une série de questions sur la décision de la France de ne plus accepter la position commune relative aux émissions polluantes des voitures de petite cylindrée (en dessous de 1,4 l). J'ai rappelé les conditions dans lesquelles la décision du 28.6.1988 est intervenue: Trois pays (RFA, Italie et France) ont donné leur accord ad referendum, le Royaume-Uni a fait une réserve d'attente. Trois Etats membres (Danemark, Grèce et Pays-Bas) ont voté contre. Le changement de position de la France entraîne l'apparition d'une minorité de blocage qui empêche l'adoption formelle de la position commune, conformément à l'article 100A. Le Conseil doit dès lors en délibérer de nouveau.

J'ai par ailleurs précisé que l'engagement de s'abstenir d'adopter de mesures d'incitations fiscales n'était pas pris par les Etats membres ayant voté contre la position commune (notamment les Pays-Bas).

4.) J'ai refusé de commenter la déclaration concernant la politique en matière de taux d'intérêt (controverse Bérégovoy/Poehl) et la coordination au sein du SME.