

COUNCIL OF THE EUROPEAN COMMUNITIES

PRESS RELEASES

PRESIDENCY: FRANCE

JULY-DECEMBER 1989

Meetings and press releases October 1989

Meeting number	Subject	Date
1349 th	General Affairs	3 October 1989
1350 th	Education	6 October 1989
1351 st	Economics/Finance	9 October 1989
1352 nd	Internal Market	10 October 1989
1353 rd	Transport	16 October 1989
1354 th	Research	17 October 1989
1355 th	Agriculture	23-24 October 1989
1356 th	Energy	30 October 1989
1357 th	Labour and Social Affairs	30 October 1989

PRESS RELEASE

8774/89 (Presse 166)

1349th Council meeting

- General Affairs -

Luxembourg, 3 October 1989

President: Mr Roland DUMAS

Ministre d'Etat,
Minister for Foreign Affairs
of the French Republic

Presse 166 - G

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

Belgium:

Mr Mark EYSKENS	Minister for Foreign Affairs
Mr Paul DE KEERSMAEKER	State Secretary for European Affairs

Denmark:

Mr Jørgen ØRSTRØM MØLLER	State Secretary, Ministry of Foreign Affairs
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Germany:

Mrs Irmgard ADAM-SCHWAETZER	Minister of State, Ministry of Foreign Affairs
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Greece:

Mr George PAPOULIAS	Deputy Minister for Foreign Affairs
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Spain:

Mr Pedro SOLBES MIRA	State Secretary for Relations with the European Communities
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Mr Apolonio RUIZ LIGERO	State Secretary for Trade
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France:

Mr Roland DUMAS	Ministre d'Etat, Minister for Foreign Affairs
Mrs Edith CRESSON	Minister for European Affairs
Mr Jacques PELLETIER	Minister for Co-operation and Development

Ireland:

Mr Gerard COLLINS	Minister for Foreign Affairs
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Italy:

Mr Gianni DE MICHELIS

Minister for Foreign Affairs

Mr Renato RUGGIERO

Minister for Foreign Trade

Luxembourg:

Mr Jacques F. POOS

Minister for Foreign Affairs

Netherlands:

Mr H. van den BROEK

Minister for Foreign Affairs

B.J.M. Baron van VOORST tot VOORST

State Secretary,
Ministry of Foreign Affairs

Portugal:

Mr João de DEUS PINHEIRO

Minister for Foreign Affairs

Mr Vitor MARTINS

State Secretary for European
Integration

United Kingdom:

Mr John MAJOR

Secretary of State for Foreign and
Commonwealth Affairs

Mrs Lynda CHALKER

Minister for Overseas Development

Lord TREFGARNE

Minister for Trade

Commission:

Mr Frans H.J.J. ANDRIESSEN

Vice-President

Mr Martin BANGEMANN

Vice-President

Mr Henning CHRISTOPHERSEN

Vice-President

Mr Manuel MARIN

Vice-President

Mr Jean DONDELINGER

Member

Mr Abel MATUTES

Member

TELEVISION WITHOUT FRONTIERS

After a second reading of the re-examined Commission proposal, the Council adopted the Directive on television without frontiers by a qualified majority.

The main features of the Directive, which co-ordinates certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, are as follows:

The Directive lays down the principle of the freedom of reception and retransmission of television broadcasts coming from another Member State: Member States may no longer suspend such broadcasts, except under certain strict conditions when a broadcast manifestly, seriously and gravely infringes the Directive's role on the protection of minors. The suspension of broadcasts will no longer be permitted in the other areas co-ordinated by the Directive.

In common with the draft Council of Europe Convention, the Directive lays down provisions on advertising breaks and the duration of advertising. However, it will allow special conditions to apply to a Member State's broadcasts which cannot be received, directly or indirectly, in other Member States.

It also introduces a right of reply at European level for any natural or legal person whose legitimate interests have been damaged by an assertion of incorrect facts in a television programme.

A significant part of the Directive is devoted to the promotion of European audio-visual production, setting as the objective that Member States must ensure, where practicable and by appropriate means, that broadcasters reserve for European works a majority proportion of their transmission time excluding the time appointed to news, sports events, games, advertising and teletext services. This proportion may be attained progressively.

Broadcasters will, where practicable, reserve at least 10% of their transmission time or, alternatively, at the discretion of the Member state, at least 10% of their programming budget, for European works created by producers who are independent of broadcasters. This percentage should be achieved progressively and an adequate proportion of it must be earmarked for recent works.

The Commission will be responsible for supervising the implementation of these provisions. To that end, it will submit a report every two years on the percentages achieved in the Member States.

Account will be taken of the interest of the Member States and the Commission in seeking appropriate instruments to encourage the activity and development of European audio-visual production and distribution companies, particularly in Member States with a low production capacity or restricted language area.

For the purposes of the Directive "European works" covers, subject to certain conditions, works originating from the Member States, works from States party to the European Convention on Transfrontier Television of the Council of Europe or works from any other European countries with which (for example in the context of the Audiovisual Eureka initiative) the Community, the Member States or their competent authorities conclude agreements.

Broadcasters in the Federal Republic of Germany may count works originating in the German Democratic Republic as works of a Member State of the Community.

The Council decided not to retain the Chapter on copyright. However, it will review this issue in the light of experience gained in implementing the Directive.

The Council also agreed to exclude sound broadcasts from the scope of the Directive, as it did not consider these to require regulation at present.

The Directive must be incorporated into Member States' national law within two years of its adoption.

For the first time not later than the end of the fifth year after the date of adoption of the Directive, and every two years thereafter, the Commission will submit to the European Parliament, the Council and the Economic and Social Committee a report on the application of the Directive, and, if necessary, make further proposals to adapt it to developments in the field of television broadcasting.

"1. General approach

The Council notes that the process of political and economic reform in Poland and Hungary has progressed considerably. However, the process remains fragile and could be weakened by economic difficulties.

Stressing the need for Poland and Hungary to conclude agreements with the international financial institutions in the very near future, the Council recognizes the urgent need for additional support measures from the Community and the Group of 24.

The Council accordingly welcomes the general approach of the action plan proposed by the Commission.

2. Additional funds

The Council endorses the Commission proposal that a sum of ECU 200 million be entered in the 1990 budget to finance the programme of aid for the economic restructuring of Poland and Hungary. The relevant decisions will be taken without delay in the context of the budget procedure.

The Council welcomes the progress made by the Group of 24 following the Commission's call for Community funding to be supplemented by the participant countries.

3. Agriculture: supplies and restructuring

The Council:

- notes that the supply of agricultural products to Poland, as decided by the Council, and the creation of a counterpart fund to finance restructuring measures, are under way;
- recognizes the need for an importation programme providing for the supply to Poland of means of production such as pesticides and agricultural machinery, and signifies its agreement in principle to such a project.

4. Access to markets

The Council endorses the objective of facilitating access for products originating in Poland and Hungary to Community markets.

It signifies its agreement in principle to the measures proposed by the Commission, viz.:

- acceleration of the timetable for liberalization of specific quantitative restrictions vis-à-vis Poland and Hungary with effect from the beginning of 1990;
- improvement of agricultural concessions, taking into account the importance of agriculture in those two countries, their development potential and the sensitivity of trade in this sector;

- tariff concessions within the framework of international commitments.

It notes broad support for the proposal to extend the GSP to these two countries as from 1990.

It takes note of the fact that the Commission intends to submit formal proposals to the appropriate bodies in the near future; those proposals will be examined in detail.

5. Investment

Bearing in mind the discussions under way with the financial institutions, the Council welcomes the Commission's proposal that Poland and Hungary be made eligible for EIB loans guaranteed by the Community budget. The Commission will be submitting a draft Decision defining the modalities for this to the ECOFIN Council on 9 October.

The Council will examine the scope for reinforcing this action through access to other Community financial instruments such as ECSC loans and through other forms of investment promotion in such areas as risk capital operations.

6. Vocational training - Environment

The Council agrees with the Commission that high priority should be given to vocational training measures, including management training, and to environmental measures, as requested by the Polish and Hungarian authorities.

7. Follow-up discussions

The Council considers that the Community's own actions should stimulate new aid measures on the part of the Group of 24 and notably of those industrialized countries which are yet to make significant new commitments.

With this end in view, the Council would encourage the Commission to pursue its co-ordinating and promotional activity both at Community level and in the Group of 24.

To ensure that sufficient momentum is maintained, the Council considers it desirable that the Commission convene a meeting of the Group of 24 at political level as soon as conditions allow.

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The Council notes that the Commission intends to open delegations in Warsaw and Budapest in 1990."

1. HORMONES

The Council noted a report from Vice-President ANDRIESEN.

It condemned the unilateral measures taken by the United States and expressed the wish that the Community should keep up its efforts to obtain their condemnation by GATT.

It deplored the fact that while the Community had opened its market to United States exports of meat and offal that conformed to the Directive, the United States had not done enough to withdraw its illegal unilateral measures.

It called upon the Commission to continue its endeavours to resolve this dispute.

2. STEEL

The Council noted Vice-President ANDRIESEN's report on the Commission's exploratory talks with the United States on steel.

It asked the Permanent Representatives Committee to agree on terms of reference which would enable the Commission to enter immediately into negotiations on the basis of the report and to conclude them to the Community's best advantage.

RELATIONS WITH JAPAN

The Council:

- took note of the Commission report and of the progress made in trade relations with Japan, at the same time noting that the balance of trade with Japan remained a cause of concern for the Community;
- asked the Commission to continue its efforts on the opening up of the Japanese market;
- agreed to hold a discussion in November on arrangements for imports of Japanese cars after 1992 and noted that in the meantime the Commission would not raise this issue in its talks with Japan.

URUGUAY ROUND - PROGRESS OF NEGOTIATIONS

The Council was unable to discuss this item at this meeting and accordingly referred it to the Permanent Representatives Committee.

LEBANON

1. The Council welcomed the process started at TAIF, whereby the dialogue between the Lebanese was resumed.

It backed the implementation, co-ordinated between the Community and the Member States, of a plan to rehabilitate essential public services in order to help the people of the Lebanon and contribute towards the country's reconstruction.

2. The plan provides for the co-ordinated implementation of rehabilitation projects amounting to ECU 25 million. Seven Member States (Belgium, France, Greece, Ireland, Italy, Luxembourg and the Netherlands) will contribute a total of ECU 19 million and the Community will contribute ECU 6 million.
3. The Community appraisal mission, which at the request of the Political Committee visited the Lebanon from 24 to 27 August, identified needs relating to the rehabilitation of essential public services that went beyond the usual emergency aid framework. The projects, which have been decided on on the basis of the appraisal mission's report and after various co-ordination meetings, will help to restore seven essential public services: health, water, electricity, sewerage, telecommunications, civil protection and schools.
4. The implementation of these projects, which are additional to the humanitarian aid already granted by the Community and the Member States in 1989 (ECU 32 million), will rely above all on public and private Lebanese services, helping them to resume normal activities to the benefit of the whole Lebanese population, with the assistance of specialized international and non-governmental organizations.

5. The announcement of a cease-fire agreement on 16 September and its acceptance by all sides in the Lebanon will assist the implementation of the plan which, by significantly improving the living conditions of all Lebanese, will back up the political progress achieved.

RELATIONS WITH THE GULF STATES

The Council noted the Commission's submission of a proposal for negotiating directives for the conclusion of a trade agreement between the European Economic Community and the customs union to be set up by the Gulf States.

The Council asked the Permanent Representatives Committee to examine the Commission proposal and to report back as soon as possible so that the Council could take an early decision on this important matter.

RENEWAL OF THE ACP-EEC CONVENTION

The Council heard a statement by Vice-President MARIN in which he reported on the progress of negotiations with the ACP States for renewal of the ACP-EEC Convention and submitted the Commission proposal for rum.

The Council went on to hold an initial exchange of views on the budget for the future Convention.

MISCELLANEOUS DECISIONS

Renewal of the EEC-UNRWA Convention

The Council adopted directives for the Commission to negotiate a three-year renewal of the EEC-UNRWA Convention (which expires on 31 December 1989).

Provision is made for a gradual increase in Community aid under the convention, which will amount to ECU 80,1 million for the period 1990-1992. As before, the aid will be aimed at education and now specifically at health education. Contributions in terms of food aid will also be continued.

Community co-operation with the Palestinian population

The Council noted a report from the Permanent Representatives Committee reviewing the arrangements for Community co-operation with the Palestinian population and informing the Council of the measures taken recently to assist the Palestinians in the framework of existing Community provisions.

1. The EEC-UNRWA Convention, which the Council has decided to renew (see above), provides Community support for major schemes to aid Palestinian refugees.
2. Financial and technical assistance

In the context of the Council's conclusions of 27 October 1986 defining the principles, objectives and priority areas for Community financial assistance to the Palestinian population of the Occupied Territories, an appropriation is entered each year in the budget (Article 966). For 1989 it amounts to ECU 5 million in commitment appropriations and ECU 4 million in payment appropriations.

In the light of the information available on the situation in the Occupied Territories and of developments in that situation, it has been agreed that this appropriation will chiefly be assigned to two areas: support for the productive sector (61% of the funds) ⁽¹⁾ and action in the field of health (37% of the funds).

The need to ensure that aid is conveyed to its recipients under optimum conditions was once again reiterated. Inter alia, despite representations made in March 1989, no overall assurance has been received that admission charges will not be levied on project-related plant. The Community is standing by its requests in this connection and the Commission will closely follow developments in the situation.

3. Trade questions

The report notes the results of the first year of direct export of agricultural products from the Occupied Territories to the Community.

Mindful of these results, it stresses the importance of making full use of existing instruments and of persisting with the endeavours needed to enable the Palestinian population to derive the greatest possible benefit from the trading facilities which their products are afforded ⁽²⁾. It also recalls the need for meticulous implementation of the arrangements entered into to allow these exports.

(1) This consists of action in the agricultural sector, granting appropriations for medium-scale operations in the sphere of housing, industry, crafts and services and aid to women's producer co-operatives.

(2) The Community tariff arrangements applicable to imports of products originating in the Occupied Territories are defined in Council Regulation (EEC) No 3363/86 of 27 October 1986, OJ No L 306, 1.11.1986, p. 103.

Given the situation in the Occupied Territories, the Commission was asked by the Council to submit by December 1989 an overall report on Community co-operation with the Palestinian population over recent years ⁽³⁾, together with any suggestions it might have on the prospects for such co-operation and on how to ensure that it is implemented most suitably and to best possible effect in the light, inter alia, of the recent report from the Consuls-General.

Community surveillance of imports of certain agricultural products originating in Mediterranean countries

The Council adopted a Regulation establishing Community surveillance for imports of certain agricultural products originating in Cyprus, Yugoslavia, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco (1990).

(3) Including emergency aid which the Commission has granted on numerous occasions, and support for NGOs active in the region.

PRESS RELEASE

8905/89 (Presse 171)

1350th meeting of the Council
and the Ministers for Education

Luxembourg, 6 October 1989

President: Mr Lionel JOSPIN

Ministre d'Etat,
Minister for Education,
Youth and Sport
of the French Republic

Presse 86 - G

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

Belgium:

Mr P. DE KEERSMAEKER	State Secretary for European Affairs and Agriculture
Mr Daniel COENS	Minister for Education of the Flemish Community
Mr Yvan YLIEFF	Minister for Education of the French-speaking Community
Mr Bruno FAGNOUL	Minister for Education of the German-speaking Community

Denmark:

Mr Bertel HAARDER	Minister for Education and Research
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Germany:

Mr Jürgen MÖLLEMAN	Federal Minister for Education and Science
Mr Wolfgang GERHARDT	Deputy Chairman of the Conference of the Ministers for Cultural Affairs of the "Länder"

Greece:

Mr P. GEMTOS	Secretary-General, Ministry of Education
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Spain:

Mr Javier SOLANA MADARIAGA	Minister for Education and Science
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France:

Mr Lionel JOSPIN	Ministre d'Etat, Minister for Education, Youth and Sport
Mr Robert CHAPUIS	State Secretary for Technical Education (Ministry of Education)

Mr Roger BAMBUCK

State Secretary for Youth and Sport
(Ministry of Education)Ireland:

Mr Denis O'LEARY

Deputy Permanent Representative

Italy:

Mr Sergio MATTARELLA

Minister for Education

Luxembourg:

Mr Marc FISCHBACH

Minister for Education

Netherlands:

Mrs N.J. GINJAAR-MAAS

State Secretary for Education and Science

Portugal:

Mr Roberto CARNEIRO

Minister For Education

United Kingdom:

Mr John MacGREGOR

Secretary of State for Education and Science

Mr Robert JACKSON

Parliamentary Under-Secretary of State,
Department of Education and Science

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Commission:

Mrs Vasso PAPANDREOU

Member

CO-OPERATION AND COMMUNITY POLICY IN THE FIELD OF EDUCATION IN THE RUN-UP TO 1993

In the light of a communication from the Commission and draft conclusions put forward by the President, the Council and the Ministers held a wide-ranging exchange of views on Community co-operation in the field of education in the run-up to 1993.

After the discussion they approved the following conclusions:

**CONCLUSIONS
OF THE COUNCIL AND THE MINISTERS FOR EDUCATION
MEETING WITHIN THE COUNCIL
ON CO-OPERATION AND COMMUNITY POLICY IN THE FIELD OF
EDUCATION IN THE RUN-UP TO 1993**

The Council and the Ministers for Education meeting within the Council, recalling the texts adopted within the Community on educational matters; after discussing the Commission communication on guidelines for the medium term (1989-1992) in the sphere of education and training;

reached the following conclusions:

1. In view of the fundamental role that education and training play in the economic, social and cultural development of the States of the Community and in the development of the Community itself,

in view of the consequences of the establishment of the internal market which will affect the educational policies of the Member States and mark a new stage in the Community co-operation initiated in this field by the Resolution of 9 February 1976;
2. They believe that the principal objectives of the co-operation which they intend to implement in the next five years should be set, taking account of the Commission's guidelines. These objectives will make it possible to ensure greater continuity and consistency between the various co-operation activities carried out in an intergovernmental and Community framework and to assess

these activities regularly in the light of the objectives. This co-operation must take account of the necessary interaction between Community policy and State policies in the field of education and training.

It must be based on two fundamental principles - respect for linguistic and cultural diversity and affirmation of the subsidiarity of Community activities - and must respect the fundamental powers of the Member States in matters of general education policy.

In view of the ever closer links between initial and continuing training, this co-operation cannot develop unless there is constant collaboration between education departments and other departments and bodies concerned in each Member State.

3. Five objectives shared by the Community Member States can be identified as a basis for future co-operation activities. They will contribute to drawing the States closer together in the field of education and training and thus to bringing about a Europe of knowledge and cultures.

- A multicultural Europe based on:

- . strengthening young people's sense of belonging to a European community by developing the European dimension in teaching and teacher training;
- . the progressive achievement of genuine multilingualism by promoting foreign-language teaching in school, university and vocational-training systems;
- . taking the variety of cultural approaches into account in education and training systems;
- . drawing educational and training establishments closer together in the interest of mutual enrichment and the enhanced integration of children of citizens of the Community Member States, in particular within the school environment, with due regard for their linguistic and cultural identity.

- A mobile Europe ensured by:

- . the free movement of persons and ideas, encouraged in particular by the systems for recognition of diplomas and for the equivalence of professional qualifications.

- . support for the organization of youth exchanges and for training periods abroad for teachers, instructors, pupils, students and education administrators;
 - . the introduction of procedures providing teachers with the opportunity to teach temporarily in educational establishments of other Community Member States.
- A Europe of training for all based on:
- . the offer of high-quality education and training to all young people in the Community, which should, in the long term, contribute to reducing regional disparities;
 - . the development of appropriate teaching and training for disadvantaged children and of measures to combat failure at school;
 - . equality of access to high-quality education.
- a Europe of skills secured by:
- . constantly improving the quality of basic education;
 - . providing young people with a better preparation for working life and giving them training which will enable them to adapt to economic, technological, social and cultural developments;
 - . developing all the educational sectors which are vital for the future of Europe, in particular technical and vocational training and higher education;
 - . adapting the content and methods of training to technological change;
 - . improving the initial and continuing training of education staff.
- a Europe open to the world, which seeks to:
- . intensify co-operation with international organizations dealing with education and training;
 - . strengthen links with other States and evolve new forms of mutual support with developing countries.

The Education Committee is instructed to:

- examine the proposals that the Commission will submit to the Council, in particular on the basis of its communication on medium-term guidelines and in accordance with the principles set out in paragraph 2 above;
- promote exchanges of information on the activities undertaken in the Member States to achieve the objectives adopted, in particular through the organization of regular meetings among those responsible at the political and administrative levels;
- examine other ways of improving procedures currently followed and developing future co-operation in the field of education, having regard to the need for effective management of co-operation activities and value for money, and to the need to recognize the limitations on resources.

YOUTH CARD SCHEME IN EUROPE

The Council and the Ministers adopted the following conclusions:

CONCLUSIONS

OF THE COUNCIL AND THE MINISTERS MEETING WITHIN THE COUNCIL

ON THE YOUTH CARD IN EUROPE

The Council and the Ministers meeting within the Council,

are agreed on the benefits of the experiments conducted by those States which have introduced a youth card, contributing to the mobility of young people in Europe,

encourage national initiatives, whether or not governmental, enabling young people to benefit from privileges, in particular in culture, sport, travel and accommodation, and encourage the development of existing national systems,

agree upon the need to co-ordinate national experiments which might eventually lead to a European youth card, the implementing arrangements for which would be determined by each Member State under its national powers.

TECHNICAL AND VOCATIONAL EDUCATION

The Ministers discussed technical and vocational education in the framework of the Community, with reference to the following questions:

- In the light of future European co-operation, what objectives should be set for technical and vocational education?
- Which levels of intervention should be given priority in order to achieve the objectives set for technical and vocational education?
- Is a specific action desirable? Should existing programmes be extended or should a new programme be launched?

Concluding the discussion, the Ministers noted that technical education had to be properly geared to its future task, namely that of producing young people who could without difficulty fit into our radically changing societies. They asked the Education Committee and the Commission to set out in a single text, for the next Council meeting on 14 December, the concerns which had been voiced today and the various elements of the co-operation to be developed within the European Community.

COMBATING FAILURE AT SCHOOL

The Ministers held a broad exchange of views on this highly disturbing problem on the basis of a draft Resolution put forward by the Presidency.

Concluding the discussions, the Presidency noted that there was a broad consensus on the draft Resolution, which could not yet be adopted, however, because one delegation had not yet been able to complete its own internal consultations.

In these circumstances, the Ministers agreed to take a final decision on the draft Resolution at their meeting on 14 December.

EUROPEAN SCHOOLS

Mrs PAPANDEOU presented two Commission communications on the status of the European schools and the pedagogical experience they had acquired.

The Ministers instructed the Education Committee to examine the two communications and report back for their meeting on 14 December.

MISCELLANEOUS DECISIONSRelations with the United States: Steel

The Council authorized the Commission to enter immediately into negotiations with the United States on the subject of steel.

Customs Union

The Council adopted a Regulation increasing from 450 000 to 600 000 tonnes the volume of the Community tariff quota, at a zero rate of duty, opened for 1989 for ferro-chromium containing more than 6% by weight of carbon.

Anti-dumping

The Council adopted a Regulation extending the anti-dumping duty imposed by Regulation (EEC) No 3651/88 to certain serial-impact dot-matrix printers assembled in the Community by NEC Technologies (UK) Ltd (ECU 30 per assembled unit) and Star Micronics Manufacturing Ltd (UK) (ECU 14 per assembled unit).

Social Affairs

The Council adopted a Regulation on the organization of a labour force sample survey in the spring of 1990 and 1991.

Appointments

The Council replaced three members of the Committee of the European Social Fund.

PRESS RELEASE

9034/89 (Presse 173)

1351st Council meeting

- Economic and Financial Affairs -

Luxembourg, 9 October 1989

President: Pierre BEREGOVY

Ministre d'Etat

Minister for Economic and Financial Affairs
and the Budget of the French Republic

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

Belgium:

Mr Philippe MAYSTADT Minister for Finance

Denmark:

Mr Niels HELVEG PETERSEN Minister for Economic Affairs

Germany:

Mr Theo WAIGEL Federal Minister for Finance

Mr Hans TIETMEYER State Secretary, Federal Ministry of Finance

Greece:

Mr Constantinos LYBEROPOULOS Ambassador, Permanent Representative

Spain:

Mr José BORRELL FONTELLES State Secretary for Finance

Mr Pedro PEREZ State Secretary for Economic Affairs

France:

Mr Pierre BEREGOVOY Ministre d'Etat, Minister for Economic and Financial Affairs and the Budget

Ireland:

Mr Albert REYNOLDS Minister for Finance

Italy:

Mr Guido CARLI

Minister for the Treasury

Mr Rino FORMICA

Minister for Finance

Luxembourg:

Mr Jacques SANTER

Ministre d'Etat, Minister for the
Treasury

Mr Jean-Claude JUNCKER

Minister for Finance

Netherlands:

Mr O.C.R. RUDING

Minister for Finance

Mr H.E. KONING

State Secretary for Finance

Portugal:

Mr Simoes COELHO

Ambassador, Permanent Representative

United Kingdom:

Mr Peter LILLEY

Financial Secretary to the Treasury

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Commission:

Mr Henning CHRISTOPHERSEN

Vice-President

Mrs Christiane SCRIVENER

Member

ABOLITION OF FISCAL FRONTIERS - THE COUNCIL'S CONCLUSIONS

Having examined the report drawn up by the Presidency of the ad hoc Working Party in accordance with the instructions given by the Council on 19 June 1989, the Council considers that the introduction of a system of taxation in the country of origin, as was proposed by the Commission, presupposes the fulfilment of conditions which cannot be satisfied before 1 January 1993. Thus, in order to achieve the effective elimination of frontiers on that date for both undertakings and individuals, while respecting the economic neutrality of the common system of value added tax, the Council deems it necessary to continue levying VAT and excise duties in the country of consumption for a limited period.

The solution contemplated will have to:

- result in a reduction of the present burden on undertakings and administrations;
- prevent distortions of competition without obstructing free movement.

The initial guidelines of the solution considered for 1 January 1993 regarding VAT are as follows:

1. transactions carried out by taxable persons and exempt or non-taxable bodies will be taxed in the country of destination at the rates and under the conditions applying in that country;
2. for a very large majority of delegations removing limits on purchases by travellers tied to an approximation of rates will make it possible to introduce freedom of movement and purchase by individuals while averting excessive risks of distortions of competition. The special situation of certain Member States may be covered by special arrangements;
3. purchases of registered vehicles and, subject to detailed examination, distance purchasing by individuals will be subject to VAT in the country of destination and at that country's rate, in order to ensure the neutrality of the common system of VAT;

4. requirements imposed on undertakings will be simplified: all formalities relating to the crossing of frontiers will be abolished. There will only be a fiscal obligation to declare intra-community commercial transactions a posteriori, which will also make it possible to keep statistical records of trade;
5. the administrative monitoring and control of transactions will be ensured by means of increased administrative co-operation and exchange of data between Member States regarding VAT.

In the light of comments from the Commission and delegations, the ad hoc Working Party is instructed to continue examining the methods of implementing these arrangements and questions relating to excise duties and the budgetary consequences.

The Working Party will pay particular attention to the smooth functioning of the proposed system and to the need for effective control measures in order to reduce the risk of fraud, without creating distortions of competition or impeding free movement.

The Working Party will also examine the specific questions arising from the removal of limits on purchases by travellers, and the question of the harmonization of rates, which will have to be resolved as soon as possible.

The Working Party is required to submit its overall conclusions to the ECOFIN Council on 13 November 1989.

TAXATION OF SAVINGS

The Council took stock of progress on the strengthening of mutual assistance by tax administrations on the taxation of savings; it noted that the Commission will submit components of a solution to it before the next meeting of the ad hoc Working Party on 20 October 1989 so that the Council can arrive at appropriate political guidelines at its meeting on 13 November next.

AID TO POLAND AND HUNGARY

Further to the conclusions reached by the Council meeting on General Affairs on 3 October last, the Council examined the Commission communication on the Community's granting loans for investment in Poland and Hungary.

Concluding that discussion, the Council invited the European Investment Bank to take the necessary steps to be able to grant loans to Hungary and Poland. The Council also agreed in principle on a Community guarantee for EIB loans to those countries.

The Council also established a letter of amendment to the draft 1990 budget in order to initiate the budgetary procedure for the ECU 200 million decided on by the Council meeting on General Affairs on 3 October, with a view to financing the programme of aid for the economic re-organization of those countries. By introducing a new budget heading that letter of amendment was also intended to create the budget conditions for the grant of the aforementioned Community guarantee for the EIB loans to those two countries.

PRESS RELEASE

9035/89 (Presse 174)

1352nd Council meeting

- INTERNAL MARKET -

Luxembourg, 10 October 1989

Presidents: Mrs Edith CRESSON

Minister for European Affairs
of the French Republic

Mr Francois DOUBIN

Minister for Trade and Craft Trades
(Ministry of Industry and Town and
Country Planning) of the French
Republic
(for item on Domestic Trade)

Presse 174 - G

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

Belgium:

Mr Paul DE KEERSMAEKER

State Secretary for European
Affairs and Agriculture

Denmark:

Mr Nils WILHJELM

Minister for Industry

Germany:

Mr Helmut HAUSSMANN

Federal Minister for Economic
Affairs

Mr Otto SCHLECHT

State Secretary, Federal Ministry
of Economic Affairs

Greece:

Mr D. DANILATOS

Secretary-General, Ministry of
Trade

Spain:

Mr Pedro SOLBES

State Secretary for Relations with
the European Communities

Mr RUIZ LIGERO

State Secretary for Trade

France:

Mrs Edith CRESSON

Minister for European Affairs

Mr François DOUBIN

Minister for Trade and Craft Trades
(Ministry of Industry and Town and
Country Planning)

Mrs Véronique NEIERTZ

State Secretary for Consumer
Affairs

Ireland:

Mr Michael SMITH

Minister of State at the Department
of Industry and Commerce (with
special responsibility for Science
and Technology)

Italy:

Mr Pierluigi ROMITA

Minister for Community Policies

Mr CASTAGNETTI

State Secretary for Industry

Luxembourg:

Mr Georges WOHLFFAHRT

State Secretary for Foreign Affairs

Netherlands:

B.I.M. Baron van VOORST tot VOORST

State Secretary for Foreign Affairs

Portugal:

Mr Vitor MARTINS

State Secretary for European
Intégration

Mr Jorge Mendes ANTAS

State Secretary for Internal Trade

United Kingdom:

Mr John REDWOOD

Parliamentary Under-Secretary of
State, Department of Trade and
IndustryCommission:

Mr Martin BANGEMANN

Vice-President

Sir Leon BRITTAN

Vice-President

Mr Antonio CARDOSO E CUNHA

Member

DISTRIBUTIVE TRADES IN THE CONTEXT OF THE SINGLE MARKET

The Council adopted the following Resolution:

"The Council of the European Communities,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Resolution of 19 June 1989 on the implementation of a plan of priority actions in the field of statistical information: Statistical programme of the European Communities (1989 to 1992),

Having regard to Council Decision 89/490/EEC of 28 July 1989 on the improvement of the business environment and the promotion of the development of enterprises, and in particular small and medium-sized enterprises, in the Community,

Having regard to Commission Decision 81/428/EEC of 20 May 1981 establishing a Committee on Commerce and Distribution and the opinions of that Committee on, inter alia, electronic payments, franchising and selective distribution,

Having regard to the conclusions of the meeting of the Directors-General responsible for Trade, held in Brussels on 19 July 1989 at the Commission's instigation, dealing in particular with statistics, legal information, integrated distribution networks (franchising) and electronic means of payment,

Emphasizing the socio-economic importance of trade in goods and services, which represents the second largest sector of activity in the Community, employing 20 million people and making a contribution of 15% to Community wealth and some 20% to the Community's external trade,

ASKS THE COMMISSION TO

continue its work in greater detail, dealing in particular with the following matters:

- with regard to statistics:

improving trade statistics by making them compatible with Community definitions;

increasing as far as necessary the supply of such statistics to the Statistical Office of the European Communities;

rapidly embarking on the sectoral programme for commerce without increasing the administrative burden on undertakings.

- with regard to co-operation and the exchange of information with a view, inter alia, to improving the transparency of the sector:

establishing a data bank, accessible to the administrations, professional organizations, undertakings and study and research institutes concerned, designed to gather and keep up to date the provisions of national and Community law governing or directly affecting trade in goods and services;

involving commercial occupations more closely in the preparation of Community policies, in particular through consultation of the Committee on Commerce and Distribution, and analysing the impact of such policies on commercial activity;

at the same time and for the same purposes strengthening co-operation between the Commission and the Member States by means of meetings between officials responsible for internal trade;

- with regard to the sector's development:

undertaking with the assistance of the existing advisory bodies, taking account of the diversity of commercial undertakings and of national laws as well as the constraints on small and medium-sized undertakings, consideration of certain areas such as the conditions governing the operation of integrated distribution networks, e.g. franchising, including the question of information prior to the conclusion of membership contracts;

ensuring that, as regards payment systems, and in particular the relationship between cardholder and card issuer, account is taken in future of the views of existing consultative bodies and of the principles laid down in the European Code of Conduct relating to electronic payment; a study of the impact on trade of these new methods of payment would also be necessary;

highlighting the role that commerce has to play in other Community policies, in particular competition, protection of the environment and consumer protection.

The Council invites the Commission, while endeavouring to use existing structures and to avoid setting up new procedures, to make the proposals it deems appropriate in these areas and to draw up a programme of activities for 1990."

CONTROL OF CONCENTRATIONS BETWEEN UNDERTAKINGS - CONCLUSIONS

The Council agreed to proceed with final adoption of the Regulation by the end of this year. The Permanent Representatives Committee would prepare the final text on the basis of the latest text of the Regulation and the compromise tabled by the Presidency, having regard to the following guidelines: several delegations commented that they could agree to some of these points only as part of an overall compromise which was satisfactory on all points.

A. Thresholds - Commission action below the thresholds

- There was a clear tendency to favour an initial implementation phase lasting four years and an initial threshold of ECU 5 000 million (with the other thresholds being set at ECU 250 million and two-thirds). Final agreement by several delegations was still, however, subject to agreement on the following two points on which some delegations were not able to agree:

= the Council would agree that the revision should be downwards,

= the decision to progress to a definitive threshold level would be taken by the Council by a qualified majority in accordance with the procedures to be defined by the Permanent Representatives Committee.

In addition, the Council envisaged index-linking the thresholds as from their revision.

- The Commission confirmed its intention of proposing at the end of the first phase that the thresholds be revised to ECU 2 000 million.

- The Council and the Commission stated that at the time of revising the thresholds they would be prepared to envisage criteria other than turnover, such as market share.
- The Permanent Representatives was instructed to consider in detail an approach which would involve giving the Commission the power to act below the threshold at the request of any Member State on whose territory the operation in question would significantly affect competition, the aims being: firstly, to take account of the relevant Treaty provisions and, secondly, to comply with the need for a clear division of responsibilities in relation to the main threshold and avoid any risk of dual control.
- The Permanent Representatives Committee would determine the most appropriate arrangements for the calculation of turnover in the banking sector.

B. Criteria

Article 2 of the Regulation would be drafted on the basis of the present text of the Presidency's compromise and would consist of:

- a prohibition clause (declaration of incompatibility), in addition to the authorization clause (declaration of compatibility);
- the concept of a dominant position;
- the notion of technical progress provided this was to the advantage of consumers and did not constitute a barrier to competition.

The objective of economic and social cohesion, being a fundamental Treaty objective, should be referred to in a recital.

C. Application to the public sector

The Council agreed to resolve this problem by including a recital laying down, in particular, the principle of non-discrimination between the public and private sectors.

D. Taking into account of local and national markets above the threshold

- The Council acknowledged the possibility of the Commission, on a case-by-case basis, authorizing a national authority to intervene in respect of an operation above the threshold where competition was affected on a local market, subject to compliance with the principle of exclusivity which it had accepted in November 1988.
- Such intervention could be envisaged by the Commission, by way of exception, throughout the territory of the Member State concerned when the Commission had established on the basis of strictly defined criteria that the national market in question presented all the characteristics of a local market.

E. Legitimate interests

- The Council agreed to include a provision making it possible to protect the legitimate interests of Member States, other than those taken into account in the Regulation, which are compatible with the general principles and other provisions of Community law.
- The following three categories should be taken as a basis here: public security, media multiplicity and prudential rules. Any further public interest raised by a Member State would have to be confirmed by the Commission after an examination of its compatibility with the Treaty.

F. Third countries

The Permanent Representatives Committee would consider how the Community could demonstrate its determination to seek better access for Community undertakings to international takeover markets.

G. Other problems

- The Permanent Representatives Committee would check that the solution advocated by the Commission (warning system) adequately accommodated the twofold concern of not hampering firms in their operations and of minimizing risks of disinvestment.
- The Permanent Representatives Committee would finalize the definition of concentration in such a way as to obtain delegations' unanimous agreement, on the basis of the wording of Article 3.
- The solution to the problem of involving representatives of the banking supervisory authorities with the Advisory Committee would have to be confirmed on the basis of the text of Article 18.
- The Council noted the Commission's intention of publishing the study carried out on barriers to takeovers within the Community and of submitting proposals based on the study to the Council.

EUROPE-WIDE NETWORKS

On the basis of a Commission communication, the Council held a preliminary discussion on the role that an integrated and coherent approach to the development of infrastructure networks could play in completing the single European market.

Initial reactions revealed that this broad overall appraisal of infrastructures was regarded as a useful step and should be examined in greater detail at forthcoming meetings.

It was accordingly noted that the Commission had indicated four fields of crucial importance: telecommunications and information technology, energy, transport, and training.

The Council noted that the Commission might submit a further communication to it at its December meeting, outlining an overall concept in the light of Member States' comments.

RIGHT OF RESIDENCE

The Council held a wide-ranging debate on three draft Directives concerning the right of residence for students, retired people and others not pursuing any economic activity.

At the end of this discussion the Council agreed on the general principle that those enjoying the right of residence should not be a financial burden upon their host country.

On that basis, and allowing for the different situations covered by each Directive, the Council worked out certain principles relating to the conditions which would have to be fulfilled with regard to resources in order to obtain the right of residence.

The Council asked the Permanent Representatives Committee to continue work in the light of those principles.

The Council, which has still to examine the Opinion awaited from the European Parliament, announced that it wanted to take decisions on these three Directives as soon as possible.

MISCELLANEOUS DECISIONSRelations with the EFTA countries

The Council authorized the Commission to negotiate on behalf of the Community, and within the framework of its powers, an Agreement with the EFTA countries on mutual administrative assistance in customs and agricultural matters to complement the bilateral agreements concluded or to be concluded by the Member States.

The Council adopted Decisions concerning the conclusion of Co-operation Agreements between the EEC and

- the Kingdom of Norway
- the Republic of Finland

on research and development in the field of the protection of the environment.

Research

The Council noted that the Commission intended to conclude the Agreement between the EAEC - represented by the Commission - the Government of Japan and the United States Department of Energy for and on behalf of the Government of the United States of America, for a programme of R&D on Reversed Field Pinches, under the auspices of the IEA, pursuant to the provisions of the Treaty establishing the European Atomic Energy Community.

Amendment to the Directives on nurses responsible for general care

The Council adopted an amendment to the Directive on nurses responsible for general care.

The main purpose of the amendment is to determine that proportion of the total minimum length of instruction (3 years or 4 600 hours) which must be devoted to clinical instruction (at least half) and to theoretical instruction (at least one-third). Member States may allocate the remaining one-sixth as they see fit.

COUNCIL OF THE EUROPEAN COMMUNITIES

1353rd meeting of the Council

- Transport -

Luxembourg, 16 October 1989

President: Mr. Michel Delebarre

Minister for Infrastructure, Housing, Transport and the Sea, France

The official press release was unavailable. A summary of the meeting has been reproduced from the Bulletin of the European Communities, No. 10-1989.

1353rd meeting

2.7.49. Transport (Luxembourg, 16 October)

President: Mr Delebarre, French Minister for Infrastructure, Housing, Transport and the Sea.

Commission: Mr Van Miert.

Main items

Aircraft noise: agreement on a Directive (→ point 2.1.113);

Fixing of rates for the carriage of goods by road between Member States: guidelines adopted (→ point 2.1.187).

Other business

Improvement of operating conditions in the shipping industry: discussion;

Vocational training for certain drivers of road vehicles carrying hazardous goods: discussion;

Access of non-resident carriers to national road haulage operations within a Member State (cabotage): wide-ranging discussion;

Implementation of an infrastructure action programme with a view to bringing about an integrated transport market in 1992: policy debate;

Negotiations between the EEC and non-member countries of transit: reports;

Road safety: exchange of views;

Railway policy: note from the Presidency.

Noise

2.1.113. On 16 October, acting on a Commission proposal, and in the light of Parliament's opinion,³ the Council approved a Directive on the limitation of noise emissions from civil subsonic jet aeroplanes.⁴

⁴ OJ C 37, 14.2.1989; Bull. EC 11-1988, point 2.1.171.

Fixing of rates

2.1.187. Pending the opinion of the European Parliament, the Council (Transport) adopted a joint position on the proposal for a Regulation on the fixing of rates for the carriage of goods by road between Member States,² on which the Economic and Social Committee adopted an opinion on 18 October.

² OJ C 152, 20.6.1989; Bull. EC 4-1989, point 2.1.169.

1354th meeting of the Council

- RESEARCH -

Luxembourg, 17 October 1989

President: Mr Hubert CURIEN

Minister for Research and Technology
of the French Republic

Presse 180 - G

Luxembourg:

Mr René STEICHEN

Minister responsible for Scientific Research

Netherlands:

Mr R.W. de KORTE

Minister for Economic Affairs

Portugal:

Mr Luis VALENTE DE OLIVEIRA

Minister for Planning and Territorial
Administration

Mr José SUCENA PAIVA

State Secretary for Science and Technology

United Kingdom:

Mr Douglas HOGG

Minister for Industry and Enterprise

Commission:

Mr Filippo Maria PANDOLFI

Vice-President

R&D FRAMEWORK PROGRAMME 1990-1994

The Council continued its examination of the framework programme of Community activities in the field of research and technological development for the period 1990 to 1994; at the end of the discussion, the President drew the following conclusions concerning the approach of the programme and the associated financial means; these conclusions will serve as a basis for discussion by the Permanent Representatives Committee, which has been instructed to prepare for the discussions at the next Council meeting on 15 December:

"The Council

- confirms its agreement in principle to a third Framework Programme of five years' duration;
- agrees that this programme will be subject to a mid-term revision in 1992;
- will decide at its next session, in the light of the proposed programme and the breakdown for the period 1990-1992, the financial means in relation to the whole of the five year period.

The financial means will be broken down as follows:

- = one part representing the amount estimated necessary for the 1990-1992 period. This part can already be evaluated at ECU [2 700 million] ⁽¹⁾;
- = one part representing the financial envelope necessary for ensuring during the period 1993-1994 the continuity of actions undertaken during the course of the preceding period. After evaluation, this amount will be released unanimously by the Council after the conclusion of a new interinstitutional agreement and at the latest before the end of 1992;

(1) Figure still to be confirmed.

= one part, which cannot exceed [...], ⁽¹⁾ to reinforce existing actions or to reorientate them and to meet new needs. The definitive amount will be decided unanimously by the Council in 1992 after an evaluation of the second Framework Programme and of the execution of the third Framework Programme and will respect any future interinstitutional agreement."

In the light of the work carried out by CREST, and of a note from the Netherlands delegation, the Council also examined questions arising with regard to the scientific and technical content of the Framework Programme, in particular the list of research activities to be adopted. The Council instructed CREST, and thereafter the Permanent Representatives Committee, to continue discussions on this subject in the light of the day's discussion and information which the Presidency intended to submit in contact with the Commission.

The Council also examined a number of horizontal questions, viz. participation by third countries, in particular EFTA, in Community research activities, the role of the committees in the implementation of the specific programme, participation by SMUs and economic and social cohesion. The Permanent Representatives Committee was instructed also to continue its discussions on these subjects, on some of which the Commission would submit additional documents.

Discussions on all outstanding problems, responsibility for which had thus been given to the Permanent Representatives Committee, ought to place the Council in a position to take a decision on this important subject at its meeting on 15 December.

(1) Figure to be determined.

AGRICULTURAL RESEARCH

The Council adopted a common position on a specific research programme concerning competitiveness of agriculture and management of agricultural resources (1989-1993).

The programme, with funds of ECU 55 million estimated as necessary for its execution, including expenditure on a staff of sixteen, will be directed towards the following objectives:

- (1) helping farmers to adapt to the new situation created by over-production and a restrictive policy on prices and markets;
- (2) maintaining incomes from holdings and encouraging structural reform whilst controlling output and reducing production costs;
- (3) caring for and improving the agriculture situation, in line with the market situation, in all regions which have been slow to develop and where agricultural structures are inadequate, thereby contributing towards greater economic and social cohesion in the Community;
- (4) conserving natural resources and preserving the countryside by ensuring that the application of the technologies to be developed and of changes in production systems will improve the environment;
- (5) developing agricultural information services and infrastructures to improve the dissemination of research results within and between Member States.

The research activities are divided into four sectors (see I. below). In the case of contract activities, participants may be public or private bodies such as research institutions and universities, industrial and agricultural enterprises, natural persons, etc. The Community's financial contribution will normally be 50% of the cost. Alternatively, in respect of research institutions or universities carrying out projects, the Community may bear 100% of the marginal costs.

The programme also comprises co-ordinated activities; training and mobility grants and publicity in order to promote participation by those interested.

The research activities and the indicative allocation of funds will be as follows:

%

I. Contract activities

- | | |
|--|------|
| 1. Conversion, diversification, including extensification of production, cost reduction and protection of the rural environment | 34,0 |
| 2. Product quality, plant and animal health aspects and new uses for traditional products | 20,9 |
| 3. Socio-economic aspects and specific activities for regions lagging behind in development | 18,3 |
| 4. Improvement in the dissemination and application of results, particularly those gleaned from this agricultural research programme | 5,3 |

II. Co-ordinated activities

Operating costs for meetings, seminars, publications, dissemination of results, the permanent inventory of agricultural research and programme assessment	16,2
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III. Training and mobility grants

5,3

100,0 (+)

During the third year of the programme, the Commission will review it and will then, if appropriate, make proposals to amend or extend the programme.

(+) Including approximately 9% for staff costs, to be allocated on a proportional basis between the various scientific activities envisaged.

PRESS RELEASE

9351/89 (Presse 183)

1355th Council meeting
- Agriculture -
Brussels, 23 and 24 October 1989

President:

Mr Henri NALLET

Minister for Agriculture
of the French Republic

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

Belgium

Mr Paul DE KEERSMAEKER State Secretary for European Affairs and
Agriculture

Denmark

Mr Laurits TOERNAES Minister for Agriculture

Germany

Mr Ignaz KIECHLE Federal Minister for Food, Agriculture and
Forestry

Mr Walter KITTEL State Secretary,
Federal Ministry of Food, Agriculture and
Forestry

Greece

Mr Georges LIAPIS Minister for Agriculture

Spain

Mr Julian AREVALO Deputy Minister for Agriculture,
Fisheries and Food

France

Mr Henri NALLET Minister for Agriculture

Ireland

Mr Michael O'KENNEDY Minister for Agriculture and Food

Mr Joe WALSH Minister of State at the
Department of Agriculture

Italy

Mr Calogero MANNINO

Minister for Agriculture

Mr Paolo BRUNO

State Secretary for Health

Luxembourg

Mr René STEICHEN

Minister for Agriculture and Viticulture

Netherlands

Mr Gerrit BRAKS

Minister for Agriculture

Portugal

Mr Alvaro BARRETO

Minister for Agriculture, Fisheries and Food

Mr Arlindo CUNHA

State Secretary attached to the Minister for
Agriculture, Fisheries and FoodUnited Kingdom

Mr John Selwyn GUMMER

Minister for Agriculture, Fisheries and Food

Mr David CURRY

Parliamentary Secretary, Ministry of
Agriculture, Fisheries and Food

o

o o

Commission

Mr R. MACSHARRY

Member

ADJUSTMENT OF THE AGRICULTURAL STRUCTURES POLICY

Pending the Opinion of the European Parliament, and following the decisions taken concerning the reform of the structural funds, the Council continued its policy debate on the proposals for speeding up the adjustment of agricultural structures by means of horizontal measures throughout the Community (Objective 5a).

As regards the amendments to Regulation 797/85 concerning the improvement of agricultural structures, the following fundamental points were examined:

- the value of aid as a percentage of the amount of investment
- limits on compensatory payments in less-favoured areas
- aid in environmentally sensitive areas
- provision relating to controls.
- determining the rates of Community financing.

At the conclusion of its debate, the Council had drawn up guidelines which should allow the Special Committee on Agriculture to continue its work and to prepare for the Council's discussions at its next meeting in November.

As regards the proposal on improving the processing and marketing of agricultural and forestry products, the Council noted the progress which had been achieved within the Special Committee on Agriculture, and asked the Committee to continue its work so that the Council could reach a conclusion.

LESS-FAVOURED FARMING AREAS

By a qualified majority the Council adopted three directives extending the Community list of less-favoured farming areas in the Federal Republic of Germany, France and Greece.

As far as Germany was concerned, the extension adopted is of 319 000 ha, i.e. 2,6% of the utilized agricultural area. For France, the extension represents an area of 1 584 695 ha (5% of the UAA) while for Greece, the extension covers only one commune, i.e. 3 200 ha.

NATIONAL AID IN THE WINE SECTOR IN THE FEDERAL REPUBLIC OF GERMANY

In a decision taken pursuant to the third paragraph of Article 93(2) of the Treaty, the Council, at the request of the Federal Republic of Germany, has authorized the granting of certain aids in the wine sector in Land Rheinland-Pfalz. This measure is justified by the need to deal with the particular situation created on the German wine market by the very large volume of the 1989 harvest following this year's exceptionally fine weather.

OPERATION OF THE QUOTA SYSTEM IN THE MILK AND MILK PRODUCTS SECTOR

Pending the Opinion of the European Parliament, the Council continued its discussions on the Commission's proposals to resolve certain specific problems which arise in the operation of the milk quota system.

It centered its discussions on two basic questions, namely:

- criteria for allowing the 1% additional quota
- an alternative solution to the proposed measure abolishing withdrawal compensation if the quota is exceeded so that the Commission proposals ensure budget neutrality and the financial cost of the operation recommended by the Commission can be met.

Since an overall consensus has not yet been achieved at this stage, the Council agreed that the Presidency would maintain the appropriate contacts to allow the Council to come to a decision as soon as possible on an overall solution, after receiving the Opinion of the European Parliament.

SLUICE-GATE PRICE AND SPECIFIC MEASURES IN THE EVENT OF A SUBSTANTIAL RISE IN PIGMEAT PRICES

The Council examined the two proposals submitted by the Commission as follows:

- the first laying down the parameters used in calculating the sluice-gate price and the levy applicable in the case of imports from third countries
- the other determining a triggering threshold for measures to be taken in the event of a substantial rise in the market prices (suspension of the import levy on products from third countries).

Having noted that there were reservations on both technical points and on the desirability of such measures, the Council instructed the Special Committee on Agriculture to continue its proceedings and to report back to it when sufficient progress had been made.

COMMON ORGANIZATION OF THE MARKET IN CEREALS

Pending the Opinion of the European Parliament, the Council held an exchange of views on the proposal to simplify the system currently in force concerning the supplementary co-responsibility levy and on a number of alternative suggestions which have been put forward in the same spirit. The Council considered that further discussion was necessary before a final decision could be envisaged. It therefore instructed the Special Committee on Agriculture to continue its proceedings and to report back to it.

The Council also discussed the Commission's decision to estimate the 1989 harvest at 160,5 million tonnes and, in view of the small excess over the guaranteed maximum quantity, to envisage not levying the supplementary co-responsibility levy for this year.

The Council asked the Commission to submit the necessary proposals very soon so that this approach could be legally implemented and instructed the Special Committee on Agriculture to report back to it on all problems under discussion at its next meeting.

OLIVE OIL

By a qualified majority the Council adopted for the 1989/1990 marketing year the Regulation fixing the representative market price and the threshold price for olive oil.

These are as follows:

- representative market price : 190,61 ECU/100 kg
- threshold price : 189,43 ECU/100 kg

The level of consumption aid for the above marketing year is therefore fixed at 61 ECU/100 kg.

The following deductions will be made:

- 1,4% to finance the trade bodies,
- 4% for measures promoting consumption.

NITRATE POLLUTION OF WATER

The Council discussed progress on the proposal for a Directive to implement measures to protect waters against pollution caused by nitrates from diffused sources, particularly agricultural sources and municipal waste water, which is currently being examined in preparation for the Environment Council.

This examination enabled Ministers to express their views on the proposal and to voice their concern regarding the possible repercussions of this Directive on agriculture.

In conclusion, the President stated that he would inform the President of the Environment Council of the main points which had emerged from the discussion. In particular, he said that active and voluntary participation by farmers should be ensured in this policy to prevent pollution.

VETERINARY CHECKS IN INTRA-COMMUNITY TRADE

The Council examined the proposal to abolish veterinary checks at the crossing of internal Community borders. This proposal is very important since it is part and parcel of the essential measures for achieving the completion of the internal market.

The Council's discussions made a constructive contribution towards an agreement on the measures to be implemented.

However, it was noted that various substantive and specific reservations still existed on the part of several delegations.

In consequence, the Council asked the Permanent Representatives Committee to continue examining this matter and to submit to the Council everything necessary to enable it to reach an agreement at its November meeting.

MISCELLANEOUS DECISIONSOther decisions in the area of the common agricultural policy

The Council adopted the Regulations:

- amending Council Regulation (EEC) No 234/79 on the procedure for adjusting the Common Customs Tariff nomenclature used for agricultural products
- opening and providing for the administration of a Community tariff quota for certain agricultural products originating in the Canary Islands (1990)
- laying down general rules for applying the supplementary trade mechanism to fresh fruit and vegetables.

As compared with the supplementary trade mechanism already in force, this Regulation constitutes a simplified system for fresh fruit and vegetables.

- amending Regulation (EEC) No 3034/80 fixing the quantities of basic products considered to have been used in manufactured goods covered by Regulation (EEC) No 3033/80.

The Council also adopted the Decision amending Decision 86/649/EEC introducing a Community financial measure for the eradication of African swine fever in Portugal. The Decision is designed to continue the eradication programme begun in 1987 by increasing the Community contribution for some expenditure and arranging for partial pre-financing.

In addition, the Council authorized the Commission to negotiate agreements between the European Economic Community and the ACP States referred to in the Protocol on sugar annexed to the 3rd ACP-EEC Convention, on the one hand, and

between the European Economic Community and the Republic of India, on the other hand, concerning the guaranteed prices applicable in the 1989/1990 delivery period to cane sugar originating in those countries.

Customs union

The Council adopted the Regulation temporarily suspending the autonomous Common Customs Tariff duties on a number of industrial products (in the chemical and allied sectors).

The Council also adopted the Regulation amending Regulation (EEC) No 4097/88 opening and providing for the administration of a Community tariff quota for sweet, clear-fleshed cherries, marinated in alcohol, intended for the manufacture of chocolate products.

Relations with the Mediterranean countries

The Council adopted several Regulations concerning tariff quotas, ceilings, etc. in favour of certain Mediterranean partner countries for 1990.

Relations with the EFTA countries

The Council adopted the Regulations on the application of Decisions Nos 2/89 and 3/89 of the EEC-EFTA Joint Committees altering the limits expressed in ecu in Article 8 of Protocol 3 concerning the definition of the concept of originating products and methods of administrative co-operation.

Relations with the OCT

The Council adopted the decision reducing STABEX transfer entitlements (concerning French Polynesia - coconut (copra) oil) established pursuant to the provisions of the Decision of 30 June 1986 on association of the OCT with the EEC.

PRESS RELEASE

9355/89 (Presse 187)

1356th Council meeting

- ENERGY -

Luxembourg, 30 October 1989

President: Mr Roger FAUROUX,
Minister for Industry and
Town and Country Planning
of the French Republic

Presse 187 - G

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

Belgium:

Mr Willy CLAES Deputy Prime Minister, Minister for Economic Affairs

Mr Elie DEWORME State Secretary for Energy

Denmark:

Mr Jens BILGRAV-NIELSEN Minister for Energy

Germany:

Mr Dieter von WÜRZEN State Secretary, Federal Ministry of Economic Affairs

Greece:

Mr Constantinos LYBEROPOULOS Ambassador, Permanent Representative

Spain:

Mr Claudio ARANZADI Minister for Industry and Energy

France:

Mr Roger FAUROUX Minister for Industry and Town and Country Planning

Ireland:

Mr Bobby MOLLOY Minister of State at the Department of Energy

Italy:

Mr Adolfo BATTAGLIA Minister for Industry, Trade and Craft Trades

Luxembourg:

Mr Alex BODRY Minister for Energy

Netherlands:

Mr R.W. DE KORTE

Minister for Economic Affairs

Portugal:

Mr Luis Fernando de MIRA AMARAL

Minister for Industry and Energy

United Kingdom:

Mr Peter MORRISON

Minister for State Department of
Energy

o

o

o

Commission:

Mr Antonio CARDOSO E CUNHA

Member

THEMIE PROGRAMME

The Council examined the main aspects of the programme for the promotion of energy technology for Europe (THERMIE programme), on which it is awaiting the European Parliament's Opinion, while the Economic and Social Committee delivered its Opinion on 12 July 1989.

It should be noted that the purpose of the proposed programme is to replace the energy demonstration projects and hydrocarbon technology programmes when they expire on 31 December 1989.

The aspects thus examined particularly concerned:

- the total amount of appropriations considered necessary for carrying out the programme;
- the maximum rate of support which could be granted for dissemination projects;
- the procedures to be laid down for the implementing decisions under the programme ("comitology" aspects).

At the close of discussions, it was noted that views had converged on two of these points, but that the question of the total amount considered necessary required further clarification which the Permanent Representatives Committee had been instructed to provide.

The Council will resume its examination of this proposal once it has received the European Parliament's Opinion.

TRANSPARENCY OF GAS AND ELECTRICITY PRICES CHARGED TO INDUSTRIAL END-USERS

The Council carried out an initial examination of the proposal for a Directive submitted in this connection by the Commission, on which it is awaiting the Opinions of the European Parliament and the Economic and Social Committee.

This examination revealed a broad convergence of views on the principle of ensuring the transparency of prices as proposed by the Commission, and concerning, in particular, the communication of data relating to:

- the prices and terms of sale of gas and electricity to industrial end-users;
- the price systems in use.

This convergence of views also covered the recognition of the need to guarantee the confidentiality of the data which would thus be communicated.

In addition, the principle of providing for the possibility of specific clauses for fledgling industries encountered a favourable reaction, subject to further examination of the practical arrangements for it.

The Council instructed the Permanent Representatives Committee to continue its detailed examination of the various provisions likely to be considered in the light of the aforementioned guidelines. The Council, for its part, will resume examination of this proposal when it has received the Opinions of the European Parliament and the Economic and Social Committee.

TRANSIT OF ELECTRICITY THROUGH TRANSMISSION GRIDS

The Council held an initial examination of the proposal for a Directive submitted in this connection by the Commission and on which it is awaiting the Opinions of the European Parliament and the Economic and Social Committee.

This examination primarily concerned the general purpose of the Directive, namely an increase in intra-Community exchanges of electricity by means of the development of transfrontier transit through transmission grids.

It was pointed out, moreover, on this occasion that this was without prejudice to the separate problem of transport for the account of third parties ("common carrier") and required further study by the Commission.

It was also noted that views converged to a large extent as to the Directive applying solely to transfrontier transit between Member States.

The Council, noting that other aspects such as the detailed implementing arrangements should be examined in greater depth, instructed the Permanent Representatives Committee to carry out this examination.

The Council will continue its proceedings once it has to hand the Opinions of the European Parliament and the Economic and Social Committee.

TRANSIT OF NATURAL GAS THROUGH THE MAJOR SYSTEMS

The Council held a general discussion on the proposal for a Directive submitted in this connection by the Commission, on which the Opinions of the European Parliament and the Economic and Social Committee are awaited, which enabled the Member States to state their approaches in principle towards the matter, particularly in the light of the specific characteristics of the gas sector.

At the close of this exchange of views, the Council agreed to continue its proceedings on the subject once it had obtained the Opinions of the European Parliament and the Economic and Social Committee.

INVESTMENT PROJECTS OF INTEREST TO THE COMMUNITY IN THE PETROLEUM, NATURAL GAS AND ELECTRICITY SECTORS

The Council carried out an initial examination of the Commission proposal designed to amend the 1972 Regulation on notifying the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors.

This examination enabled Member States to state their approaches of principle towards the matter.

At the close of its discussions, the Council noted that it would have to continue examination of this matter when it had obtained the Opinions of the European Parliament and the Economic and Social Committee.

PRESS RELEASE

9517/89 (Presse 189)

1357th Council meeting
- LABOUR AND SOCIAL AFFAIRS -
Brussels, 30 October 1989

President: Mr Jean-Pierre SOISSON

Minister for Labour, Employment
and Vocational Training
of the French Republic

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

Belgium

Mr Luc VAN DEN BRANDE Minister for Labour and Employment

Denmark

Mr Henning DYREMOSE Minister for Labour

Germany

Mr Norbert BLÜM Federal Minister for Labour and Social Affairs

Mr Wolfgang VOGT Parliamentary State Secretary to the Federal Minister for Labour and Social Affairs

Greece

Mr Ioannis KOUKIADIS Minister for Labour

Spain

Mr Manuel CHAVES GONZALEZ Minister for Labour and Social Security

France

Mr Jean-Pierre SOISSON Minister for Labour, Employment and Vocational Training

Mr André LAIGNEL State Secretary attached to the Minister for Labour, Employment and Vocational Training, with responsibility for Vocational Training

Ireland

Mr Bertie AHERN Minister for Labour

Italy

Mr DONAT CATTIN Minister for Labour

Mr Ugo GRIPPO State Secretary, Ministry for Labour

Luxembourg

Mr Thierry STOLL

Deputy Permanent Representative

Netherlands

Mr J. de KONING

Minister for Social Affairs
and EmploymentPortugal

Mr José Albino da SILVA PENEDA

Minister for Labour and
Social SecurityUnited Kingdom

Mr Norman FOWLER

Secretary of State for Employment

Mr Tim EGGAR

Minister of State,
Department of EmploymentCommission

Ms Vasso PAPANDEOU

Member

COMMUNITY CHARTER OF THE FUNDAMENTAL SOCIAL RIGHTS OF WORKERS

The Presidency took note of the Council's agreement to forward to the European Council in Strasbourg the draft Community Charter of the fundamental rights of workers (the text of the draft Charter is annexed hereto). This text will be accompanied by the following report:

REPORT FROM THE PRESIDENCY TO THE EUROPEAN COUNCIL

After a long and constructive discussion, the Presidency notes that the procedure defined by the European Council in Madrid for drawing up the Charter of the fundamental social rights of workers has been observed.

On the basis of the Commission's draft, the social partners were consulted on 17 and 18 October, the European Parliament was informed on 17 October, and the Economic and Social Committee on 18 October.

The Community Charter of the fundamental social rights of workers must express the Member States' desire to harness together economic development and social progress in the Community, while complying with the principle of subsidiarity and, in general, remaining strictly within the powers of the Community authorities as defined by the Treaties.

The amendments submitted by the Member States have been taken into account and a Presidency draft drawn up. It defines the fundamental social rights of European workers in 26 Articles.

The Presidency has taken note of the Council's agreement to forward the attached draft Charter with a view to a decision on adoption by the European Council.

The United Kingdom delegation, having objections to a number of Articles of the Charter, maintained its general reservation.

The Presidency has noted that, before the European Council meets, the Commission intends to submit an action programme on the practical implementation of the rights laid down in this Charter.

It invites the Commission in so doing to take into account the requests made by a number of delegations relating inter alia to the length of annual leave, pay for public holidays and sickness leave, protection of children and adolescents, the situation of pregnant women and mothers of small children, integration of the disabled into the ordinary working environment, health and safety at the workplace, vocational guidance, the mutual recognition of qualifications and temporary work.

In addition, the Presidency wants genuine equality of treatment to be applied to all workers, and to cover all forms of work, in particular work which offers no long-term security. It believes that, allowing for the differences in situation, any worker employed in another Member State in the context of subcontracting or the award of public works contracts should enjoy equal treatment with employees of the host country.

In connection with the priorities which the Council has set itself regarding employment and vocational training, it hopes that the project to set up a European Employment Survey Authority will be examined by the Council at its meeting on 30 November, along with the Community programme for the development of continuing training for employees in undertakings.

Lastly, it stresses the importance which it attaches to continuation of the dialogue between management and labour, particularly as regards the implementation of the principles laid down in the Charter.

RULES GOVERNING WORKING CONDITIONS IN THE MEMBER STATES

Commissioner PAPANDEOU presented the study carried out by the Commission on working conditions in the Member States, as instructed by the European Council in Hanover.

The Council held a brief exchange of views on this study, during which the importance of this topic was emphasized. It requested the Commission to continue its work in conjunction with the Member States.

DIRECTIVE ON HEAVY LOADS

The Council adopted its common position on the proposal for a Directive on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers.

This Directive will be the 4th individual Directive within the meaning of the Council Directive of 12 June 1989 on the introduction of measures to encourage improvements in the health and safety of workers at work (framework Directive).

Together with this framework Directive and the individual Directives on the workplace, working equipment and personal protective equipment, on which the Council had already adopted a common position on 5 April 1989, this Directive forms part of the Article 118a package submitted by the Commission in March 1988.

The Directive stipulates that the employer shall take appropriate organizational measures in order to avoid the need for the manual handling of loads by workers

or, where such a need cannot be avoided, to reduce the risk involved in the manual handling of such loads.

The Directive stipulates that employers shall, in accordance with Article 11 of the framework Directive, consult workers and/or their representatives and allow them to take part in discussions on matters covered by this Directive.

DIRECTIVE ON DISPLAY SCREENS

The Council approved its common position on the proposal for a Directive concerning the minimum safety and health requirements for work with display screen equipment.

This Directive will be the 5th individual Directive within the meaning of the framework Directive of 12 June 1989 and will constitute the last part of the Article 118a package submitted by the Commission in March 1988.

Under the Directive, employers are obliged:

- to perform an analysis of work stations in order to evaluate the safety and health conditions to which they give rise for their workers;
- to take the appropriate steps to ensure that the work stations meet the minimum requirements laid down in the Annex to the Directive concerning the equipment, the environment and the operator/computer interface.

The Directive also stipulates that:

- the worker's activities must be planned in such a way that daily work on a display screen is periodically interrupted;

- workers shall be entitled to an appropriate eye and eyesight test and, if necessary, to an ophthalmological examination.

The Directive lays down that consultation and participation of workers and/or their representatives shall take place in accordance with Article 11 of the framework Directive on the matters covered by this Directive.

DIRECTIVE ON CARCINOGENS

This item was postponed until the next Council meeting (Labour and Social Affairs) on 30 November 1989.

SOCIAL SECURITY FOR MIGRANT WORKERS

The Council adopted the Regulation amending Regulation No 1408/71 on the application of social-security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation No 574/72 laying down the procedure for implementing Regulation No 1408/71.

Further to a compromise proposal from the Presidency, which was supported by the Commission, the Council worked out a uniform solution to the problem of the payment of family benefits to members of the family who do not reside in the competent State.

This solution stipulates that all French family benefits will be subject to the scheme of the country of employment and will therefore be exportable, with the exception of housing allowances, the home child-care allowance, the parental child-rearing allowance and the allowance for young children provided until the age of three months.

COMMUNITY CHARTER OF THE FUNDAMENTAL SOCIAL RIGHTS
OF WORKERS

THE HEADS OF STATE AND GOVERNMENT OF THE MEMBER STATES OF THE EUROPEAN COMMUNITY
MEETING AT
ON

Whereas, under the terms of Article 117 of the EEC Treaty, the Member States have agreed on the need to promote improved living and working conditions for workers so as to make possible their harmonization while the improvement is being maintained;

Whereas following on from the conclusions of the European Councils of Hanover and Rhodes the European Council of Madrid considered that, in the context of the establishment of the single European market, the same importance must be attached to the social aspects as to the economic aspects and whereas, therefore, they must be developed in a balanced manner;

Having regard to the Resolutions of the European Parliament of 15 March 1989 and 14 September 1989 and to the Opinion of the Economic and Social Committee of 22 February 1989;

Whereas the completion of the internal market is the most effective means of creating employment and ensuring maximum well-being in the Community; whereas employment development and creation must be given first priority in the completion of the internal market; whereas it is for the Community to take up the challenges of the future with regard to economic competitiveness, taking into account, in particular, regional imbalances;

Whereas the social consensus contributes to the strengthening of the competitiveness of undertakings and of the economy as a whole and to the creation of employment; whereas in this respect it is an essential condition for ensuring sustained economic development;

Whereas the completion of the internal market must favour the approximation of improvements in living and working conditions, as well as economic and social cohesion within the European Community, while avoiding distortions of competition;

Whereas the completion of the internal market must offer improvements in the social field for workers of the European Community, especially in terms of freedom of movement, living and working conditions, health and safety at work, social protection, education and training;

Whereas, in order to ensure equal treatment, it is important to combat every form of discrimination, including discrimination on grounds of sex, colour, race, opinions and beliefs, and whereas, in a spirit of solidarity, it is important to combat social exclusion;

Whereas it is for Member States to guarantee that workers from non-member countries and members of their families who are legally resident in a Member State of the European Community are able to enjoy, as regards their living and working conditions, treatment comparable to that enjoyed by workers who are nationals of the Member State concerned;

Whereas inspiration should be drawn from the Conventions of the International Labour Organization and from the European Social Charter of the Council of Europe;

Whereas the Treaty, as amended by the Single European Act, contains provisions laying down the powers of the Community relating, inter alia, to the freedom of movement of workers (Articles 7, 48-51), to the right of establishment (Articles 52-58), to the social field under the conditions laid down in Articles 117-122 - in particular as regards the improvement of health and safety in the working environment (Article 118a), the development of the dialogue between management and labour at European level (Article 118b), equal pay for men and women for equal work (Article 119) - to the general principles for implementing a common vocational training policy (Article 128), to economic and social cohesion (Article 130a to 130e) and, more generally, to the approximation of legislation (Articles 100, 100a and 235); whereas the implementation of the Charter must not entail an extension of the Community's powers as defined by the Treaties;

Whereas the aim of the present Charter is on the one hand to consolidate the progress made in the social field, through action by the Member States, the two sides of industry and the Community;

Whereas its aim is on the other hand to declare solemnly that the implementation of the Single European Act must take full account of the social dimension of the Community and that it is necessary in this context to ensure at appropriate levels the development of the social rights of workers of the European Community, especially employed workers and self-employed persons;

Whereas, in accordance with the conclusions of the Madrid European Council, the respective roles of Community rules, national legislation and collective agreements must be clearly established;

Whereas, by virtue of the principle of subsidiarity, responsibility for the initiatives to be taken with regard to the implementation of these social rights lies with the Member States or their constituent parts and, within the limits of its powers, with the European Community; whereas such implementation may take the form of laws, collective agreements or existing practices at the various appropriate levels and whereas it requires in many spheres the active involvement of the two sides of industry;

Whereas the solemn proclamation of fundamental social rights at European Community level may not, when implemented, provide grounds for any retrogression compared with the situation currently existing in each Member State,

HAVE ADOPTED THE FOLLOWING DECLARATION CONSTITUTING THE "COMMUNITY CHARTER OF THE FUNDAMENTAL SOCIAL RIGHTS OF WORKERS":

TITLE I

FUNDAMENTAL SOCIAL RIGHTS OF WORKERS

FREEDOM OF MOVEMENT

1. Every worker of the European Community shall have the right to freedom of movement throughout the territory of the Community, subject to restrictions justified on grounds of public order, public safety or public health.
2. The right to freedom of movement shall enable any worker to engage in any occupation or profession in the Community in accordance with the principles of equal treatment as regards access to employment, working conditions and social protection in the host country.

3. The right of freedom of movement shall also imply:

- harmonization of conditions of residence in all Member States, particularly those concerning family reunification;
- elimination of obstacles arising from the non-recognition of diplomas or equivalent occupational qualifications;
- improvement of the living and working conditions of frontier workers.

EMPLOYMENT AND REMUNERATION

4. Every individual shall be free to choose and engage in an occupation according to the regulations governing each occupation.

5. All employment shall be fairly remunerated.

To this effect, in accordance with arrangements applying in each country:

- workers shall be assured of an equitable wage, i.e. a wage sufficient to enable them to have a decent standard of living;
- workers subject to terms of employment other than an open-ended full time contract shall receive an equitable reference wage;
- wages may be withheld, seized or transferred only in accordance with the provisions of national law; such provisions should entail measures enabling the worker concerned to continue to enjoy the necessary means of subsistence for himself and his family.

6. Every individual must be able to have access to public placement services free of charge.

IMPROVEMENT OF LIVING AND WORKING CONDITIONS

7. The completion of the internal market must lead to an improvement in the living and working conditions of workers in the European Community. This process must result from an approximation of these conditions while the improvement is being maintained, as regards in particular the duration and organization of working time and forms of employment other than open-ended contracts, such as fixed-term contracts, part-time working, temporary work and seasonal work.

The improvement must cover, where necessary, the development of certain aspects of employment regulations such as procedures for collective redundancies and those regarding bankruptcies.

8. Every worker of the European Community shall have a right to a weekly rest period and to annual paid leave, the duration of which must be harmonized in accordance with national practices while the improvement is being maintained.
9. The conditions of employment of every worker of the European Community shall be stipulated in laws, in a collective agreement or in a contract of employment, according to arrangements applying in each country.

SOCIAL PROTECTION

According to the arrangements applying in each country :

10. Every worker of the European Community shall have a right to adequate social protection and shall, whatever his status and whatever the size of the undertaking in which he is employed, enjoy an adequate level of social security benefits.

Persons who have been unable either to enter or re-enter the labour market and have no means of subsistence must be able to receive sufficient resources and social assistance in keeping with their particular situation.

FREEDOM OF ASSOCIATION
AND COLLECTIVE BARGAINING

11. Employers and workers of the European Community shall have the right of association in order to constitute professional organizations or trade unions of their choice for the defence of their economic and social interests.

Every employer and every worker shall have the freedom to join or not to join such organizations without any personal or occupational damage being thereby suffered by him.

12. Employers or employers' organizations, on the one hand, and workers' organizations, on the other, shall have the right to negotiate and conclude collective agreements under the conditions laid down by national legislation and practice.

The dialogue between the two sides of industry at European level which must be developed, may, if the parties deem it desirable, result in contractual relations, in particular at inter-occupational and sectoral level.

13. The right to resort to collective action in the event of a conflict of interests shall include the right to strike, subject to the obligations arising under national regulations and collective agreements.

In order to facilitate the settlement of industrial disputes the establishment and utilization at the appropriate levels of conciliation, mediation and arbitration procedures should be encouraged in accordance with national practice.

14. The internal legal order of the Member States shall determine under which conditions and to what extent the rights provided for in Articles 11 to 13 apply to the armed forces, the police and the civil service.

VOCATIONAL TRAINING

15. Every worker of the European Community must be able to have access to vocational training and to receive such training throughout his working life. In the conditions governing access to such training there may be no discrimination on grounds of nationality.

The competent public authorities, undertakings or the two sides of industry, each within their own sphere of competence, should set up continuing and permanent training systems enabling every person to undergo retraining more especially through leave for training purposes, to improve his skills or to acquire new skills, particularly in the light of technical developments.

EQUAL TREATMENT FOR MEN AND WOMEN

16. Equal treatment for men and women must be assured. Equal opportunities for men and women must be developed.

To this end, action should be intensified wherever necessary to ensure the implementation of the principle of equality between men and women as regards in particular access to employment, remuneration, working conditions, social protection, education, vocational training and career development.

Measures should also be developed enabling men and women to reconcile their occupational and family obligations.

INFORMATION, CONSULTATION
AND PARTICIPATION FOR WORKERS

17. Information, consultation and participation for workers must be developed along appropriate lines, taking account of the practices in force in the various Member States.

This shall apply especially in companies or groups of companies having establishments or companies in several Member States of the European Community.

18. Such information, consultation and participation must be implemented in due time, particularly in the following cases:

- when technological changes which, from the point of view of working conditions and work organization, have major implications for the work force are introduced into undertakings;
- in connection with restructuring operations in undertakings or in cases of mergers having an impact on the employment of workers;
- in cases of collective redundancy procedures;
- when transfrontier workers in particular are affected by employment policies pursued by the undertaking where they are employed.

HEALTH PROTECTION AND SAFETYAT THE WORKPLACE

19. Every worker must enjoy satisfactory health and safety conditions in his working environment. Appropriate measures must be taken in order to achieve further harmonization of conditions in this area while maintaining the improvements made.

These measures shall take account, in particular, of the need for the training, information, consultation and balanced participation of workers as regards the risks incurred and the steps taken to eliminate or reduce them.

The provisions regarding implementation of the internal market shall help to ensure such protection.

PROTECTION OF CHILDREN AND ADOLESCENTS

20. Without prejudice to such rules as may be more favourable to young people, in particular those ensuring their preparation for work through vocational training, and subject to derogations limited to certain light work, the minimum employment age must not be lower than the minimum school-leaving age and, in any case, not lower than 15 years.
21. Young people who are in gainful employment must receive equitable remuneration in accordance with national practice.

22. Appropriate measures must be taken to adjust labour regulations applicable to young workers so that their specific needs regarding development, vocational training and access to employment are met.

The duration of work must, in particular, be limited - without it being possible to circumvent this limitation through recourse to overtime - and night work prohibited in the case of workers of under eighteen years of age, save in the case of certain jobs laid down in national legislation or regulations.

23. Following the end of compulsory education, young people must be entitled to receive initial vocational training of a sufficient duration to enable them to adapt to the requirements of their future working life; for young workers, such training should take place during working hours.

ELDERLY PERSONS

According to the arrangements applying in each country:

24. Every worker of the European Community must, at the time of retirement, be able to enjoy resources affording him or her a decent standard of living.
25. Every person who has reached retirement age but who is not entitled to a pension or who does not have other means of subsistence, must be entitled to sufficient resources and to medical and social assistance specifically suited to his needs.

DISABLED PERSONS

26. All disabled persons, whatever the origin and nature of their disablement, must be entitled to additional concrete measures aimed at improving their social and professional integration.

These measures must concern, in particular, according to the capacities of the beneficiaries, vocational training, ergonomics, accessibility, mobility, means of transport and housing.

TITLE II
IMPLEMENTATION OF THE CHARTER

27. It is more particularly the responsibility of the Member States, in accordance with the national practices, notably through legislative measures or collective agreements, to guarantee the fundamental social rights in this Charter and to implement the social measures indispensable to the smooth operation of the internal market as part of a strategy of economic and social cohesion.
28. The European Council invites the Commission to submit as soon as possible initiatives which fall within its powers, as provided for in the Treaties, with a view to the adoption of legal instruments for the effective implementation, as and when the internal market is completed, of those rights which come within the Community's area of competence.
29. The Commission shall establish each year, during the last three months, a report on the application of the Charter by the Member States and by the European Community.
30. The report of the Commission shall be forwarded to the European Council, the European Parliament and the Economic and Social Committee.

MISCELLANEOUS DECISIONS

Relations with Poland - Conclusion of the EEC-Poland Agreement

The Council adopted the Decision concerning the conclusion of the Agreement between the European Economic Community and the Polish People's Republic on trade and commercial and economic co-operation, signed on 19 September 1989 in Warsaw. The Agreement can thus enter into force once the two parties have notified each other of the completion of the necessary internal procedures, probably on 1 December 1989.

EEC-EFTA relations

The Council adopted its common positions concerning the conclusion of five co-operation agreements between the European Economic Community and

- Austria,
- Finland,
- Norway,
- Sweden, and
- Switzerland

on a programme plan to stimulate the international co-operation and interchange needed by European research scientists (SCIENCE).

Fisheries

The Council adopted the Regulations:

- amending, for the second time, Regulation No 4196/88 concerning fishing by vessels of the Member States in the Norwegian exclusive economic zone and the fishing zone around Jan Mayen. The purpose of this proposal is to allocate among the Member States an additional quota of 1 500 tonnes for "Other species" in the Norwegian fishing zone south of 62°N in 1989.

- amending Regulation No 4195/88 laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway in Community waters. The purpose of this Regulation is to increase the Norwegian quota for ling and tusk by 3 000 tonnes in exchange for the "Other species" quota allocated to the Community;
- on the conclusion of the Protocol defining for the period from 21 May 1989 to 20 May 1992 the fishing opportunities and the financial compensation provided for by the Agreement between the European Economic Community and the Government of the Republic of Madagascar on fishing off the coast of Madagascar;
- on the conclusion of the Protocol setting out the fishing opportunities and financial compensation provided for in the Agreement between the European Economic Community and the Government of the People's Republic of Angola on fishing off Angola for the period from 3 May 1989 to 2 May 1990.

Agriculture

The Council adopted the Decision amending for the third time Decision 88/303/EEC recognizing West Flanders as being officially swine fever free, with the province of Antwerp continuing to be classified as swine fever free.

Customs union

The Council adopted the Regulations:

- on the temporary import of containers;
- opening and providing for the administration of Community tariff quotas for:
 - = certain kinds of prepared or preserved tunas coming from Portugal (1990) amounting to a volume of 1 000 tonnes for categories ex 1604 14 10 and ex 1604 20 70, duty-free;

= dried figs amounting to 200 tonnes at 1,1% tariff duty and certain dried grapes amounting to 1 900 tonnes at zero duty coming from Spain (1990).

Amendments to the Directives on the medical and para-medical professions

The Council adopted the Directive amending Directives 75/362/EEC, 77/452/EEC, 78/686/EEC, 78/1026/EEC and 80/154/EEC relating to the mutual recognition of diplomas, certificates and other evidence of formal qualifications as doctor, nurse responsible for general care, dental practitioner, veterinary surgeon and midwife, together with Directives 75/363/EEC, 78/1027/EEC and 80/155/EEC concerning the co-ordination of provisions laid down by law, regulation or administrative action relating to the activities of doctors, veterinary surgeons and midwives.

(See Press release for the Internal Market Council on 14.VI.89 - 7324/89 Presse 112.)

Appointments

The Council replaced:

- a full member of the Committee of the European Social Fund
- an alternate member of the Committee of the European Social Fund
- an alternate member of the Advisory Committee on Vocational Training.