

COUNCIL OF THE EUROPEAN COMMUNITIES

PRESS RELEASES

PRESIDENCY: FRANCE

JULY-DECEMBER 1989

Meetings and press releases November 1989

Meeting number	Subject	Date
1358 <sup>th</sup>	General Affairs	6 November 1989
1359 <sup>th</sup>	No record of meeting	
1360 <sup>th</sup>	Telecommunications	7 November 1989
1361 <sup>st</sup>	Consumer Affairs	9 November 1989
1362 <sup>nd</sup>	Economics/Finance	13-14 November 1989
1363 <sup>rd</sup>	Health	13 November 1989
1364 <sup>th</sup>	Industry	14 November 1989
1365 <sup>th</sup>	Budget	14 November 1989
1366 <sup>th</sup>	Agriculture	20-22 November 1989
1367 <sup>th</sup>	Development Co-operation	21 November 1989
1368 <sup>th</sup>	Internal Market	23-24 November 1989
1369 <sup>th</sup>	General Affairs	27 November 1989
1370 <sup>th</sup>	Fisheries	27 November 1989
1371 <sup>st</sup>	Environment	28 November 1989
1372 <sup>nd</sup>	Labour/Social Affairs	30 November 1989
1373 <sup>rd</sup>	Transport	4-5 December 1989
1374 <sup>th</sup>	ACP-EEC Convention	27 November 1989

PRESS RELEASE

9585/89 (Presse 194)

1358th Council meeting

- General Affairs -

Brussels, 6 November 1989

President: Mr Roland DUMAS

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

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
Mr Robert URBAIN	Minister for Foreign Trade

Denmark:

Mr Uffe ELLEMANN-JENSEN	Minister for Foreign Affairs
Mr Jørgen ØRSTRØM MØLLER	State Secretary, Ministry of Foreign Affairs

Germany:

Mr Hans-Dietrich GENSCHER	Federal Minister for Foreign Affairs
Mrs Irmgard ADAM-SCHWAETZER	Minister of State, Ministry of Foreign Affairs

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
Mr Apolonio RUIZ LIGERO	State Secretary for Trade

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  
DevelopmentIreland:

Mr Gerard COLLINS

Minister for Foreign Affairs

Ms Maire GEOGHEGAN-QUINN

Minister of State at the Department of  
the Taoiseach with responsibility for  
EEC mattersItaly:

Mr Gianni DE MICHELIS

Minister for Foreign Affairs

Mr Renato RUGGIERO

Minister for Foreign Trade

Mr Claudio VITALONE

State Secretary for Foreign Affairs

Luxembourg:

Mr Jacques F. POOS

Minister for Foreign Affairs

Netherlands:

Mr H. van den BROEK

Minister for Foreign Affairs

Portugal:

Mr João de DEUS PINHEIRO

Minister for Foreign Affairs

Mr Vitor MARTINS

State Secretary for European  
Integration

United Kingdom:

Mr Douglas HURD

Secretary of State for Foreign and  
Commonwealth Affairs

Mr Francis MAUDE

Minister of State, Foreign and  
Commonwealth Office

Commission:

Mr Jacques DELORS

President

Mr Frans H.J.J. ANDRIESEN

Vice-President

Mr Martin BANGEMANN

Vice-President

Mr Henning CHRISTOPHERSEN

Vice-President

Mr Jean DONDELINGER

Member

Mr Abel MATUTES

Member

ECONOMIC AND MONETARY UNION

The Council heard an introductory statement by Ms GUIGOU, Chairwoman of the High Level Working Party convened by the French Presidency in order to follow up the Madrid European Council's conclusions on economic and monetary union, presenting the questionnaire drawn up by the Working Party and containing a list of the questions deemed essential in the light of the prospective Intergovernmental Conference.

The Council held an exchange of views on the subject, after which the President noted that the questionnaire prepared by the Working Party corresponded to the main questions to be answered during the proceedings to be pursued by the Intergovernmental Conference and that it constituted a useful tool for the next stage of the discussions.

The President also stated that all the ministerial discussions - General Affairs today and on 27 November and ECO/FIN on 13 November - would be the subject of a report from the Presidency to the European Council in Strasbourg.

The President further noted that the unilateral contribution on achieving economic and monetary union put forward by the United Kingdom delegation would be examined by the Council bodies and in particular by the ECO/FIN Council.

FREE MOVEMENT OF PERSONS

After hearing a progress report from the Chairman of the Co-ordinators' Group on the free movement of persons in the Community in accordance with the work programme set out in the "Palma" report approved by the European Council in Madrid, the Council held an exchange of views.

At the end of the discussions the Council noted that the Co-ordinators' Group would be preparing a "stage report" before the next Council meeting on 27 November updating progress on this matter, to enable the Council to prepare the discussions of the European Council in Strasbourg on this important issue.

EUREKA - AUDIOVISUAL: FOLLOW-UP TO THE CONFERENCE

The Council took note of the communications from the Presidency and Mr DONDELINGER, Member of the Commission, on their intentions as to the follow-up to the audiovisual Conference in Paris.

The Council agreed to resume its discussions on this topic at its next meeting on 27 November as part of the preparations for the European Council in Strasbourg.

URUGUAY ROUND - PROGRESS REPORT ON NEGOTIATIONS

On the basis of a progress report from the Commission on the Uruguay Round negotiations, the Council noted that in accordance with the timetable of work agreed in Geneva the Community had submitted a number of contributions and that it would submit its proposals on all the subjects under negotiation before the end of the year.

It reiterated the importance the Community attached to the success of the negotiations by the end of 1990 and was gratified by the choice of Brussels as the venue for the final ministerial meeting.

Stress was also laid on the absolute necessity of continuing the negotiations on the basis agreed by all the participants both at Punta del Este and during the mid-term review.

The Council agreed to examine the situation again in due course and in any case before the end of the year.

RELATIONS WITH THE UNITED STATES- STEEL

The Council adopted a series of legal texts required for the conclusion of the Arrangements and the Consensus negotiated by the Commission with the United States in the steel sector and for the implementation within the Community of those Arrangements.

- HORMONES

The Council was informed by the Commission of the latest developments in certain on-going disputes with the United States, in particular on hormones and soyabeans.

The Council and the Commission would remain in close contact regarding developments on these issues.

POLAND/HUNGARY

The Council noted that the Action Plan for Poland and Hungary, on which the Council had agreed in principle on 3 October, was well under way.

The Council's discussions concentrated particularly on the part of the plan concerning the improvement of access to the Community market for Polish and Hungarian products.

It agreed here to:

- the early abolition, as from 1 January 1990, of specific quantitative restrictions still in force for these two countries. On 27 November the Council would also decide on a Commission proposal on the elimination of non-specific quantitative restrictions especially affecting these two countries;
- the extension of the 1990 GSP to Poland and Hungary. The procedures governing textile products and new agricultural concessions would be decided by the Council meeting on 27 November 1989.

The Council also noted that the Commission was preparing a proposal on the second tranche of emergency food aid for Poland.

Finally, the Council gave its support to the Commission's intention of convening a meeting at ministerial level of the 24 Western countries providing aid for Poland and Hungary before the end of the year.

SCHEME OF GENERALIZED PREFERENCES FOR 1990

In the light of the Opinions of the European Parliament and the Economic and Social Committee, the Council recorded its agreement on the substance of the scheme of generalized preferences for 1990 on the basis of an overall compromise submitted by the Presidency. The implementing regulations would be submitted to the Council for its approval at a subsequent meeting.

The Council Decision on the industrial, agricultural and textiles sectors and on ECSC products for the most part reproduced the concessions of the previous scheme. Nevertheless, some improvements were introduced in the industrial sector (an increase of 5% of the limits in ecu for certain products).

Some changes were also made in the textiles sector.

It should be noted that the Council also agreed to extend the 1990 GSP to Poland and Hungary.

RELATIONS WITH EGYPT

The Council prepared the position to be adopted by the Community at the 5th meeting at ministerial level of the EEC-Egypt Co-operation, which was held at the end of the same afternoon.

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MISCELLANEOUS DECISIONSCustoms union

The Council adopted Regulations:

- increasing the Community tariff quota opened for 1989 for newsprint from Canada from 600 000 to 630 000 tonnes
- opening and providing for the administration of tariff quotas
  - = consolidated in GATT, for certain agricultural and industrial products
  - = for certain types of fruit and fruit juices
  - = for certain hand made products (1990)
  - = for certain hand woven fabrics, pile and chenille (1990)

Commercial policy

The Council adopted the Decision on import quotas to be opened by Member States in respect of State-trading countries in 1989.

URUGUAY ROUND: Rollback

With a view to finalizing the Community's offer on "dismantling" in the Uruguay Round negotiations, the Council adopted a Regulation amending Annex I to Regulation (EEC) No 288/82 and Annex III to Regulation (EEC) No 3420/83 on the liberalization of certain products subject to national quantitative restrictions.

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**COUNCIL OF THE EUROPEAN COMMUNITIES**

No record of a 1359<sup>th</sup> meeting.

9587/89 (Presse 196)

1360th Council meeting

- Telecommunications -

Brussels, 7 November 1989

President: Mr Paul QUILES

Minister for Posts,  
Telecommunications and Space  
of the French Republic

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Presse 196 - G



Italy

Mr. Oscar MAMMI

Minister for Posts and  
TelecommunicationsLuxembourg

Mr Alex BODRY

Minister for Posts,  
Telecommunications and InformaticsNetherlands

Mr P.C. NIEMAN

Ambassador,  
Permanent RepresentativePortugal

Mr João de OLIVEIRA MARTINS

Minister for Public Works, Transport  
and CommunicationsUnited Kingdom

Mr Eric FORTH

Parliamentary Under-Secretary of State,  
Department of Trade and Industry  
(Industry and Consumer Affairs)CommissionSir Leon BRITTAN  
Mr Filippo Maria PANDOLFIVice-President  
Vice-President

LIBERALIZATION OF TELECOMMUNICATIONS SERVICESOPEN NETWORK PROVISION (ONP)

The Council discussed in depth the liberalization of telecommunications services and a proposal for a Directive on Open Network Provision (ONP).

On the first topic, it will be remembered the Commission has adopted a Directive based on Article 90(3) of the Treaty concerning competition in the telecommunications services markets.

As regards the proposal for a framework Directive on Open Network Provision, its aim is to lay down the basic rules for harmonizing the conditions of access to and use of public telecommunications networks and/or public telecommunications services.

Following the debate, the Presidency submitted an overall compromise proposal relating more specifically to switched data services both for aspects connected with liberalization and with harmonization. The President recorded that this compromise was seen by a majority of delegations as a good basis for work. The Presidency accordingly convened a new meeting for 7 December 1989 to continue the Council's discussions on the matter.

The Commission undertook to reconsider some aspects of its Directive in the light of the discussions at this meeting.

PAN-EUROPEAN LAND-BASED PUBLIC RADIO PAGING SYSTEM IN THE COMMUNITY

The Council examined for the first time a draft recommendation and a proposal for a Directive on the introduction of pan-European land-based radio paging in the Community, on which it is awaiting the European Parliament's Opinion.

This examination enabled the Council to record agreement on the two proposals.

The draft Directive lays down that the Member States shall designate in the 169,4-169,8 MHz waveband four channels which shall have priority and be protected, and preferably be: 169,6, 169,65, 169,7, 169,75 MHz for the pan-European land-based public radio paging service by 31 December 1992 at the latest.

The Member States must ensure that the plans are prepared as quickly as possible to enable the pan-European public radio paging service to occupy the whole of the band 169,4-169,8 MHz according to commercial demand.

The draft recommendation lays down that:

- the telecommunications administrations are to implement recommendations to ensure the co-ordinated introduction of pan-European land-based public radio paging in the Community. Such a system would allow persons wishing to do so to send and/or to receive alert and/or numeric or alphanumeric messages anywhere within the coverage of the service in the Community.
- the telecommunications administrations are to plan for a gradual evolution from existing radio paging systems to the pan-European land-based public radio

paging system so as to ensure a transition which meets the needs of users, telecommunications administrations and manufacturers.

The Council will further examine this proposal once it has received the Parliament's Opinion.

#### HIGH DEFINITION TELEVISION

The Council adopted a Decision concerning the common action to be taken by the Member States with respect to the adoption of a single world-wide High Definition Television production standard by the Plenary Assembly of the International Radio Consultative Committee (CCIR) in 1990.

The enacting terms provide for:

1. The common action to be taken by the Member States with respect to the adoption of a single world-wide High Definition Television production standard by the Plenary Assembly of the International Radio Consultative Committee (CCIR) in 1990 shall be based on the proposal arising from the EUREKA 95 project.
2. The common action shall be carried out, after consultation between representatives of the Member States and the Commission, at the meetings to be held to prepare the Recommendation concerning a single world-wide High Definition Television production standard to be adopted by the Plenary Assembly of the International Radio Consultative Committee.
3. If the consultations referred to in paragraph 2 do not lead to agreement, the points of disagreement shall if necessary be brought before Council bodies.

This Decision is based on the following main considerations:

- High Definition Television (HDTV) is of strategic importance for the European consumer electronics industry, its supporting industrial base, and for the European television and film industries;
- a single world-wide High Definition Television standard for programme production and for the international exchange of programmes is urgently required for the development and commercialization of equipment and programme material;
- European industry has developed, within the EUREKA framework, the relevant parameters for such a single world-wide production standard and prototype equipment built to this standard has been successfully demonstrated at the September 1988 Brighton International Broadcasting Convention;
- the European Council, at its December 1988 meeting in Rhodes, attached great importance to the promotion of the European HDTV system in the context of the Community's emerging audio-visual policy;
- the Council Decision of 27 April 1989 sets as a Community objective the promotion of a single world standard for the production of HDTV programmes.

#### PUBLIC TELECOMMUNICATIONS CONTRACTS

The Council discussed the telecommunications aspects of the proposal for a Directive on public contracts in the energy, water, transport and telecommunications sectors.

The Presidency will report back on this exchange of views to the Internal Market Council on the basis of the following:

- the opening up of public contracts is particularly important in the telecommunications sector;
- the problem of opening up public contracts has a very important external dimension in that the Community must ensure that it secures access to third-country markets which is comparable to that granted by the Community to those countries and it must prepare for the discussion within GATT in the best possible way;
- it is important to take into account the special characteristics of telecommunications in the context of public contracts;
- as stated in the Council Resolution of 30 June 1988, it is very important to draw up common standards within the framework of the opening up of public contracts and priority should, therefore, be given to discussions on the matter, in particular within the ETSI.

The Council agreed to return to this subject at its next meeting on 7 December.

#### SOCIAL DIMENSION IN TELECOMMUNICATIONS (1992)

The Council noted that the Commission had just submitted a communication on a social environment for the future development of telecommunications with a view to 1992, which outlined the main areas of future discussions on the matter:

- to continue to strengthen the dialogue and exchange of information at the Community level;

- to pay close and continuing attention to the qualitative and quantitative development of employment in the telecommunications sector;
- to develop in common, a study programme concerning the deep social impact of the new telecommunications, as a preparation for future action;
- to consider the problems of protection of privacy and personal data in a European perspective, in order to generate convergence of views as a basis for finding solutions at the European level where appropriate.

During the discussion which followed this presentation, the Member States expressed their initial comments.

In this connection, the President also reported back on a meeting he had had with the President of the Postal, Telegraph and Telephone International (PTTI).

#### EXTERNAL ASPECTS OF THE TELECOMMUNICATIONS POLICY

The Council took note of a Commission communication on the external aspects of Community telecommunications policy and debated the matter.

Following this debate it was noted that a large majority of delegations were in favour of the Presidency's conclusions which considered the following to be major steps contributing to the achievement of open world telecommunications markets:

1. Continuing its active contribution to the negotiations underway in international bodies and strengthening multilateral initiatives as agreed at Montreal. This contribution will have to be backed up by the progress made in

the Community towards establishing an internal market open to the outside.

Allowing in this context for the external consequences of setting up such an internal market by seeking comparable levels of access to the markets of the Community's trading partners.

Reaffirming its reservations with regard to bilateral steps.

2. Envisaging the development of the co-operation initiatives undertaken by the Community with certain third countries, taking particular account of the following factors:

- the need to strengthen co-ordination of the initiatives undertaken;
- the resources available in the Community;
- the achievements of Community policy and international standardization;
- the possibility of extending that co-operation to new partners.

Undertaking the analyses and discussions necessary to enable the Community to achieve the above aims within the Senior Officials Group on Telecommunications (SOGT).

#### USE OF THE ECU IN TELECOMMUNICATIONS

On the basis of a Presidency note, the Council discussed the use of the ecu in telecommunications.

It was pointed out that telecommunications accounting between CEPT member countries is based on a system of sharing revenue between the various member Administrations. All clearing operations are carried out in SDRs which has led to rather wide fluctuations.

The CEPT Telecommunications Committee has therefore set up an ad hoc Working Party within its Commercial Action Committee to continue the study of introducing the ecu into the accounts of telecommunications bodies amongst the CEPT member countries.

The Council expressed its interest in these discussions being held by the CEPT and asked the Commission to report back to it on their outcome when the time came.

NEW FORMS OF COMMUNITY RESEARCH AND DEVELOPMENT ACTION IN THE FIELD OF BROAD BAND INTEGRATED TELECOMMUNICATIONS

The Council held an exchange of views on the new forms of research and development action in the field of broadband integrated telecommunications.

The Council agreed to return to this subject at its next meeting on 7 December 1989.

PRESS RELEASE

9586/89 (Presse 195)

1361st Council meeting

- CONSUMER AFFAIRS -

Brussels, 9 November 1989

President: Mrs Véronique NEIERTZ  
State Secretary for Consumer Affairs,  
attached to the 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 Willy CLAES  
Deputy Prime Minister, Minister for  
Economic Affairs, Planning and  
Educational Reform

Denmark:

Mr Nils WILHJELM  
Minister for Industry

Germany:

Mr Otto SCHLECHT  
State Secretary, Federal Ministry of  
Economic Affairs

Greece:

Mr Haris CARABARBOUNIS  
Deputy Permanent Representative

Spain:

Mr Julian GARCIA VARGAS  
Minister for Health and Consumer  
Affairs

France:

Mrs Véronique NEIERTZ  
State Secretary for Consumer Affairs,  
attached to the Ministre d'Etat,  
Minister for Economic and Financial  
Affairs and the Budget

Ireland:

Mr Terry LEYDEN  
State Secretary,  
Department of Industry and Commerce

Italy:

Mr Adolfo BATTAGLIA

Minister for Industry

Mr CASTAGNETTI

State Under-Secretary,  
Ministry of IndustryLuxembourg:

Mr Thierry STOLL

Deputy Permanent Representative

Netherlands:

Mr DE BOER

Director-General  
Ministry of the EconomyPortugal:

Mr MACARIO CORREIA

State Secretary for the Environment and  
Natural ResourcesUnited Kingdom:

Mr Eric FORTH

Parliamentary Under-Secretary of State,  
Department of Trade and Industry  
(Industry and Consumer Affairs)Commission:

Mr Karel VAN MIERT

Member

GENERAL PRODUCT SAFETY

The Council held a policy discussion on the proposal for a Directive on general product safety, the Opinions of the European Parliament and the Economic and Social Committee on which are awaited.

The purpose of this proposal is to introduce at Community level a general obligation to produce and market only safe products. It comes under the relaunch of the policy for the protection of consumers and the completion of the Internal Market.

In the course of the discussion the following topics were covered:

- scope, in particular the possibility of limiting it to consumer products in the broad sense;
- connections between the proposal and existing, more specific rules, in view of the need to avoid not only duplication but also lacunae;
- procedures for exchange of information between Member States and the Commission and problems relating to the introduction of a system for Community action as proposed by the Commission.

The Council instructed the Permanent Representatives Committee to continue its proceedings to enable it to act at the earliest opportunity.

PACKAGE TRAVEL

The Council discussed the draft Directive on package travel, including package holidays and package tours, which is intended to protect the interests of consumers of inclusive-price (package) travel.

It was established that significant progress had been made on three key points, namely the definition of a package, the liability of the organizer and the guarantees that an organizer must provide.

The Council instructed the Permanent Representatives Committee to resolve the questions still outstanding so that the Council meeting (Internal Market) on 21 December next could adopt a common position on the Directive.

CONSUMER REPRESENTATION AT COMMUNITY LEVEL

Mr VAN MIERT, Member of the Commission, made an oral communication on consumer representation at Community level, on which the Commission will shortly take a formal decision.

The Council took note of that communication, which was favourably received by delegations.

FUTURE PRIORITIES FOR RELAUNCHING THE POLICY FOR THE PROTECTION  
AND PROMOTION OF CONSUMER INTERESTS

The Council adopted the following Resolution:

"COUNCIL RESOLUTION

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community,

Whereas the improvement of the quality of life implies, inter alia, protecting the health, safety and economic interests of consumers and informing and educating them;

Whereas achievement of this objective requires a consumer protection and information policy to be implemented at Community level;

Whereas in response to this need two Community action programmes for consumers were adopted in 1975 and 1981;

Whereas, in the light of the results obtained in implementing these programmes, it was necessary to give fresh impetus to this Community policy and to redefine its objectives and priorities through the adoption by the Council of the Resolution of 23 June 1986 concerning the future orientation of the policy of the European Economic Community for the protection and promotion of consumer interests;

Whereas the content of such objectives must be expressed by the effective protection of consumers' individual and collective interests;

Whereas such effective protection may in some cases require harmonization measures designed to prevent obstacles to the proper functioning of the internal market;

Whereas Article 100a of the Treaty provides for the adoption of harmonization measures which have as their object the establishment and functioning of the internal market and requires that the Commission, in its proposals, provided for in paragraph 1 of that Article, concerning consumer protection, take as a base a high level of protection, to ensure consumer confidence in the functioning of the market;

Whereas this linking of consumer protection policy to the effective completion of the internal market presupposes a review and update of the objectives of that policy, with the emphasis being placed on measures which should produce tangible results in the short term;

Whereas proceedings concerning the internal market should also move towards liberalization of trade and increased competition, which should likewise benefit the consumer; whereas the measures taken by the Community to protect consumers must be consistent with the Council Resolution of 30 June 1988;

Whereas the conclusions of the European Council of December 1985 underline the importance of promoting alternative approaches to the introduction of rules when such approaches afford real possibilities of making significant progress;

Whereas the Council Resolution of 23 June 1986 notes that the Commission intends to carry out a wide consultation of appropriate interests, particularly at the preparatory stage of its proposals;

Whereas greater attention must be paid to consumer interests in other Community policies which requires, inter alia, a deep knowledge of the impact of the internal market on the consumer;

Whereas the representation of consumers at Community level should be improved to ensure a balance between the interests of producers and consumers;

Whereas it is important to promote safety and better information on the quality of products and services; whereas, therefore, in the spirit of the Council Resolution of 25 June 1987 on consumer safety, the Commission proposed that the Council adopt a Directive implementing the general principle of the obligation to provide goods which are safe, without prejudice to the continuation of work connected with the "new approach" to technical harmonization and standards approved by the Council Resolution of 7 May 1985;

Whereas the possibility should be considered of coupling the declaration of rights for consumers and the completion of an internal market in which trade between Member States will be intensified with certain judicial and extra-judicial measures,

CALLS UPON the Commission when carrying out its work to give priority to the areas referred to in the Annex to this Resolution, which are considered to be particularly sensitive for consumers, and, having regard to those priorities, to present before 31 December 1989 a three-year plan concerning the Community's objectives in its policy for the protection and promotion of consumer interests.

PRIORITIES FOR RELAUNCHING THE POLICY  
FOR THE PROTECTION AND PROMOTION  
OF CONSUMER INTERESTS

1. Integrating the policy for the protection and promotion of consumer interests into the other common policies through:
  - an overall study of the consequences of the internal market for the consumer, highlighting which specific sectors most affect consumer interests;
  - preparation of an adequate impact assessment for those proposals which are particularly sensitive for consumers.
2. Improving consumer representation at Community level, by studying various possible ways of promoting:
  - participation by the associations in the various Member States in the system of consumer representation, and
  - the exchange of ideas with representatives of economic sectors and of employers;
  - optimum implementation of the Council Resolution of 4 November 1988 on the improvement of consumer involvement in standardization, since such an improvement will contribute, inter alia, to the achievement of the aims of this Resolution and in particular those set out in point 1.
3. Promoting the general safety of goods and services and better information on the quality of goods and services by:

- looking into the possible implementation at Community level of means of promoting the safety of services;
- ensuring optimum operation of:
  - . the Community system of information on accidents involving consumer products (EHLASS),
  - . the Community system for the rapid exchange of information on dangers arising from the use of consumer products set up by Decisions 84/103/EEC and 89/45/EEC;
- encouraging campaigns which lead to greater safety of products, in particular of products which may be used by children or which may affect them;
- harmonizing the different Member States' monitoring systems with regard to foodstuffs and looking into the possibility of harmonizing monitoring systems for other products;
- seeking a Community framework for providing information on products, including foodstuffs, by means of labelling, ancillary materials and distinctive marks to aid consumers in making informed choices and to prevent misleading claims and unfair competition;
- studying common criteria to be applied for the conduct of comparative tests and analyses of goods and services and for the dissemination of the results thereof and promoting the carrying-out of such tests and analyses;

- agreeing on an overall approach for establishing a common framework in the field of tests and certification (assessment of compliance) for securing the principle of mutual recognition in accordance with the "new approach to technical harmonization and standards" in the 1985 White Paper on the completion of the internal market.
4. Without prejudice to national provisions on the subject, encouraging Member States to promote access to legal redress and, to this end:
- completing the studies described in point 7 of the Council Resolution of 25 June 1987, without prejudice as to whether group actions should be allowed;
  - encouraging Member States to seek judicial and extra-judicial systems to ensure that minor disputes between consumers and suppliers of goods and services are speedily and effectively resolved;
  - studying, together with the Member States, the feasibility of a system for the exchange of information to promote access to the legal system of another Member State in minor disputes involving more than one country.
5. Bringing to a conclusion, in consultation with national experts and in accordance with the criteria set by the Council Resolution of 23 June 1986:
- the work already begun at the Commission, including a proposal for a Directive concerning unfair terms in contracts and the report on general consumer information policy;
  - the study, as part of the three-year plan and taking account of the 1992 target, of other possible initiatives, particularly in the areas of

consumer education, new technologies involving teleshopping, guarantees and after-sales service and unfair advertising."

The Council also took note of the Commission's intention of submitting its three-year programme to the Council at the Council's next meeting on consumer affairs.

#### ACCIDENTS INVOLVING CONSUMER PRODUCTS

The Council took note of the Commission's intention of forwarding to it in the very near future a proposal for a Decision amending Decision 86/138/EEC on a demonstration project with a view to introducing a Community system of information on accidents involving consumer products (EHLASS system - "European Home and Leisure Accident Surveillance System"), establishing inter alia the budget for the next two operating years.

The Council instructed the Permanent Representatives Committee to begin the proceedings at an early date so that the Council could take a decision before the end of the year, if the European Parliament's Opinion is available.

PRESS RELEASE

9850/89 (Presse 206)

1362nd Council meeting  
- Economic and Financial Affairs -  
Brussels, 13 and 14 November 1989

President: Mr 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

Mr Otto SCHLECHT State Secretary, Federal Ministry of Economic Affairs

Greece:

Mr George KONTOGEORGIS Minister for Economic Affairs

Spain:

Mr Carlos SOLCHAGA CATALAN Minister for Economic Affairs and Finance

Mr José BORRELL FONTELLES State Secretary, Ministry of Finance

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

Minstre d'Etat, Minister for the  
TreasuryNetherlands:

Mr W. KOK

Minister for Finance

Mr M.J.J. VAN AMELSVOORT

State Secretary, Ministry of  
FinancePortugal:

Mr Miguel CADILHE

Minister for Finance

United Kingdom:

Mr John MAJOR

Chancellor of the Exchequer

Commission:

Jacques DELORS

President

Sir Leon BRITTAN

Vice-President

Mr Henning CHRISTOPHERSEN

Vice-President

Mrs Christiane SCRIVENER

Member

Also present:

Mr Mario SARCINELLI

Chairman of the Monetary  
Committee

Mr Dmetrios J. CHALIKIAS

Chairman of the Committee of  
Governors of the Central Banks

Mr Bernhard MOLITOR

Chairman of the Economic Policy  
Committee

SITUATION IN HUNGARY, POLAND AND THE GDR

The Council held an exchange of views on the economic and political situation in Hungary, Poland and the GDR.

Regarding the latter country, Mr WAIGEL briefed the Council about events in the last few days and the Council assured the German Minister of its solidarity as far as the development of the situation in the GDR was concerned.

The Council instructed the Monetary Committee to make an urgent examination of the economic and financial situation in these countries and to prepare a summary of action already undertaken at bilateral and Community level and in international fora such as the IMF.

Regarding Hungary and Poland, the Council took note of the Commission's views and the fact that the Commission would soon be submitting practical proposals for action to help those countries.

ECONOMIC AND MONETARY UNION

The Council took note of the report from the High-level Working Party which met at the instigation of the Presidency. That report summarizes the main problems to be resolved in drawing up an agreement on EMU and is therefore a useful working tool in preparations for the European Council in Strasbourg, which will have to decide on the convening of an Intergovernmental Conference.

The Council also took note of a United Kingdom contribution on an evolving approach to Economic and Monetary Union, the report from the Chairman of the Monetary Committee and the report from the Economic Policy Committee on budgetary co-ordination.

The Council held an exchange of views on this, following which the President stressed that Economic and Monetary Union should make it possible to achieve sustained non-inflationary growth in the Community together with a high level of employment. In accordance with the conclusions of the European Council in Madrid, EMU must be seen in the perspective of the completion of the Internal Market and in the context of the economic and social cohesion of the Community.

The following principles should therefore be applied: price stability, sound public financing and monetary conditions, generally healthy balances of payments and markets that were open and competitive. Finally, the President noted that there was already a consensus in favour of prohibiting any monetary financing of public deficits, a concept which had been clearly defined by the Monetary Committee. This principle could be applied gradually and constitute a first step towards better co-ordination of the budgetary policies of the Member States.

Referring more specifically to stage one of EMU, the Council examined the two Commission proposals concerning

- firstly, the attainment of progressive convergence of economic performance during stage one of Economic and Monetary Union, and
- secondly, increase co-operation between the Central Banks of the Member States of the European Economic Community;

on which it was expecting the Opinions of the European Parliament and the Economic and Social Committee and had already received the opinions of the Monetary Committee and the Committee of Governors of the Central Banks.

The Council noted that there was a consensus on these two texts, which should enable it to adopt them on 18 December 1989 when it had received the abovementioned Opinions.

Both texts are intended to implement the political decision of the European Council in Madrid that stage one of the realization of EMU will begin on 1 July 1990 and its realization will have to take account of the parallelism between economic and monetary aspects, respect the principle of "subsidiarity" and allow for the diversity of specific situations.

The first proposal provides that "in order to achieve sustained non-inflationary growth in the Community, together with a high level of employment and the degree of economic convergence necessary for the success of Stage One of Economic and Monetary Union, in the perspective of the completion of the Internal Market and in the context of economic and social cohesion, the Council shall undertake multilateral surveillance. In this context, it shall apply the following principles: stable prices, sound public financing and monetary conditions, generally healthy balances of payments and markets that are open and competitive. At least twice a year, it shall examine:

- the economic conditions, prospects and policies in the Community and its Member States;
- the compatibility of policies within Member States and in the Community at large;

- the external economic environment and its interaction with the economy of the Community.

Multilateral surveillance shall cover all aspects of economic policy in both the short-term and medium-term perspectives."

The second text has the aim of strengthening the process of co-operation on monetary policies by stepping up co-operation between Central Banks, whose task is to be defined as follows:

- "- to hold consultations concerning the general principles and the broad lines of policy of the Central Banks, in particular as regards credit, money and foreign exchange markets and including, within their competences, issues affecting the stability of financial institutions and markets;
- to exchange information regularly about the most important measures that fall within the competence of the Central Banks, and to examine those measures. The Committee shall normally be consulted in advance of national decisions on the course of monetary policy, such as the setting of annual domestic monetary and credit targets;
- to promote the co-ordination of the monetary policies of the Member States with the aim ensuring price stability which is a necessary condition for the proper functioning of the European Monetary System and the realization of its objective of monetary stability;
- to formulate opinions on the overall orientation of monetary and exchange rate policy as well as on the respective measures introduced in individual Member States;

- to express opinions to individual Governments and the Council of Ministers on policies which might affect the internal and external monetary situation in the Community and, in particular, the functioning of the European Monetary System.

In carrying out its tasks, the Committee shall keep under review the trend of the monetary situation both inside and outside the Community."

#### SAVINGS BY HOUSEHOLDS

The Council took note of a statement by Mr CADILHE introducing the Portuguese memorandum on the question of the unfavourable trend in the level of savings by households and concerning concerted action at Community level to promote such savings.

The Council requested the Commission to examine this topic and submit a communication at a forthcoming Council meeting.

**ABOLITION OF FISCAL FRONTIERS - CONCLUSIONS OF THE COUNCIL**

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Further to the mandate given it by the Madrid European Council, the ECOFIN Council holds the view that the fiscal arrangements to be introduced by 1 January 1993 are now approved. The initial approach adopted by the Council on 9 October and the overall conclusions of the ad hoc Working Party result in adoption of the following solutions, which will give tangible shape for undertakings and private individuals to the commitments entered into under the Single Act.

1. The proposed measures and arrangements will facilitate the subsequent transition to uniform tax arrangements in the country of origin, which remains the medium-term objective.

For a limited period, the smooth operation of VAT arrangements in the case of transactions between different Member States carried out by taxable persons must be ensured by taxing the recipient in the country of destination at the rate and under the conditions obtaining in that country.

Exempt or non-taxable bodies making purchases of a certain value in other Member States will be treated in the same way.

2. The burden borne at present by undertakings and administrations will be lightened by the abolition of formalities prior to the movement of goods or in connection with border crossing. Undertakings will have to keep at the disposal of the authorities, for fiscal purposes, all the information enabling all their intra-Community transactions to be identified; they will make as simple as possible a periodic declaration of these transactions for statistical and fiscal purposes; the content of the obligations imposed in this context will be specified on a proposal from the Commission, in particular in the light of requirements in respect of exchanges of information between authorities for the purposes of tax control and of statistical registration requirements.
3. Control arrangements must effectively prevent the risk of evasion and will be based primarily on the use by national administrations of business returns, regular exchanges of information and the provision of supporting documents, drawn up by the administration. Such standing co-operation at administrative level must not give rise to any obstacle on grounds of national legislation and will supplement existing mutual assistance procedures.

4. The differential treatment of certain classes of transaction will enable distortions of competition to be avoided without hampering freedom of movement. Purchases in another Member State of vehicles liable for registration will be subject to VAT in the country of destination at that country's rate. In the case of distance selling to an exempt or non-taxable private individual or body established in another Member State, the seller or his representative will pay the tax of the country of destination where the amount of his sales of this type exceeds certain thresholds to be laid down.
  
- 4a. The specific details of the implementation of the above principles (points 1 to 4) will have to be examined carefully in order to ensure that for each Member State:
  - the present burden on undertakings and administrations will be lightened;
  - distortions of competition are avoided without hampering the free movement of goods.
  
5. The Council agrees to make a fresh examination of the approximation of VAT rates at a forthcoming meeting.
  
6. Products subject to excise duty will move without tax being levied between warehousekeepers authorized by the authorities of the Member States. Appropriate provisions will allow purchasers who do not have the status of warehousekeepers to make their purchases from sellers of other Member States with payment of excise duty in the State of consumption.

The new Commission proposals concerning excise duty rates will be examined by the Council with a view to achieving the necessary degree of approximation by 1 January 1993 in order to avoid distortions of competition and risks of evasion.

7. Quantitative and ad valorem restrictions on travellers' purchases will be abolished on 1 January 1993 in conjunction with an adequate approximation of VAT and of excise duty rates.

These arrangements concern purchases intended solely for the personal use of travellers.

The special situation of Denmark, Ireland and Greece may, on a proposal from the Commission, be the subject of specific arrangements in the general context of the harmonization of rates <sup>(1)</sup>.

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The Council requests the Commission to submit appropriate proposals embodying in Community legislation the approach set out in these conclusions.

At the same time, the dynamic effects of the abolition of frontiers will in themselves create the most favourable conditions for such development. The removal of limits on purchases by private individuals will of necessity result in further alignment of rates. The budgetary consequences will be made more readily bearable through the increase in growth resulting from unification of the internal market, while the convergence of economies will eliminate the problem of compensation caused by allocating the tax yield to the country of consumption.

The Council and the Commission therefore agree that, no later than 31 December 1996, there will be an overall examination in order to determine the deadlines and procedures for achieving definitive unification of the common system of VAT following a transitional period.

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(1) The Danish delegation did not agree to the text of point 7.

TAXATION OF SAVINGS

The Council held a detailed discussion on the basis of the draft conclusions submitted by the Presidency concerning a series of measures designed to

- improve mutual assistance between the Member States, while ensuring that the obligations incumbent upon the competent authorities and the persons concerned are in proportion to the seriousness of the presumed evasion and to the significance of the amounts in question;
- extend mutual judicial assistance,
- adjust certain national measures;
- step up co-operation with countries which are not members of the Community.

Following its discussions, the President recorded that a majority of the delegations could agree to the compromise solutions arrived at during the meeting, that three delegations were unable, however, to agree to paragraph 4 of the text of the conclusions concerning measures to be taken by the Member States enabling them to supply information in specific cases in which evidence of serious evasion is put forward by the authority making the request. Another delegation would have preferred a further discussion in order to guarantee effective administrative assistance on the matter between the Member States.

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MISCELLANEOUS DECISIONSInsider dealing

Following completion of the procedure for co-operation with the European Parliament, the Council adopted the Directive co-ordinating regulations on insider dealing on which it had adopted its common position on 18 July 1989.

It will be remembered that, in order to contribute to the smooth operation of financial markets and ensure both that supply and demand are as broad as possible and that investors are placed on an equal footing, the purpose of the Directive is to prohibit insider dealing which enables persons having inside information to derive advantage from it to the detriment of other investors.

The stimulus to establish Community rules in this area arose from the observation that in several Member States there were no provisions prohibiting insider dealing, and that the rules or regulations that did exist differed considerably from one Member State to another.

The text adopted by the Council obliges Member States to prohibit "primary insiders" from taking advantage of inside information with full knowledge of the facts by buying or selling transferable securities.

For the purposes of the Directive, inside information is defined as being information which has not been made public of a precise nature relating to one or more issuers of transferable securities which, if it were made public, would be likely to have a significant effect on the price of the transferable security or securities in question.

Within the meaning of the text, a primary insider is any person who:

- by virtue of his membership of the administration, management or supervisory bodies of the issuer,
- by virtue of his holding in the capital of the issuer, or
- because he has access to such information by virtue of his employment, profession or duties,

possesses inside information.

The Directive prohibits a primary insider from disclosing inside information to any third party who would thereby become a secondary insider. Furthermore, a secondary insider is thereby prohibited from taking advantage of the inside information received.

The text also stipulates that Member States shall introduce penalties which have a deterrent effect sufficient to ensure compliance with the prohibitions. Finally, it is laid down that the competent authorities of the Member States shall co-operate with one another to identify and penalize insider dealing which, by its nature, often takes place across national borders.

The Member States also have the option to adopt provisions more stringent or extensive than those laid down by the Directive.

The Member States are to take the measures necessary to comply with the Directive by 1 June 1992.

Stock-exchange listing particulars

The Council adopted its common position with a view to amending Directive 80/390/EEC in respect of the mutual recognition of stock-exchange listing particulars.

With the aim of supplementing the provisions for mutual recognition already decided on, this amendment establishes recognition of the public-offer prospectus as listing particulars - if the application for admission is made within three months following submission of the public-offer prospectus - in the Member State or Member States in which the application for admission to official listing is made, without it being necessary to obtain the approval of the competent authorities of that Member State or those Member States and without their being able to require that additional information be included in the prospectus. The competent authorities may, however, require that the prospectus include information specific to the market of the country of admission concerning, in particular, the income-tax system, the financial organizations retained to act as paying agents for the issuer in the country of admission and the ways in which notices to investors are published.

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PRESS RELEASE

9851/89 (Presse 207)

1363rd meeting of the Council  
and the Ministers for Health,  
meeting within the Council

Brussels, 13 November 1989

President: Mr Claude EVIN

Minister for Solidarity,  
Health and Social Security  
of the French Republic

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

Belgium:

Mr Robert DELIZEE State Secretary for Health and Policy on the Disabled, attached to the Minister for Social Affairs

Denmark:

Ms Elsbeth KOCK-PETERSEN Minister for Health

Germany:

Mr Werner CHORY State Secretary at the Federal Ministry of Youth, Family Affairs, Women and Health

Greece:

Mr Haris CARABARBOUNIS Deputy Permanent Representative

Spain:

Mr Julian GARCIA VARGAS Minister for Health and Consumer Affairs

France:

Mr Claude EVIN Minister for Solidarity and for Health and Social Security

Ireland:

Mr Rory O'HANLON Minister for Health

Italy:

Mr Franco DE LORENZO Minister for Health

Luxembourg:

Mr Johny LAHURE Minister for Health

Netherlands:

Mr Ch.R. VAN BEUGE

Deputy Permanent Representative

Portugal:

Mrs Leonor BELEZA

Minister for Health

United Kingdom:

Mrs Virginia BOTTOMLEY

Minister of State, Department of Health

Commission:

Ms Vasso PAPANDEOU

Member

FIGHT AGAINST CANCERLabelling of Tobacco Products

The Council formally adopted a Directive on the labelling of tobacco products.

The Directive is part of the "Europe Against Cancer" programme, and provides:

- that all tobacco products should carry health warnings on the unit packet and that indications of the tar and nicotine yield should appear on cigarette packets.
- that these indications should be printed on the side of cigarette packets "in clearly legible print on a contrasting background so that at least 4% of the corresponding surface is covered".
- that all unit packets of tobacco products should carry, on the most visible surface, the following general warning in the official language or languages of the country of final marketing: "Tobacco seriously damages health".
- that for cigarette packets, the other large surface of the packet should carry, in the official language or languages of the country of final marketing, the following specific warnings alternating in accordance with certain rules:

A. Warnings which must be included on the national lists

1. Smoking causes cancer.
2. Smoking causes heart disease.

B. Warnings from amongst which Member States may choose

1. Smoking causes fatal diseases.
2. Smoking kills.
3. Smoking can kill.
4. Smoking when pregnant harms your baby.
5. Protect children: don't make them breathe your smoke.
6. Smoking damages the health of those around you.
7. Stopping smoking reduces the risk of serious disease.
8. Smoking causes cancer, chronic bronchitis and other chest diseases.
9. More than (...) people die each year in .....(name of the country) from lung cancer.
10. Every year, ... people are killed in road accidents in (name of the country) - ... times more die from their addiction to smoking.
11. Every year, addiction to smoking claims more victims than road accidents.
12. Smokers die younger.
13. Don't smoke if you want to stay healthy.
14. Save money: stop smoking.

Member States will have to bring the Directive into force before 31 December 1991.

Products existing on that date which do not comply with the Directive may still be marketed until 31 December 1992 (cigarettes) or 31 December 1993 (other tobacco products).

Tar yield of cigarettes

The Council adopted its common position on the proposal for a Directive on the maximum tar yield of cigarettes.

The common position lays down the following limit value and dates for introduction:

- 15 mg of tar per cigarette: 31.12.1992
- 12 mg of tar per cigarette: 31.12.1997
  
- Greece will be granted a derogation consisting of the following limit values and dates:
  - 20 mg: 31.12.1992
  - 18 mg: 31.12.1998
  - 15 mg: 31.12.2000
  - 12 mg: 31.12.2006

Products existing on the above dates which do not comply with the Directive may still be marketed during the two years that follow those dates.

Europe against cancer

In the absence of the European Parliament's Opinion, the Council held a detailed discussion on the Commission proposal for the adoption of a 1990-1994 action plan in the context of the "Europe against Cancer" programme. There was found to be consensus on all points, in a common desire to ensure continuity with the 1989-1990 action plan.

The text provides for a series of measures on prevention (smoking, diet, alcohol), systematic screening and early diagnosis, cancer registration, training health workers, etc.

The Council will continue its discussions on this matter once it has received the European Parliament's Opinion.

Advertising of tobacco products in the press and by means of bills and posters

The Council held a policy debate on the proposal for a Directive on advertising of tobacco products in the press and by means of bills and posters.

At the close of the debate, the Council instructed the Permanent Representatives Committee to continue proceedings in the light of the discussions that had taken place, so that a decision could be taken as soon as possible.

FIGHT AGAINST AIDS

The Council and the Ministers for health agreed on a Resolution on the fight against AIDS.

This Resolution lays down:

- common principles for the fight against AIDS, the text of which is given below, and
- an action plan on basic operational research, research into and evaluation of socio-economic impact, international co-operation, monitoring of the epidemiological situation in the Community and the development of measures to combat AIDS.

COMMON PRINCIPLES FOR THE FIGHT AGAINST AIDS1. Prevention

1. In the fight against AIDS, top priority should, alongside research, continue to be given to prevention by means of health information and health education.
2. The information should be clear and full and stress the fact that HIV infection and the disease of AIDS in no way justify any reaction of fear or of discrimination.
3. health-information and health-education measures should deliver well-aimed messages: on the one hand, it remains indispensable that the general public and young people in particular be given repeated general information on prevention; on the other hand, local measures or measures targeted towards particular sections of the public must bring these messages home.

Special attention should be given to ways of reaching drug addicts and the socially rejected.

4. Prevention must include improved access to suitable individual counselling and to the available means of protection against the virus, such as condoms and safe injection material.
5. These measures should be thoroughly reviewed on a regular basis.

## II. Use of diagnostic tests

1. Suitable diagnostic tests must be widely available on a voluntary and confidential basis within the public health systems.

Where advisable, additional arrangements may be made to offer individuals the possibility of being tested anonymously, if possible, free of charge.

2. These tests form part of individual preventive measures, always accompanied by information and counselling provided by qualified persons.
3. On current evidence, these are grounds for the systematic and compulsory screening of individuals, i.e. screening without prior information or consent of the persons tested. Such a practice is particularly ineffective as a means of prevention.

4. To improve epidemiological data, in the context of longitudinal or prospective studies and for public health purposes, requires the use of appropriate strategies.
5. Progress in the medical use of substances of human origin (such as blood and its derivatives, organs, tissues and semen) must be actively continued.

Voluntary donation of such substances without remuneration, maintaining screening on the occasion of each donation of blood by means of suitable tests (testing of AIDS viruses), the development of a policy of informing donors in order to exclude risk donors and similarly stringent quality controls throughout the Community make an essential contribution to the safe use of such donations, and particularly to safe transfusion:

### III. The fight against discrimination

1. Any discrimination against persons with AIDS or HIV positive persons constitutes a violation of human rights and prejudices an effective prevention policy because of its effects of exclusion and ostracism.
2. The free movement of persons, goods and services in the Community and equal treatment as laid down in the Treaties are, and must continue to be guaranteed.
3. The greatest possible vigilance must therefore be exercised in order to combat any discrimination, particularly in recruitment, at the workplace, at school and as regards accommodation and sickness insurance.

4. In respect more particularly of accommodation and private insurance, solutions ought to be found which reconcile economic interests with the principle of non-discrimination.

IV. Medical and social care for HIV positive individuals and persons with AIDS

1. In order to enable persons affected to take full advantage of improvements in therapy and diagnosis, the fullest and earliest possible access to care should be made available.
2. In particular, persons who do not have social security cover, as is often the case with drug addicts or former drug addicts, require specific measures, where appropriate.
3. The dissemination of information on solutions which have proved successful in certain countries should be encouraged and backed up, especially at Community level.
4. Non-governmental organizations, whether their members be affected persons or persons concerned by the epidemic, play an essential role in the provision of psychological and social care for affected persons. This role must be encouraged and more widely recognized.

FIGHT AGAINST DRUGS

The Council and the Minutes adopted the following conclusions:

"CONCLUSIONS  
ON THE IMPLEMENTATION OF CO-ORDINATED MEASURES  
FOR PREVENTING DRUG ADDICTION  
AND COPING WITH DRUG ADDICTS

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THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE MINISTERS FOR HEALTH OF THE MEMBER STATES MEETING WITHIN THE COUNCIL,

Reiterate their profound concern at the spread of drug addiction throughout the Member States of the Community;

Confirm in this connection the importance of carrying out rapidly the work entrusted to the Commission at their meeting on 16 May 1989, especially as regards the setting up of a European network of health data on drug abuse;

Feel that the Community is in a position to make a significant contribution of its own to national and international activities in this field;

Consider that, particularly in the area of the prevention of drug addiction and coping with drug addicts, the speedy development of measures at all appropriate levels is essential; such measures should take account of the work of the Council of Europe, in particular the Pompidou Group, the WHO and UNESCO;

Note that there are areas or regions in the Community with sufficiently similar socio-economic and cultural characteristics to make possible exchanges of information or the implementation of co-ordinated action;

Ask the Commission, with the assistance of experts appointed by each Member State, in particular to:

- make an inventory of areas appropriate for experimenting with co-ordinated action;
- encourage the exchange of practical experience and promote the implementation of co-ordinated action between qualified persons and institutions, active in the prevention of drug addiction and coping with drug addicts (treatment, social and occupational reintegration), in accordance with the methods set out in the Annex hereto;
- co-operate with the Council of Europe, in particular the Pompidou Group and the WHO, to extend the scope of such initiatives;
- report on the results of this work, assessing the contribution made by the Community to the development of national policies in this area and, where appropriate, including proposals to improve activities in the field."

EUROPEAN EMERGENCY HEALTH CARD

The Council and the Ministers adopted the following conclusions:

"Conclusions

of the Council and the Ministers for Health,  
meeting within the Council,

concerning the European emergency health card

THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE MINISTERS FOR HEALTH OF THE  
MEMBER STATES, MEETING WITHIN THE COUNCIL,

Having regard to the Resolution of the Council and of the Representatives of the  
Governments of the Member States, meeting within the Council, of 29 May 1986  
concerning the adoption of a European emergency health card, and in particular  
Section III thereof (OJ No C 184, 23.7.1986),

Having regard to the Commission communication on the introduction of the European  
emergency health card,

Having regard to the conclusions of the Council and the Ministers for Health,  
meeting within the Council, on action to be taken on Council decisions  
(OJ No C 185, 22.7.1989),

Consider that the conditions in which this European emergency health card has been introduced have not allowed it to fulfil at European level its principal objective of improving individual emergency medical assistance abroad for citizens of one Community Member State travelling in another Member State;

Consider that the effectiveness of the European emergency health card depends amongst other things on its general use throughout the Member States;

Confirm the importance of the European emergency health card within the context of a People's Europe for facilitating free movement and believe it could usefully be supplemented by the introduction of a standard Europe-wide emergency call number;

Invite the Commission to re-examine, on the basis of experience to date, both the form and the content of the European emergency health card and to make proposals to the Council during the first half of 1990 making the card easier to use and defining a strategy for its general introduction. To that end the Commission will be assisted by a Working Party of representatives of the Member States;

Stress the interest of a decision on the introduction of a standard Europe-wide emergency call number."

FREE MOVEMENT OF BLOOD PRODUCTS

The Council held an exchange of views on the free movement of blood products.

In view of the importance of this matter, inter alia for the prevention of AIDS, the Council requested the Commission to submit its report on Community self-sufficiency in human blood and the encouragement of voluntary unpaid donations during the first half of 1990.

NUMBER OF PEOPLE WORKING IN THE HEALTH PROFESSIONS

The Council and the Ministers for Health held an exchange of views on the conclusions of the seminar on this subject organized by the Presidency on 11 October 1989, which was chiefly concerned with the upward trend in the number of doctors, and the shortage of nurses.

The Council requested the Commission to see that discussions were continued in the Committee of Senior Officials on Public Health at the Commission.

POLICY ON MEDICINAL PRODUCTS

The Council held an exchange of views on policy on medicinal products in the Community.

At the close of discussions, the President stated that without prejudice to existing fields of competence, or to delegations' respective positions on the substance of the issue the Health Council was unanimous in wishing to be kept regularly informed on this issue and to be able to keep a watch on how it developed.

WHO-EUROPEAN COMMUNITY CO-OPERATION

The Council held an exchange of views on the prospects for WHO-European Community co-operation.

The President found that there was a general desire to step up this co-operation, although without encroaching on each other's responsibilities.

PRESS RELEASE

9852/89 (Presse 208)

1364th Council meeting

- Industry -

Brussels, 14 November 1989

President: Mr Roger FAUROUX

Minister for Industry and Town  
and Country Planning  
of the French Republic

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

Belgium

Mr Philippe de SCHOUTHEETE  
de TERVARENT

Ambassador, Permanent  
Representative

Denmark

Mr Nils WILHJELM

Minister for Industry

Germany

Mr Jochen GRÜNHAGE

Deputy Permanent Representative

Greece

Mr C. ALEXOPOULOS

Secretary-General  
Ministry of Industry

Spain

Mr Claudio ARANZADI

Minister for Industry and Energy

France

Mr Roger FAUROUX

Minister for Industry and  
Town and Country Planning

Ireland

Mr John H.F. CAMPBELL

Ambassador, Permanent  
Representative

Italy

Mr Carlo FRANCANZANI

Minister for State Holdings

Mr Franco BONFERRONI

State Secretary for Industry

Luxembourg

Mr Joseph WEYLAND

Ambassador, Permanent  
RepresentativeNetherlands

Mr P.C. NIEMAN

Ambassador, Permanent  
RepresentativePortugal

Mr Luis ALVES MONTEIRO

State Secretary for Industry

United Kingdom

Mr Douglas HOGG

Minister of State, Department of  
Trade and Industry (Minister for  
Industry and Enterprise)Commission

Mr Martin BANGEMANN

Vice-President

Sir Leon BRITTAN

Vice-President

Mr Philippo Maria PANDOLFI

Vice-President

TEXTILE INDUSTRY

Following an introductory presentation by Mr BANGEMANN, Vice-President of the Commission, the Council held a policy debate on the industrial implications of the multilateral trade negotiations for the textile industry and on transparency in aid to that industry. Following the debate, the President drew the following conclusions:

1. The Commission is prepared to continue studying the industrial consequences of the trade negotiations. Given the short time remaining, it is asked to produce an initial paper by the end of January.
2. Several Member States are interested in considering the possible setting-up of a Textile Industry Observatory. A decision in this respect will be taken in the light of the results of a feasibility study.
3. A majority of delegations see the need for an increased textiles/clothing research and development effort within the future framework programme, eventually enabling the industry, including SMUs, to cope more effectively with international competition.
4. Member States are in favour of greater transparency in aid to the textile industry. The Commission is invited to draw up an account of the present state of overall aid in the Member States, if necessary having recourse to an outside body and in a manner ensuring confidentiality.

FOOTWEAR INDUSTRY

The Council held a policy debate following an introduction by Mr BANGEMANN, Vice-President of the Commission, analysing the situation in the Community footwear industry from the dual aspect of competition with third countries and the prospects arising from completion of the large market in 1993. Following that debate, the Presidency adopted the following conclusions:

1. The European footwear industry is confronted with a difficult situation due in particular to extremely stiff competition from certain countries likely to cause it serious damage. The Commission is requested to study such measures, including commercial measures, as may prove necessary and justified in order to enable the necessary adjustment to be made. The urgency of these measures was recognized.
2. This adjustment must relate to the improvement of the environment of this sector, in particular training and R&D, which must be developed, access to the markets of third countries and the protection of intellectual property.
3. The measures envisaged must take account of the high level of intra-Community trade, the importance of the footwear sector in certain regions and hence the role of the Structural Funds, and the objective of achieving the Single Market in 1992. Furthermore, any commercial measures should be situated at Community level and avoid any distortion of trade.

SHIPBUILDING

The Council held a policy debate on the situation in the shipbuilding industry. The debate was introduced by a statement by Mr BANGEMANN, Vice-President of the Commission, presenting a Commission report which reflected the situation in the industry at the beginning of 1989 and also taking stock of progress in the discussions with the United States, Japan and Korea within the framework of the OECD.

Following this debate, the President drew the following conclusions:

1. The Council heard the Commission's report on the state of the shipbuilding industry in the Community. It was noted that, while the volume of orders seemed to be improving, prices still remained insufficiently remunerative and Japan's share of orders had increased considerably during the first half of 1989.
2. The Council took note of the approach proposed by the Commission for discussions on shipbuilding within the OECD. It was stressed that a policy of restoring normal competition conditions must cover all forms of both direct and indirect support; Community policy was particularly transparent in this connection and international action could be undertaken only after an exhaustive catalogue of the various measures applying. It was also emphasized that, besides the USA, any discussion must include Japan and Korea. Lastly, attention was drawn to the connection between industrial structures and restoring competitive conditions.

ITALIAN PUBLIC STEEL SECTOR : FINSIDER

The Council held a further discussion on the request from the Commission for its assent to modifications to its Decision of 23 December 1988 concerning aid to the Italian public steel industry.

At the end of its discussion the Council reached the conclusions set out below. However, the German delegation has given its agreement ad referendum; the Netherlands delegation was not in a position to give its agreement at this stage.

"The Council gives its unanimous assent to the Commission's proposal of June 1989 on modifications to the Commission's Decision of 23 December 1988 on aid to the Italian public steel sector.

However, the Council agrees that the liquid phase in Bagnoli will be closed not later than 31 December 1990.

The Italian government confirms that it will make no further proposals for any extension in time.

The deadlines for payment of aid in the above Decision will be adapted in line with the new closure date for the liquid phase in Bagnoli."

The position of the Council will be formally defined in the light of the final position of the two abovementioned delegations to be given in the near future.

HIGH DEFINITION TELEVISION

The Council took note of a statement by Mr PANDOLFI, Vice-President of the Commission, reporting on progress in introducing HDTV and in particular on the timetable until 1995 when regular broadcasts in the European standard would begin. The Vice-President said that the Community action plan for this sector would be ready for early next year and that 1990 would consequently be a decisive year for the launching of this operation.

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MISCELLANEOUS DECISIONSAnti-dumping

The Council adopted Regulations:

- extending for a maximum period of two months the provisional anti-dumping duty on imports of certain compact disc players originating in Japan and South Korea;
- amending Regulation (EEC) No 2347/87 imposing a definitive anti-dumping duty on mechanical wrist-watches originating in the USSR (correction of an error).

Internal market

The Council adopted the Resolution on internal trade in the context of the internal market (see Press Release of the Internal Market Council on 10.X.89 - 9035/89 Presse 174).

Approximation of legislation

The Council adopted a Directive amending Directive 80/181/EEC on the approximation of the laws of the Member States relating to units of measurement (this amendment concerns the fixing by Member States of the dates until which certain units of measurement remain legal).

Good laboratory practice

The Council authorized the Commission to negotiate agreements between the European Economic Community and third countries concerning the mutual acceptance of data obtained during the non-clinical testing of chemicals in accordance with good laboratory practice for regulatory purposes.

# **COUNCIL OF THE EUROPEAN COMMUNITIES**

1365th meeting of the Council

- Budget -

Brussels, 14 November 1989

President: Mr. Charasse

Minister with special responsibility for the budget

The official press release was unavailable. A summary of the meeting has been reproduced from the Bulletin of the European Communities, No. 11-1989.

## 1365th meeting

2.7.16. Budget (Brussels, 14 November)

*President:* Mr Charasse, French Minister with special responsibility for the budget.

*Commission:* Mr Schmidhuber.

### Main item

Second reading of the draft general budget of the European Communities for 1990: positions adopted (→ point 2.5.1).

### Other business

Meeting with a European Parliament delegation.

## Budgets

### General budget

#### Budgetary procedure

2.5.1. At its meeting on 14 November the Council gave the draft general budget of the

European Communities for 1990 its second reading.<sup>1</sup> It adopted positions on all the proposed modifications and amendments made by Parliament during its first reading.<sup>2</sup> The broad breakdown of appropriations approved by the Council is as follows:

	<i>million ECU</i>	
	Commitments	Payments
EAGGF Guarantee	26 522.0	26 522.0
EAGGF Guidance/common fisheries policy	1 700.0	1 651.5
Set-aside and income aid	225.0	225.0
Depreciation of agricultural stocks	1 470.0	1 470.0
Monetary reserve	1 000.0	1 000.0
Regional Fund (ERDF)	5 408.0	4 704.5
Social Fund (ESF)	4 075.0	3 321.9
Pedip (Industrial development programme for Portugal)	118.7	108.0
IMPs (integrated Mediterranean programmes)	344.0	303.0
Research, energy, industry	1 686.0	1 390.9
Other policies	2 613.9	2 291.3
including: Food aid	502.6	501.3
Aid to non-associated developing countries	389.8	252.3
Administration: — Commission	1 493.7	1 493.7
— Other institutions	845.8	845.8
Refunds to Member States	872.4	872.4
	48 374.7	46 200.0

The Council agreed to increase aid to Poland and Hungary to ECU 300 million, the figure which Parliament wanted to see incorporated in the revision of the financial perspective scheduled for February 1990. Pending this revision, the Council confirmed the arrangements for the 1990 budgetary procedure as contained in letter of amendment No 1/90: an entry of ECU 200 million accompanied by a negative reserve of the same amount.<sup>3</sup>

<sup>1</sup> Bull. EC 7/8-1989, point 2.5.1.

<sup>2</sup> OJ C 304, 4.12.1989; Bull. EC 10-1989, point 2.5.3.

<sup>3</sup> Bull. EC 10-1989, point 2.5.1.

PRESS RELEASE

9939/89 (Presse 213)

1366th Council meeting  
- Agriculture -  
Brussels, 20 to 22 November 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 Jesus ARANGO                      Secretary-General responsible for  
Structures, Ministry of  
Agriculture

France

Mr Henri NALLET                      Minister for Agriculture

Ireland

Mr Michael O'KENNEDY                      Minister for Agriculture and Food



ADJUSTMENT OF THE AGRICULTURAL STRUCTURES POLICY

Following on from its decisions on the reform of the Structural Funds, the Council continued its deliberations on the proposals designed to adjust the various measures financed by the EAGGF, Guidance Section, so that they may have their full and specific effect of speeding up the adjustment of agricultural structures by means of horizontal measures applicable throughout the Community (Objective 5(a)).

At this meeting, the Council reached agreement on an overall compromise text which is reproduced below.

The Regulations will be definitively adopted at an early date once the texts have undergone finalization.

PRESIDENCY  
COMPROMISE PROPOSAL

concerning the draft Council Regulation (EEC) amending  
Regulations No 797/85, No 1096/88, No 1360/78, No 389/82  
and No 1696/71 with a view to speeding up  
the adjustment of agricultural production structures

The following amendments are proposed to the text of the Commission proposal:

**I - Specific amendments to each regulation**

**A. Regulation No 797/85 on improving the efficiency of agricultural structures**

**1. Physical improvement plans**

**1.1 Status of beneficiaries (Article 2.1)**

In addition to farmers who practice farming as their main occupation, Member States may also allow farmers who satisfy the following three conditions to qualify for physical improvement plans:

- . they must derive at least 50% of their income from farming, tourism, forestry or craft activities, or activities connected with the environment, carried out on their holdings;
- . they must derive at least 25% of their income from farming activities proper on the holding;
- . they must devote less than half their working time to off-farm activities.

1.1.a In the less-favoured regions of Spain, Greece, Portugal and for Italy in the Mezzogiorno and the islands the condition concerning simplified accounting will not be required of those entitled to Physical Improvement Plans (PIPs) until 31 December 1991.

**1.2 Eligible investment (Article 3.1)**

- (a) Eligible investment includes investment in "improving the hygiene conditions of livestock enterprises and compliance with Community animal welfare standards or, failing these, national standards until Community standards are adopted".
- (b) An explanatory statement from the Commission will define the scope of tourism and craft activities (see Annex, point 1).

**1.3 Investment aid restrictions in the beef and veal sector (Article 3.4a)**

Wording as in the Commission text, but ceiling raised to 3 LSU per hectare of total forage area (TFA) used for feeding beef cattle. This condition would be evaluated at the end of the plan.

However, until 31 December 1991, this limit of 3 LSU is not applied where proof is given that there is no increase in the production capacity foreseen. The Commission will examine this latter provision in the meantime and make a report to the Council.

**1.4 Maximum rate of investment aid (Article 4.2)**

Present rates laid down in Regulation No 797/85 maintained for all zones.

"In the case of Spain, Greece, Ireland, Italy and Portugal the maximum rate of aid shall be increased by 10% until 31 December 1991 for investment included in improvement plans submitted by that date".

**1a. National aid. Non-application of limitations or prohibitions (Article 8(5))**

"5. The prohibitions and limitations provided for in this Article shall not apply to:

... measures in respect of investments for the purpose of compliance with Community animal welfare standards, or national standards where these are stricter than Community standards, provided that these investments do not give rise to an increase in production".

**2. Aid to young farmers****(a) setting-up aid (Article 7)**

- definition by Member States of the conditions under which it will be ascertained that a volume of work equivalent to at least one MWU will be achieved within a maximum period of 2 years after setting up;

- application of equivalent conditions for farmers who are members of associations and farmers working individually.

(b) additional investment aid (Article 7a)

- maintenance of the conditions currently in force (no special conditions in respect of volume of work).

3. National aid outside PIPS (Article 8)

Return to the current text of Regulation No 797/85 (maintenance of the 25% reduction in the rate of aid where there is a national financing system, except for investments of less than ECU 25 000).

4. Launching aid to groups (Article 10)

Maintenance of the Commission text with the amendments accepted by the Commission in the Working Party.

5. Compensatory allowances for natural handicaps (Articles 13 to 15 and 32)

(a) ceilings (Article 15)

The limit per hectare of total forage area (TFA) on the holding is raised to 1,4 LSU, while the total amount of the allowance may not exceed ECU 101 per ha of TFA.

"The maximum amount eligible under the Fund shall be limited to the equivalent of 120 units per holding, whether livestock units (LSU) or area units (ha); moreover, beyond the equivalent of the first 60 units, the maximum amount eligible per LSU or ha shall be reduced to half the maximum amount of the allowance referred to in paragraph 1."

(b) special conditions connected with the environment (Article 15)

The level of the allowance can be modulated to meet special requirements connected with the environment without it being possible to claim any increases in addition to aid under Article 19.

(c) study on taking into account new species

A study of the conditions under which it might be possible to consider taking into account new species, in particular cervidae, will be carried out by the Commission, which will report to the Council by 1 July 1990 (statement to this effect: see Annex, point 2).

**(d) date of entry into effect (Article 32)**

The date of compulsory introduction of these measures is deferred until 1 January 1991.

**5a. Collective investment: Article 17 to be amended as follows:**

- In the less-favoured regions where stock-farming is a marginal activity, the measures provided for in Article 17 of Regulation (EEC) No 797/85 shall be extended to agricultural activities other than stock-farming.

**6. Aid in environmentally sensitive areas (Article 19)**

The Commission will report to the Council by 1 July 1990 on possible ways of improving the arrangements, in particular with respect to the problems raised by the maintenance of the countryside and protection against natural risks in sensitive areas (statement to this effect: see Annex, point 3).

**7. Vocational training (Articles 1 and 21)**

To the extent that vocational training under Regulation No 797 is not financed within the context of the ESF, the costs of such training will continue to be paid for the beneficiaries of the aid provided for in Article 1(b) and Articles 2 to 12 of the Regulation and for young farmers fulfilling the condition referred to in the first paragraph of Article 7, as well as in respect of the implementation of the corresponding measures (physical improvement plans, setting-up aid, management aid, aid for accounting or for the launching of groups and services, schemes aimed at encouraging extensification of production).

**8. Monitoring (Article 31a)**

Maintenance of the Commission text with the amendments proposed by the Commission.

**B. REGULATION No 1096/88 (early retirement)**

Adoption of a statement guaranteeing the possibility for Member States to continue to apply the aid systems implemented before the present review (see Annex, point 4).

**II. AMENDMENTS COMMON TO REGULATIONS Nos 797/85, 1096/88,  
1360/78, 389/82 and 1696/71**

**A. Rates of Community co-financing**

1. For regions not covered by Objective 1, the rates are fixed by the Commission (see attached statement).

Before 31 December 1992 the Commission will submit to the Council a report accompanied by proposals on the fixing of these rates for subsequent years.

For regions covered by Objective 1, the Commission will, after consulting the STAR Committee, set the rates of Community financing applicable to the various measures, in accordance with the criteria and limits laid down in Article 13 of Regulation (EEC) No 2052/88. The first rates will be fixed within a period of one month of adoption of the Regulation; on request from any Member State concerned, it will be possible to apply them to expenditure incurred since 1 January 1989.

Commission statement contained in the Council's minutes on the rules amending Regulations Nos 797/85, 1096/88, 1360/78, 389/82 and 1696/71 with regard to rates of Community co-financing in regions other than those covered by Objective 1:

"The Commission undertakes to determine the rates of co-financing for the various measures in accordance with the criteria and limits set out in Article 13 of Regulation No 2052/88 using the procedure laid down in Article 29 of Regulation No 4253/88 so that the new rates of co-financing are not lower than the current rates."

**B. Requests for reimbursement by the Member States**

The date for submission of requests is set at 1 June.

**PRESIDENCY  
COMPROMISE PROPOSAL**

concerning the draft Council Regulation (EEC)  
on the improvement of the processing and marketing  
of agricultural and forestry products

1. Selection criteria (Article 8)

The selection criteria and, where appropriate, amendments to them will be adopted by the Commission under the procedure laid down in Article 29 of Regulation No 4253/88 (consultation of the STAR Committee).

2. Provisions concerning forestry products

The instrument will be split up into two formally separate acts:

- one covering action with regard to agricultural products, pursuant to Articles 42 and 43 of the Treaty;
- the other covering action on forestry products, pursuant to Articles 42, 43 and 235 of the Treaty.

### 3. Statement

Adoption of a statement re Article 16:

"The Commission, while stressing the spirit of the reform of the Structural Funds and particularly the principle that the distribution of available budgetary resources should be according to the real needs and intrinsic merits of the various plans and operational programmes presented by the Member States, will consider the justified needs of all the regions of the Community - including those of regions outside Objectives 1 and 5(b).

Therefore, within the limits of its authority, the Commission will ensure a balance of the budgetary allocations for horizontal measures in order not to reduce the financial outlay for regions outside Objectives 1 and 5(b) as against the current situation."

## ANNEX

## Statements

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REGULATION 797/851. re Article 2 - Statement by the Commission

The Commission regards the tourism and craft activities referred to in Article 2(1)(a) and Article 3(1) as small-scale farm activities, the main purpose of which is to offer alternative jobs to farm workers.

As a guide, tourism activities may involve receiving tourists on the farm; this may include the provision of accommodation and meals and the organization of recreational, sporting or cultural activities based on the farm; craft activities may involve manufacturing - from raw materials produced on the farm or traditionally used in the region - and selling food products, domestic and artistic items, and minor maintenance work on and repair to agricultural equipment and appliances.

2. re Article 15 - Statement by the Council and the Commission

With the help of the Member States, the Commission will carry out an in-depth study of the conditions under which it might be possible to consider taking into account animal species, in particular cervidae, not covered by the present provisions of the compensatory allowance arrangements for natural handicaps.

Before 1 July 1990, the Commission will report to the Council on the conclusions of its study, and, if necessary, submit appropriate proposals arising therefrom.

3. re Article 19 - Statement by the Council and the Commission

In accordance with the provisions referred to in Article 6 of Regulation No 1760/87, the Commission will draw up a report on the application of the aid arrangements in environmentally sensitive areas.

On the basis of this report, the Commission will examine how the instrument in question might be improved, in order particularly to take into account all the difficulties resulting from the development of agriculture in environmentally sensitive areas, in particular as regards the problems of safeguarding the countryside and protecting against natural risks.

The commission's report, accompanied, if appropriate, by relevant proposals, will be submitted to the Council before 1 July 1990.

## REGULATION No 1096/88

4. re Article 4 - Statement by the Commission

The Commission considers that national measures to encourage the cessation of agricultural activity with a view to the enlargement of agricultural holdings are justified throughout the Community. However, in the context of the reform of the Structural Funds, only those which are applied in the areas designated under Objectives 1 and 5(b) and which have been approved in a Community Support Framework can be subject to Community co-financing.

The Commission is of the opinion that the national schemes which have already been approved in accordance with Regulation No 1096/88 will be unaffected by this change.

COUNCIL STATEMENTYoung farmers:

On the occasion of the reform of the agricultural structures policy, the Council confirms its commitment to the introduction of measures to encourage training and exchanges of farmers within the Community. It particularly wants the rapid implementation of the programme of exchanges of young farmers proposed by the CEJA.

OPERATION OF THE MILK QUOTA SYSTEM

Pending receipt of the Opinion of the European Parliament the Council continued its deliberations on the Commission proposals for resolving a number of specific problems arising in the operation of the milk quota system.

At the close of its deliberations, and on the basis of a suggestion by the Presidency, the Council took a positive view of the broad outlines of a solution involving in particular:

- a 1% increase in the Community reserve with effect from 1 April 1989,
  - detailed arrangements for distributing the increase in the reserve in such a way as to permit Member States to take account of their specific situations,
- on the understanding that measures to ensure budgetary status quo form part of this solution.

The Council will take a final decision on the proposals for Regulations upon receipt of the Opinion of the European Parliament.

COMMON ORGANIZATION OF THE MARKET IN CEREALS

Pending receipt of the Opinion of the European Parliament, the Council held a policy debate on the Commission proposal for simplifying the current system of the additional co-responsibility levy.

At the close of its debate, the Council considered a solution based on a suggestion by the Greek delegation obviating in particular the administrative and accounting difficulties which, with the current system, arose in cases where the additional co-responsibility levy had to be refunded in whole or in part.

The Council will take a final decision on the Commission proposal upon receipt of the Opinion of the European Parliament.

#### CEREALS - "DE MINIMIS" RULE

After noting with satisfaction that the European Parliament intended to deliver an Opinion on the "de minimis" cereals proposal during its current part-session, the Council examined the Commission proposal, the aim of which is to create a legal basis for waiving the additional co-responsibility levy where the overrun in the maximum guaranteed quantity was minimal.

At the close of its proceedings, the Council arrived at a general line in favour of a solution waiving the additional co-responsibility levy for the 1989/1990 marketing year. The Council will take a final decision on the proposal for a Regulation upon receipt of the European Parliament's Opinion.

#### MONITORING OF THE PAYMENT OF THE AMOUNTS GRANTED ON EXPORT OF AGRICULTURAL PRODUCTS

The Council examined this proposal, the purpose of which is to lay down arrangements for monitoring exports of agricultural products which give rise to payment of a refund or other sums linked to export operations.

The Council paid particular attention to the essential questions as yet unresolved, specifically:

- the 5% minimum percentage of checks per customs office and per sector
- whether checks carried out beforehand and within countries would be counted
- the requirement for laboratory analysis of certain products
- the requirement for annual control programmes
- the financial consequences where accounts are cleared following a failure to comply with the Regulation.

Following its deliberations, the Council laid down guidelines for further discussions but stressed the political urgency of reaching an agreement swiftly. The Council instructed the Special Committee on Agriculture to continue examining this matter and to report back as soon as possible.

#### VETERINARY CHECKS IN INTRA-COMMUNITY TRADE

The Council once again examined the proposal on veterinary checks in intra-Community trade with a view to the completion of the internal market. These proceedings provided an opportunity for taking stock of progress to date on this important matter and for clarifying positions on the essential features of the arrangements to be laid down.

The Council asked the Permanent Representatives Committee to continue its proceedings in conjunction with the Commission departments with a view to outlining an agreement on which the Council could take a decision.

MUTUAL ASSISTANCE

The Council adopted the Directive laying down the terms on which the competent authorities responsible in the Member States for checks on veterinary and zootechnical legislation are to work with each other and with the relevant Commission departments in order to ensure that this legislation is complied with.

This mainly involves preventing and detecting infringements of existing rules and detecting any activities which are or appear to be in breach of such rules.

It has become necessary to intensify this co-operation given the projected abolition of veterinary controls at frontiers with a view to the completion of the internal market for products subject to such checks.

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MISCELLANEOUS DECISIONOther decisions in the area of the common agricultural policy

The Council adopted the Regulations:

- setting for the 1989/1990 marketing year the percentages mentioned in Article 3(1a) of Regulation (EEC) No 426/86 in connection with aid for products processed from tomatoes.

This involves setting the "significant specific percentage" for the total quantity of processed tomatoes covered by contracts concluded with producer groups in order to permit payment of an additional processing premium;

- fixing the basic and buying-in prices for certain fruit and vegetables to be applied in Spain from 1 January 1990 (beginning of the 2nd stage of the transitional period) until the end of the 1989/1990 marketing year.

The level of prices is as fixed by the Spanish authorities for the start of the 1989/1990 marketing year.

The Council also adopted the Decisions:

- amending Decision 88/390/EEC on special support from the development of agricultural statistics in Ireland.

This amendment involves a one-year extension (from 1990 to 1991) of the programme for organizing a new system of surveys in Ireland.

- amending for the second time Decision 81/518/EEC on the restructuring of the system of agricultural surveys in Italy.

This amendment involves a further two-year extension (1990 to 1992) of the restructuring plan.

Specific R&D programmes: Raw materials and recycling 1990-1992 - Environment: STEP and EPOCH 1989-1992

Following on from adoption of its common positions on 20 June 1989 and from the procedure for co-operation with the European Parliament, the Council formally adopted the Decisions on:

- a specific research and technological development programme of the European Economic Community in the fields of raw materials and recycling (1990-1992)
- two specific research and technological development programmes in the field of the environment: STEP and EPOCH (1989-1992),

the content of which was briefly described in Press Release 7427/89 Presse 118 (pp. 8 to 16).

Relations with the Mediterranean countries

The Council adopted the Regulations:

- establishing ceilings and Community surveillance for imports of certain textile products originating in Malta (1990);

- opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community surveillance for imports thereof (1990);
- opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Yugoslavia (1990);
- establishing ceilings and Community surveillance for imports of certain industrial products originating in Yugoslavia (1990).

The Council also adopted the ECSC Decision establishing ceilings and Community supervision for imports of certain iron and steel products falling within the ECSC Treaty and originating in Yugoslavia (1990).

#### Appointment

The Council replaced an alternate member of the Advisory Committee on Vocational Training.

PRESS RELEASE

9940/89 (Presse 214)

1367th Council meeting  
- Development Co-operation -  
Brussels, 21 November 1989

President: Mr Jacques PELLETIER  
Minister for Co-operation  
and Development of the French Republic

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

Belgium:

Mr André GEENS Minister for Development Co-operation

Denmark:

Mr Bent HAAKONSEN State Secretary,  
Ministry of Foreign Affairs

Germany:

Mr Hans-Peter REPNIK Parliamentary State Secretary,  
Federal Ministry of Economic Co-operation

Greece:

Mr Constantinos LYBEROPOULOS Ambassador,  
Permanent Representative

Spain:

Mr Carlos WESTENDORP Ambassador,  
Permanent Representative

France:

Mr Jacques PELLETIER Minister for Development Co-operation  
Mr Thierry DE BEAUCE State Secretary, Ministry for Foreign  
Affairs

Ireland:

Mr Sean CALLEARY Minister of State at the Department of  
Foreign Affairs with special  
responsibility for Overseas Aid

Italy:

Mr Pietro CALAMIA

Ambassador  
Permanent RepresentativeLuxembourg:

Mr Georges WOHLFART

State Secretary, Ministry of Foreign  
Affairs and Co-operationNetherlands:

Mr Jan PRONK

Minister for Development Co-operation

Portugal:

Mr Carlos SIMOES COELHO

Ambassador,  
Permanent RepresentativeUnited Kingdom:

Mrs Lynda CHALKER

Minister for Overseas Development

Commission:

Mr Manuel MARIN

Vice-President

The Council paid tribute to Lorenzo NATALI, former Vice-President of the Commission, who died on 29 August. Mr NATALI was responsible for development policy within the Commission from 1985 to 1988.

**CO-OPERATION WITH THE DEVELOPING COUNTRIES OF LATIN AMERICA AND ASIA****Review and evaluation for the period 1976-1988**

**The Council approved the following conclusions:**

- "1. The Council, in accordance with its conclusions of 16 May 1989, has examined the Commission report reviewing Community co-operation with the developing countries of Latin America and Asia from 1976 to 1988, supplemented by a document assessing financial and technical co-operation.
2. Following this examination the Council is able to share the viewpoint of the Commission that the review is on the whole positive.
3. The Council notes with satisfaction that the Commission, in response to the request put to it in the Council conclusions of 16 May 1989, intends before the end of the year to forward a communication in the light of this examination containing its overall reflections in the future development of all forms of Community aid and co-operation with the developing countries of Latin America and Asia. That communication, with the two documents referred to in the first paragraph as background, will enable the Council to arrive at appropriate guidelines for Community co-operation with those countries in the 1990s.

4. In the light of the abovementioned review and evaluation, the Council considers that special attention should be paid in this overall reflective exercise to the following in particular:

- matching of the objectives and forms of co-operation with the situation and economic development of the various developing countries in Latin America and Asia, but with continued efforts to assist the neediest sections of the population and the poorest developing countries;
- better integration of all Community co-operation instruments, particularly the food-aid instruments;
- strengthened co-ordination of Community aid with aid from the Member States, particularly by developing Community/Member State co-financing, and strengthened co-ordination with other aid donors;
- a higher profile for Community aid which takes account of its specific nature;
- advisability of setting some aid in a medium-term perspective in order to promote dialogue with the authorities of the countries concerned and improve the preparation, implementation and adaptation of projects, with appropriate provisions being laid down for this purpose;
- support for national institutions in the developing countries to boost their capacity to manage development policies and projects;
- increased acknowledgement of environmental considerations in Community development aid;

- importance of the role of women in development and its place in Community projects;
- support for regional integration measures in all sectors where Community support has a positive contribution to make;
- importance of regular evaluation of Community co-operation and incorporation of its findings in programmes."

General guidelines for 1990 for financial and technical assistance to Latin American and Asian developing countries

The Council took note of a progress report from the Permanent Representatives Committee on this item and instructed the Permanent Representatives Committee to continue examining the Commission proposal, once the Opinion of the European Parliament was to hand, with a view to a final Council decision as soon as possible.

COMBATING AIDS IN THE DEVELOPING COUNTRIES

The Council discussed the implementation of the programme to combat AIDS in the developing countries, approved in May 1987.

At the close of its discussion it adopted the following conclusions:

1. The Council received with interest the Commission's report on implementation of the programme approved at the Council meeting on 21 May 1987.
2. In the light of that report the Council noted that the phenomenon remained particularly serious, despite the efforts made, and that the alarming spread of the disease justified long-term measures in this field.
3. Noting that all the measures which could be implemented on the basis of the programme adopted in 1987 would soon have been initiated, the Council stressed the need to continue efforts to support the measures taken by the developing countries to combat AIDS and asked the Commission to take steps to that end using the quickest procedures available.
4. With this in mind, the Council stressed:
  - the need to act in conjunction with the States concerned, taking account of the regional dimension of the problem;
  - the importance of involving the population and public and private bodies operating locally;

- the advisability of continuing and stepping up existing co-ordination with the WHO in its special programme on AIDS and with Member States in the context of their research and health programmes. In this context, special attention would also be given to programmes for combating sexually transmitted diseases;
- the value of collaborating with the WHO in monitoring the pandemic and evaluating measures taken;
- the priority which should continue to be given to prevention and information."

In this connection, the Council paid tribute to Mrs BARALDINI, in charge of the programme to combat AIDS, who died recently in the UTA air disaster in Africa while on active duty.

DEVELOPMENT AND ENVIRONMENTCountering desertification

The Council discussed the implementation of the programme to counter desertification, launched in 1986.

At the close of the discussion it adopted the following conclusions:

"The Council recalled the Resolution it adopted on this subject in April 1986 and took note of a Commission report on the action undertaken in this field since then.

It was particularly pleased to see that the number of Community-financed projects to counter desertification had increased greatly and that, overall, a sum in the region of one thousand million ecus had been invested either directly or indirectly in Africa to this end over the past three years.

It noted with interest that the variety of measures taken had enabled a broader strategic approach to desertification to be adopted, aimed at safeguarding balances as a whole and at tying the measures concerned in closely with development problems. The Council emphasized the advantages of projects to combat desertification by a global approach the aim of which is also to increase income, improve resource management and monitor migratory movements.

Despite an improvement due to higher rainfall in some regions over the past two years, the Council observed that desertification remained a worrying problem warranting further long-term efforts by the Community and its Member States.

The Council therefore stressed the importance of the Community and the Member States continuing to support efforts in this area by the developing countries and particularly by the ACP. This support should take the form in general of paying systematic attention to the problem of desertification when drawing up development projects and more specifically of implementing projects aimed directly at countering desertification.

In this context, the Council stressed the need to create in the partner countries the general conditions enabling an appreciable improvement in the management of natural resources to be achieved; these would in particular involve:

- stepping up co-ordination efforts so that projects were carried out through a global approach in which socio-economic development went hand in hand with respect for the environment;
- helping people in the rural areas concerned to take a greater part in cultivating village lands in a way that took the natural factors of production into account;
- helping to increase national means of ensuring that projects were suitable with regard to natural resources and the environment.

The Council pointed out that its Resolution of 1986 highlighted the importance of co-ordination, in particular to ensure sufficient concentration of aid, and stressed the need for more progress in this area. In this connection the Council restated the importance which it attached to regular meetings between those responsible in this field in the Member States and the Commission.

The Council pointed out that it would be desirable, in due course, to make an assessment of the measures taken by the Commission and the Member States to combat desertification. The assessment should concentrate in particular on the question of the involvement of the population concerned and should provide information on experience with the global approach and the general conditions for improving resource management."

Other aspects of Development and Environment, including the management and conservation of tropical forests

- Council Resolution:

"The Council held a detailed discussion on the subject of development co-operation and the environment.

It noted the developing countries' growing concern for the environment.

It also noted that the degradation of the environment in the developing countries was indissolubly linked to the problem of poverty.

The Council acknowledged the need for rapid action to meet the developing countries' legitimate desire for economic growth in a protected and properly managed environment.

The Council recalled the statement by the Presidency on behalf of the Community before the United Nations: the Community was ready to join internationally co-ordinated efforts to combat global threats to the environment. In this

context it was necessary to support developing countries by promoting specific technologies and by way of additional financial aid in order to assist them in coping with the new burden. Existing instruments of co-operation should be fully utilized to this end. Furthermore, consideration was required as to how these instruments or new mechanisms could be applied effectively and flexibly so as to contribute to the implementation of emergency programmes such as the Tropical Forest Action Plan or to involve developing countries in the realization of the aims and objectives of the Montreal Protocol.

The Council considered that it was essential to:

- draw up guidelines enabling environmental problems to be better incorporated into development co-operation;
- devote appropriate means to this task.

The Council invited the Commission and the Member States to continue discussions on these two topics and to draw up specific proposals making Community policy on the matter more operational for its next meeting in May 1990, in the framework of the Working Party on Development Co-operation, calling on expert help if necessary. It also instructed COREPER to examine the Commission's communication on the conservation of tropical forests from the development policy angle and to report back on this point.

In the context of this work, special attention should be given to examining the following topics in particular:

- knowledge of the current situation as regards the environment and natural resources in the developing countries;
- relations between development economics and the environment and their financial implications, including their effect on debt, particularly in the context of structural adjustment;
- co-ordination of the projects of the Community and of the Member States and co-ordination of their positions in international fora;
- the strengthening of procedures and expertise within the Commission for the purpose of promoting the systematic integration of environmental aspects at all stages of development projects;
- the strengthening of governmental and non-governmental organizations dealing with the environment in the developing countries;
- Community support for action by the developing countries in international fora;
- priority action areas (forest planning, desertification, countering erosion, urban planning, water purification, etc.)."

**FOOD-AID GUIDELINES**

The Council began to consider the guidelines to be adopted, in the light of developments since the adoption three years ago of the framework Regulation on food-aid policy and food-aid management, with a view to making food aid as effective an instrument as possible at the service of recipients and their development.

The Council concluded the discussion by adopting the following Resolution:

"The Council recalls that the framework Regulation on food-aid policy and food-aid management adopted in December 1986 and implemented swiftly and efficiently by the Commission placed emphasis on the contribution which food aid should make to the balanced economic and social development of recipients.

The Council reiterates and emphasizes that food aid should be incorporated in the Community's overall development policy, while taking account of the development efforts of the recipient countries. Consideration should therefore be given in each case to which instrument can most effectively meet the needs of recipients, while bearing in mind the specific objectives and characteristics of food aid, directed in particular towards raising the standard of nutrition of the population and promoting food security.

The Council also reiterates the principles applicable to food-aid policy in the Resolution which it adopted on 23 November 1988 on food security in sub-Saharan Africa, and makes reference to the discussions presently taking place on a broader definition of food security.

It considers that account should be taken of certain changes that have occurred over the last few years which are aggravating the economic difficulties of many developing countries (increase in the prices of imported foodstuffs and balance of payments deficit).

Following a debate based in particular on an excellent discussion paper submitted by the Commission, the Council wishes to define a number of guidelines which should underlie the Community's food-aid policy.

#### 1. Analysis of requirements

Apart from emergency situations, which must be given top priority, the choice of food aid as a development aid instrument should be based on a careful examination of the actual requirements of the recipient and the most appropriate ways in which these can be met. Non-emergency food aid should normally be provided only when there is a food import requirement and where its provision will improve food security or meet the needs of a vulnerable group.

#### 2. Food aid in the framework of development

The Council reiterates the importance of better integration of food aid with other forms of development assistance at the planning, programming and implementation stages. It invites the Commission and Member States to continue discussions aimed at producing specific proposals to that end.

### 3. Evaluation

To ensure the satisfactory programming of food aid, the Council wishes to stress the importance of two types of evaluation, viz.:

- an ex ante evaluation which takes account as far as possible of the needs of vulnerable groups, the activities of other food-aid donors and the impact of the aid proposed on local production and markets as well as the criteria set out in Article 2(4) of Council Regulation No 3972/86 on food-aid policy and management;
- an ex post evaluation covering individual measures and an assessment of the annual programme as a whole. The Council invites the Commission and the Member States to introduce an appropriate procedure for that purpose, in order to provide the Community with a document evaluating the operation of the previous programme.

### 4. Products

The Council calls upon the Commission always to allocate the products best suited to local conditions, allowing for their cost/efficiency ratio, and to that end to exercise total flexibility within the range of products to be supplied.

### 5. Multiannual programmes

In order, in particular, to cope with structural deficits, the Community may carry out multiannual programming of food-aid operations.

However, such operations must meet specific criteria and conditions which the Commission and the Member States will have to establish in time for the next meeting of the Development Council.

The Council also recommends that each multiannual programme be subject to a detailed mid-term review with the possibility of altering its initial guidelines.

#### 6. Food aid and structural adjustment

The grant of food aid will not be conditional on implementation of a structural adjustment programme.

In the Resolution which it adopted on 31 May 1988 the Council laid emphasis on the integration of social aspects into structural adjustment programmes and on co-ordinated and flexible use in such programmes of development instruments, including food aid.

Therefore, when a country has embarked on a process of economic adjustment, food aid can be integrated into that process by the use of counterpart funds generated by the sale of the products supplied, or by free or subsidized distribution targeted to vulnerable groups or groups affected by the adjustment measures.

#### 7. Free distribution to vulnerable groups

Where the evaluation procedure makes it possible to identify vulnerable groups, free distribution operations are desirable.

However, such operations should be limited so that they do not disrupt local production or markets, or increase rural depopulation.

#### 8. The role of NGOs and international organizations

The Council considers that international bodies and NGOs can contribute to ex ante evaluation, distribution and monitoring of food aid measures through their detailed local knowledge and experience in a particular recipient country and it invites the Commission to consider ways of enhancing their role in these activities.

#### 9. Triangular operations and local procurement

The Council reiterates the advantages of increased use, wherever desirable and possible, of operations involving product procurement in the developing countries, in particular to underpin food security at regional level.

The Council notes, however, that there are certain impediments to the implementation of such operations, notably the inadequacy of rural infrastructures. It therefore recommends that particular attention be paid to this aspect in the use of other development instruments.

#### 10. Counterpart funds

The first priority in use of counterpart funds must be to benefit rural development; however, where structural adjustment programmes exist, food aid may also be used to back up measures to attenuate the social consequences of such adjustment.

## 11. Co-ordination

The Council emphasizes the need for the Community and its Member States to co-ordinate their action more closely, in the framework of the existing bodies and in the field.

It calls upon the Commission to take every step, in the appropriate bodies, to strengthen co-ordination between donors and recipients with a view to the concerted programming of food-aid consignments.

In this connection the Council is interested to note that a food-aid charter is being drawn up for the Sahel countries, in an attempt to improve the co-ordination of the action of donors and recipients.

## 12. Budget

Aware of the difficulties to which developments in the cost of foodstuffs can give rise as regards the proper progress of food-aid programming, the Council is anxious to see a satisfactory solution found to the problem of financing food aid in accordance with the provisions of Council Regulation (EEC) No 3972/86 on food-aid policy and food-aid management."

RENEWAL OF THE ACP-EEC CONVENTION - PROGRESS OF THE NEGOTIATIONS

The Council took note of an oral report from Vice-President MARIN on the latest progress in these negotiations, particularly in the light of the informal discussions between the Commission and the ACP States over the last two weeks following the 4th negotiating session in Luxembourg.

ASPECTS RELATING TO THE DEVELOPMENT OF THE MULTILATERAL TRADE NEGOTIATIONS  
(URUGUAY ROUND)

The Council took note of a report on this subject from Vice-President MARIN.

EUROPEAN VOLUNTEERS PROGRAMME FOR DEVELOPMENT

The French and German delegations informed the Council of the outcome of the evaluation of the pilot stage of the European Volunteers Programme for Development and its continuing extension both north and southwards. They asked the other Member States to attend the seminar to be held in Berlin on 18 and 19 January 1990 on the presentation and discussion of the Programme and its future prospects.

INTERNATIONAL FOUNDATION FOR RESEARCH IN AFRICA

The French delegation proposed a European initiative to set up an International Foundation for Research in Africa. The aim is to help African countries to control scientific research as a vital instrument in their development by ensuring funding for African research and African research workers, with the emphasis on the regional factor, and by supporting a scientific arrangement on a polar basis such as to foster North/South partnership.

The Permanent Representatives Committee was instructed to examine this question.

MISCELLANEOUS DECISIONSAnti-dumping

The Council adopted the Regulation repealing the anti-dumping duty imposed by Regulation (EEC) No 3042/89 on certain serial-impact dot-matrix printers assembled in the Community (NEC Technologies (UK) Ltd. and Star Micronics Manufacturing Ltd. (UK)).

Mediterranean policy

The Council adopted a Regulation laying down the method of decision for:

- the possible fixing of a special frontier price for certain wines originating in Algeria, Morocco, Tunisia, Cyprus and Yugoslavia;
- the possible modulation of entry prices for certain fruit and vegetables originating in various Mediterranean countries.

The purpose of the Regulation is to implement certain provisions laid down in the Additional Protocols concluded with the Mediterranean partner countries consequent upon the accession of Spain and Portugal.

Non-ferrous metal waste and scrap

The Council adopted the Regulation amending Regulation (EEC) No 4249/88 of 21 December 1988 fixing the following Community export quotas for 1989:

- ash and residues of copper and copper alloys  
(28 500 tonnes)
- waste and scrap of copper and copper alloys  
(47 430 tonnes)

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

10023/89 (Presse 218)

1368th Council meeting  
- INTERNAL MARKET -  
Brussels, 23 and 24 November 1989

President: Mrs Edith CRESSON

Minister for European Affairs  
of the French Republic

10023/89 (Presse 218 - G)

lby/LG/bf

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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 Haris CARABARBOUNIS  
Deputy Permanent Representative

Spain:

Mr Pedro SOLBES  
State Secretary for Relations with  
the European Communities

France:

Mrs Edith CRESSON  
Minister for European Affairs

Mrs Véronique NEIERTZ  
State Secretary for Consumer  
Affairs

Ireland:

Mr Desmond O'MALLEY  
Minister for Industry and Commerce

Italy:

Mr Pierluigi ROMITA

Minister for Community Policies

Mr Adolfo BATTAGLIA

Minister for Industry

Mr Paolo BABBINI

State Secretary for Industry, Trade  
and Craft TradesLuxembourg:

Mr Georges WOHLFART

State Secretary for Foreign Affairs

Netherlands:

Mr Piet DANKERT

State Secretary for Foreign Affairs

Portugal:

Mr Vitor MARTINS

State Secretary for European  
IntegrationUnited Kingdom:

Mr Nicholas RIDLEY

Secretary of State for Trade and  
Industry

Mr John REDWOOD

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

Mr Martin BANGEMANN

Vice-President

Sir Leon BRITTAN

Vice-President

Mrs Christine SCRIVENER

Member

CONTROL OF CONCENTRATIONS BETWEEN UNDERTAKINGS

On the basis of the approach emerging from its meeting on 10 October, the Council arrived at a broad consensus on the key points to make up a compromise package on the proposal for a Regulation on the control of concentrations between undertakings.

On that basis, subject to final checking, a majority of delegations were able to commit themselves to adopt the Regulation at the next Internal Market Council meeting, on 21 December.

The Council instructed the Permanent Representatives Committee to have the compromise text finalized as a matter of urgency so as to enable the Council to reach final agreement at its next meeting.

RIGHT OF RESIDENCE

The Council discussed guidelines which should make it possible to resolve some of the problems arising from the Directives on the right of residence.

The Council instructed the Permanent Representatives Committee to continue examining the matter in the light of this discussion.

COMMUNITY TRANSIT= ABOLITION OF THE TRANSIT ADVICE NOTE

The Council adopted a common position on the proposal for a Regulation concerning the abolition of the advice note in Community transit.

The Regulation comes under the approach set out in the Commission communication of June 1989 to the Council and the European Parliament on the completion of the internal market, aimed at the introduction of a transitional phase together with measures to simplify controls, with a view to the abolition of all formalities in connection with intra-Community trade and in particular the removal of fiscal frontiers.

The Regulation is due to come into force on 1 July 1990.

ELIMINATION OF FRONTIER CONTROLS IN THE FIELD OF ROAD AND INLAND WATERWAY  
TRANSPORT

The Council agreed to the Regulation on the elimination of frontier controls in the field of road and inland waterway transport.

The Regulation forms part of efforts to ensure transition to a frontier-free Europe as smoothly as possible for both administrative authorities and business.

The Regulation does not cover all controls, nor does it provide for their abolition. It is designed above all to ensure that intra-Community road traffic can flow more freely.

The Regulation stipulates that the controls listed in the Annex to it, performed under Community law or national law in road or inland waterway transport between Member States, are no longer to be carried out as frontier controls but merely as part of the normal controls applied throughout a Member State's territory.

TAX EXEMPTIONS FOR CERTAIN MEANS OF TRANSPORT TEMPORARILY IMPORTED

The Council discussed the proposal amending Directive 83/182/EEC on tax exemptions within the Community for certain means of transport temporarily imported.

The main purpose of the amendment is to allow nationals of all Member States to make temporary use in their country of residence of a vehicle registered in another Member State.

Following these discussions, the President concluded that it had not proved possible to reach agreement on the proposal.

However, the representatives of the Governments of Belgium, the Federal Republic of Germany, France, Italy, Luxembourg, the Netherlands and the United Kingdom undertook to grant the above tax exemptions.

The Commission deplored the fact that it had not up to now been possible to provide all the people of the Community with appropriate legal guarantees by adopting a Council Directive from which all would have benefited.

The Commission would as soon as possible be taking such action as came within its sphere of responsibility to see that compliance with Community law in this respect was everywhere ensured.

APPROXIMATION OF LAWS RELATING TO APPLIANCES BURNING GASEOUS FUELS

The Council discussed a proposal for a Directive on the approximation of laws relating to appliances burning gaseous fuels.

The aim of the proposal is to harmonize national provisions concerning safety and energy conservation for appliances burning gaseous fuels, thereby ensuring elimination of barriers to trade arising out of the disparities in such provisions. The proposal comes under the programme laid down by the White Paper for the elimination of technical barriers and is based on the Council Resolution of 7 May 1985 on a new approach to standardization.

The proposal's coverage includes appliances burning gaseous fuels used for cooking, heating, hot water production, refrigeration, lighting and washing.

Noting that considerable progress had been made, the Council instructed the Permanent Representatives Committee to continue with discussions in order to resolve one last technical problem and enable it to adopt its common position at its meeting on 21 December.

APPROXIMATION OF LAWS RELATING TO INSURANCE AGAINST CIVIL LIABILITY IN RESPECT OF  
THE USE OF MOTOR VEHICLES

The Council unanimously recorded substantive agreement on its common position concerning the proposal for a third Directive on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles.

The purpose of the proposal is to resolve certain problems not dealt with by the first two Directives. First Directive 72/166/EEC was primarily designed to abolish insurance green card controls. Second Directive 84/5/EEC was intended to reduce disparities in treatment of accident victims.

This proposal comes within the context of the establishment of the internal market and is meant to provide greater protection for the interests of accident victims and for those of insured persons.

Its provisions accordingly:

- require compulsory cover for any passenger of the vehicle, including cases where the vehicle belongs to the passenger or is in his possession or he is the person insured;
- stipulate that every civil liability insurance policy must, besides covering the entire territory of the Community, ensure in each Member State the cover required in the Member State in which the vehicle is normally based or the cover required by the Member State in which the vehicle is being used, whichever is the broader;

- further harmonizes national provisions regarding guarantee funds to compensate victims where the vehicle responsible for an accident is uninsured or unidentified, as set up under the 2nd Directive; it will no longer be possible to require a victim to establish that the person responsible is unable or unwilling to pay compensation.

#### HARMONIZATION OF LAWS RELATING TO NON-AUTOMATIC WEIGHING INSTRUMENTS

The Council arrived at substantive agreement on a common position concerning a proposal for a Directive on the harmonization of the laws of the Member States relating to non-automatic weighing instruments.

The aim of the proposal is to eliminate barriers to trade within the Community as a result of metrological and technical requirements and of inspection procedures which differ from one Member State to another.

PROCUREMENT PROCEDURES OF ENTITIES OPERATING IN THE WATER, ENERGY, TRANSPORT AND TELECOMMUNICATIONS SECTORS

The Council held a policy debate on the proposal for a Directive on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors.

The proposal is of great importance for the completion of the internal market since it is designed to open up procurement hitherto excluded to genuine Community-wide competition.

The arrangements proposed introduce a flexible system of procurement procedures for works, supply and software service contracts, while ensuring compliance with the principles of non-discrimination and transparency.

The main points discussed were:

- the scope, in particular the contracting entities covered;
- possible sectoral derogations;
- the treatment of structurally less-favoured regions.

It should be pointed out that a Directive on the monitoring of this Directive in excluded sectors is currently being prepared at the Commission.

The Council instructed the Permanent Representatives Committee to continue with discussions so as to enable it to adopt its common position at the next Internal Market Council meeting, on 21 December.

DIRECT LIFE ASSURANCE - FREEDOM TO PROVIDE SERVICES

The Council discussed a proposal for a second Council Directive on the co-ordination of laws, regulations and administrative provisions relating to direct life assurance, laying down provisions to facilitate the effective exercise of freedom to provide services and amending Directive 79/267/EEC. Parliament's Opinion on the proposal is pending.

The purpose of this Directive is to:

- supplement Directive 79/267/EEC;
- lay down special provisions governing freedom to provide services for the activities covered by that Directive, as specified in Title III of this Directive.

The points discussed included:

- the scope of Title III of the Directive: the possibility of covering group assurance, tontines and capital redemption operations;
- the definition of passive provision of services;
- transitional provisions for certain countries;
- the arrangements applicable to composites.

Some progress was recorded and the Council instructed the Permanent Representatives Committee to continue with discussions on the basis of the approach arrived at so as to enable it to adopt its common position at the Internal Market Council meeting on 21 December.

MISCELLANEOUS DECISIONSCustoms union

The Council adopted Regulations:

- amending the legal basis (Articles 28, 43 and 113, instead of Articles 28, 43, 113 and 235) of Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (in response to the recent case law of the Court of Justice);
- opening tariff quotas for the importation into Spain of certain fishery products originating in the Canary Islands or Ceuta and Melilla (1990);
- opening and providing for the administration of Community tariff quotas for certain fishery products originating in the Canary Islands (1990);
- increasing the volume of the Community tariff quotas opened for 1989 for polyvinyl butyral (from 1 500 tonnes to 4 000 tonnes) and magnetrons (from 600 000 units to 1 000 000 units).

Tax exemptions for imports of personal property

The Council adopted the Directive amending Directive 83/183/EEC as regards tax exemptions for permanent imports of the personal property of individuals.

This Directive forms part of the follow-up to the report from the ad hoc Committee on a People's Europe, approved by the European Council meeting in Brussels on 29 and 30 March 1985.

It is designed to simplify formalities in connection with removals within the Community; in future, Member States are to grant duty-free import on the basis of a full inventory of the goods involved in the removal on plain paper. No reference to value may be demanded on the inventory of goods.

In addition, current rules on periods of use of the goods imported and quantitative limits for certain goods are to be relaxed:

- in order to qualify for exemption, there will no longer be any minimum period of use of goods except for motor-driven vehicles (including their trailers), caravans, mobile homes, pleasure boats and private aircraft, in the case of which Member States may require that the person concerned should have had the use of them for at least six months before the change of residence;
- requirements subsequent to import are abolished for most of the goods imported duty-free; however, there remains a requirement that motor-driven vehicles (including their trailers) caravans, mobile homes, pleasure boats and private aircraft may not be disposed of, hired out or lent during the period of 12 months following their importation free of duty;
- the quantitative limits on some goods subject to excise duty are raised to four times the duty-free allowances for intra-Community travellers under Directive 69/169/EEC except for tobacco products, which Member States may limit to the same quantities as are laid down in that Directive;

- duty-free import of personal property is granted without any period of use in the case of a change of normal residence on the occasion of a marriage; in addition, exemption is granted for presents customarily given on the occasion of a marriage which are received by a person qualifying for such duty-free import, for up to ECU 350 per present. Member States may, however, grant exemption for more than ECU 350 provided that the value of each exempt present does not exceed ECU 1 400.

#### Relations with the ACP States and the OCT

The Council adopted the Regulation amending Regulation (EEC) No 486/85 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States (ACP States) or in the overseas counties and territories.

The amendment makes provision for the levy on imports of molasses falling within CN code 1703 to be reduced by ECU 0,5 per 100 kilograms. The levy is not to be collected where it is if less than or equal to ECU 0,5 per 100 kilograms. These provisions are to apply within an overall limit of 600 000 tonnes per marketing year.

This concession is designed to grant the ACP a preferential margin in the context of traditional ACP-EEC trade flows.

The Community envisages, moreover, continuing this concession under the next ACP-EEC Convention (Lomé IV).

Appointment

The Council appointed Mr François SCHWEITZER member of the Economic and Social Committee in place of Mr Marcel GLENER for the remainder of the latter's term of office, which runs until 29 September 1990.

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PRESS RELEASE

10180/98 (Presse 222)

1369th Council meeting

- General Affairs -

Brussels, 27 November 1989

President: Mr Roland DUMAS

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

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 André GEENS	Minister for Development Co-operation

Denmark:

Mr Uffe ELLEMANN-JENSEN	Minister for Foreign Affairs
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Germany:

Mr Hans-Dietrich GENSCHER	Federal Minister for Foreign Affairs
Mrs Irmgard ADAM-SCHWAETZER	Minister of State, Federal Ministry of Foreign Affairs

Greece:

Mr Andonis SAMARAS	Minister for Foreign Affairs
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Spain:

Mr Francisco FERNANDEZ ORDÓÑEZ	Minister for Foreign Affairs
Mr Pedro SOLBES MIRA	State Secretary for Relations with the European Communities
Mr Apolonio RUIZ LIGERO	State Secretary for Trade

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
Ms Máire GEOGHEGAN-QUINN	Minister of State at the Department of the Taoiseach with special responsibility for EEC matters
Mr Seán CALLEARY	Minister of State for Foreign Affairs with special responsibility for Overseas Aid

Italy:

Mr Gianni DE MICHELIS	Minister for Foreign Affairs
Mr Claudio VITALONE	State Secretary for Foreign Affairs

Luxembourg:

Mr Jacques F. POOS	Minister for Foreign Affairs
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Netherlands:

Mr H. van den BROEK	Minister for Foreign Affairs
Mr Piet DANKERT	State Secretary for Foreign Affairs

Portugal:

Mr João de DEUS PINHEIRO	Minister for Foreign Affairs
Mr Vitor MARTINS	State Secretary for European Integration

United Kingdom:

Mr Douglas HURD	Secretary of State for Foreign and Commonwealth Affairs
Mrs Linda CHALKER	Minister for Overseas Development
Mr Francis MAUDE	Minister of State, Foreign and Commonwealth Office

Commission:

Mr Jacques DELORS	President
Mr Frans H.J.J. ANDRIESEN	Vice-President
Mr Henning CHRISTOPHERSEN	Vice-President
Mr Manuel MARIN	Vice-President
Mr Jean DONDELINGER	Member
Mr Abel MATUTES	Member

PREPARATION FOR THE EUROPEAN COUNCIL MEETING ON 8 AND 9 DECEMBER 1989

The President informed the Council of the subjects intended for discussion at the European Council meeting in Strasbourg on 8 and 9 December 1989.

He said that the European Council would assess progress towards the achievement of the single market. It would also continue its discussions on economic and monetary union and, as far as the social dimension was concerned, would receive a draft of the social charter.

Problems of the environment would also be discussed, in particular the setting up of a European Environment Agency, and subjects relevant both to the internal market and to a People's Europe, such as: the free movement of persons, the fight against drugs, the fostering and promotion of European culture.

In conclusion, in the framework of the Community's international responsibility, the European Council would deal with the Community's relations with Eastern countries, EFTA and the Mediterranean and ACP countries and political co-operation matters.

RELATIONS WITH THE EASTERN COUNTRIES

The Council signified its agreement to a series of measures completing the operational implementation of the action plan for Poland and Hungary. These concern:

- detailed procedures for including Poland and Hungary in the GSP/textiles for 1990;
- additional concessions for agricultural products in the framework of the 1990 GSP (1);
- suspension of non-specific quantitative restrictions from 1 January 1990;
- the Regulation on economic aid for Poland and Hungary (1);
- the Decision enabling the Commission to act as guarantor for EIB loans for projects in Hungary and Poland (1).

Concerning action to be taken following the informal meeting of Heads of State and Government at the Elysée Palace on 18 November, the Council noted that a high level meeting had been convened for 29 November in order to examine the proposal for setting up a European Bank, in preparation for the European Council meeting in Strasbourg.

The Council was also informed by the Commission of the outcome of the negotiations with the USSR with a view to concluding a trade and commercial and economic co-operation agreement.

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(1) The Council will adopt its definitive position on these proposals when it has received the Opinion of the Parliament.

EC-EFTA MINISTERIAL MEETING ON 19 DECEMBER 1989

The Council heard an introductory statement by Vice-President ANDRIESSEN presenting the Commission's communication of 23 November 1989 on future relations between the Community and EFTA.

The Council held a preliminary exchange of views on the subject, after which it approved the following conclusions:

"The Council:

- believes that the ministerial meeting with the EFTA countries on 19 December should approve the principle of opening negotiations in 1990 with a view to defining a new framework for relations between the Community and EFTA;
- instructs the Presidency to contact the Presidency of EFTA, in liaison with the Commission, with a view to preparing a political declaration to be submitted for approval at the ministerial meeting on 19 December;
- also instructs the Permanent Representatives Committee to examine the Commission communication."

EEC-MEDITERRANEAN RELATIONS

The Council heard a statement from the Commission presenting its communication on Redirecting the Community's Mediterranean policy.

At a time when Europe is experiencing crucial changes, the Council wished to emphasize the importance of the Community's relations with its Mediterranean partners and its will to strengthen them, in view of the situation in that region and the increased interdependence between the Community and the Mediterranean countries.

The Council instructed the Permanent Representatives Committee to carry examination of this important question further on the basis of the Commission's ideas and to report to it at a forthcoming meeting on the guidelines suggested and their implementation in the framework of the Community policies.

EEC-YUGOSLAVIA RELATIONS

The Council prepared the position to be adopted by the Community at the 8th Ministerial meeting of the EEC-Yugoslavia Co-operation Council, held in the late afternoon of the same day (see press release CEE-YU 1009/89 Presse 227).

MISCELLANEOUS DECISIONSNuclear questions

The Council, having received proposals or reports from the Commission, adopted four texts for the further reinforcement of the initiatives already taken in the Community concerning the nuclear industries, in particular in the field of public health protection.

The Council accordingly adopted a Directive, based on Article 31 of the EAEC Treaty, on basic standards. It concerns informing the general public about health protection measures and steps to be taken in the event of a radiological emergency (1).

The Directive makes provision for both prior information and further information in the case of a radiological emergency, as well as and specialized information for those who might be involved in organizing assistance in such an event. The Annexes to that Directive define the guidelines for implementing such information procedures.

The Council also adopted, notably on the basis of the provisions of the second subparagraph of Article 101 of the EAEC Treaty, a decision approving the conclusion of the Convention on assistance in the case of a nuclear accident or radiological emergency, negotiated in the framework of the IAEA. This accession to the Convention by the Community as such, which is also based on the provisions

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(1) Based on the definition of radiological emergency adopted in Council Directive 87/600/EURATOM of 14 December 1987 on Community arrangements for the early exchange of information in such an event. The Directive, which has just been adopted, specifies additionally that the situations covered are those likely to result in members of the public being exposed to doses in excess of the dose limits prescribed under the Directives laying down basic Community safety standards for radiological protection.

of Article 8 of the EAEC Treaty, is intended to allow the establishments of the Joint Research Centre to receive international assistance or to take part in it, as necessary.

The same aspects of assistance in the event of a nuclear accident or radiological emergency have also given rise to Council conclusions. These state that the Council endorses the Commission's wish to promote Community co-operation, without prejudice to international or bilateral co-operation. The Council in particular supports the Commission's intention of convening periodic meetings of experts from the Member States to work towards better utilization of the available resources in the event of such an accident or radiological emergency and in particular to lay the groundwork for setting up an inventory of resources available for use to combat the effects of incidents of this type.

Lastly, the Commission's communication to the Council accompanied by the second report on the transport of radioactive materials in the Community has led the Council to adopt conclusions on this matter. They stress the importance attached to this field of activity, including its consistency with the single market, ask the Commission to pursue its efforts to continue to ensure that the transport of radioactive materials within the Community is conducted in complete safety and consider it necessary to continue the preparatory work on setting up a joint data bank on hazards and on agreements and procedures to be applied in the event of an accident.

Third EEC-Cyprus Financial Protocol

The Council:

- approved the text of the third EEC-Cyprus Financial Protocol negotiated by the Commission;
- decided on signature of the Protocol, which will take place within a few days;
- decided to request the assent of the European Parliament on this Protocol, since the decision on its conclusion is based on Article 238 of the Treaty of Rome.

This Protocol covers a period up to 31 December 1993 and concerns an aggregate amount of ECU 62 million divided as follows:

- ECU 44 million in the form of loans from the European Investment Bank made from its own resources; these loans carry a 1,5% interest rate subsidy;
- ECU 13 million from the Community's budgetary resources, in the form of grants;
- ECU 5 million from the Community's budgetary resources, in the form of contributions to risk capital formation.

Trade policy

The Council adopted:

- two Regulations suspending wholly or in part the Common Customs Tariff duties on certain agricultural products originating in Malta and Turkey (1990);

- the Regulation opening and providing for the administration of Community tariff quotas for agricultural and fishery products originating in certain EFTA countries (1990);
- the Regulation extending, for a maximum period of two months, the provisional anti-dumping duty on imports of barium chloride originating in the People's Republic of China and the German Democratic Republic.

### Research

Following the co-operation procedure with the European Parliament, the Council adopted, on the basis of the re-examined proposal from the Commission, the specific research and technological development programme in the field of biotechnology (1990-1994) - BRIDGE. (See Research Council Press Release of 20.VI.89, 7427/89.)

### Approximation of the laws of the Member States

The Council adopted the Directive amending Directive 80/181/EEC on the approximation of the laws of the Member States relating to units of measurement (this amendment concerns the fixing by the Member States of the dates up to which certain units of measurement will continue to be legal).

### Appointments

The Council replaced:

- a full member of the European Social Fund Committee
- a member of the ECSC Consultative Committee;
- two alternate members of the Advisory Committee on Pharmaceutical Training.

PRESS RELEASE

10181/89 (Presse 223)

1370th Council meeting

- FISHERIES -

Brussels, 27 November 1989

President: Mr Jacques MELLICK

Minister attached to the  
Minister for Transport and  
Maritime Affairs of the  
French Republic, with  
responsibility for Maritime  
Affairs

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

Belgium:

Mr Marc LEPOIVRE Deputy Permanent Representative

Denmark:

Mr Kent KIRK Minister for Fisheries

Mr Thomas LAURITSEN State Secretary, Ministry for Fisheries

Germany:

Mr Wolfgang von GELDERN State Parliamentary Secretary at the Federal Ministry of Food, Agriculture and Forestry

Greece:

Mr Stavros DIMAS Minister for Agriculture

Spain:

Mr José LOIRA RUA Secretary-General for Fisheries

France:

Mr Jacques MELLICK Minister attached to the Minister for Transport, with responsibility for Maritime Affairs

Ireland:

Mr John P. WILSON Minister for the Marine

Mr Michael NOONAN Minister of State at the Department of the Marine

Italy:

Mr Carlo VIZZINI

Minister for Merchant Shipping

Luxembourg:

Mr Thierry STOLL

Deputy Permanent Representative

Netherlands:

Mr E. PIERHAGEN

Director-General at the Ministry for  
Agriculture and Fisheries

Portugal:

Mr Manuel OLIVEIRA GODINHO

State Secretary for Fisheries

United Kingdom:

Mr David CURRY

State Secretary at the Ministry of  
Agriculture, Fisheries and Food

Commission:

Mr Manuel MARIN

Vice-President

PRICES FOR 1990

The Council adopted the Regulations fixing for 1989 the guide prices for the fishery products listed in Annex I (A), (D) and (E) and Annex II of Regulation (EEC) No 3796/81, and the producer price for tuna intended for the canning industry.

The variations in price for the various species as compared with the prices for 1989 are as follows:

## A. Guide prices - fresh products

1. Herring	
- from 1.1. to 31.7. and	
from 1.10. to 31.12.1990	- 1%
- from 1.8. to 30.9.1990	- 1%
2. Sardines	
(a) Atlantic	- 1%
(b) Mediterranean	0%
3. Spur dogfish	0%
4. Spotted dogfish	- 1%
5. Redfish	+ 1%
6. Cod	0%
7. Saithe	0%
8. Haddock	+ 1%
9. Whiting	0%
10. Ling	0%
11. Mackerel ( <i>Scomber scombrus</i> )	- 2%
12. Spanish mackerel	
( <i>Scomber japonicus</i> )	0%
13. Anchovy	+ 2%
14. Plaice	
- from 1.1. to 30.4.1990	0%
- from 1.5. to 31.12.1990	0%

15. Hake	+ 1%
16. Megrim	0%
17. Ray's bream	0%
18. Monkfish	
- with head	0%
- without	0%
19. Shrimps	+ 2%
20. Edible crab	0%
21. Nephrops	
- whole	0%
- tail	-10%

#### B. Guide prices for frozen products

1. Sardines	0%
2. Sea bream	+ 1%
3. Squid (loligo)	-13.5%
4. Squid (Ommastrephes)	-11.5%
5. Squid (Illex)	-11.5%
6. Cuttlefish	+ 1%
7. Octopus	+ 1%

#### C. Producer prices

Yellowfin tuna (Thunnus albacore)	- 1%
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SUPERVISION OF FISHING ACTIVITIES

The Council adopted a Decision on a Community financial contribution towards expenditure incurred by Member States for the purpose of ensuring respect of the Community system for the conservation and management of fishery resources.

The Decision is based on the premise that the common fisheries policy, which guarantees the long-term existence of fishery stocks and thus employment in this sector, can achieve its objectives only if its rules are respected absolutely and thus if enforcement is effective. Moreover, in ensuring compliance with the conservation and control rules of the common fisheries policy within their fishery zones and on their territory, Member States are carrying out an obligation of Community interest.

The planned overall budget is ECU 110 million over the five year period from 1 January 1991 to 31 December 1995. The Community contribution for any Member State in any year will not be lower than 35% or higher than 50% of the eligible expenditure.

Pending adoption of Community rules for the conservation and management of fishery resources applicable in Mediterranean waters, the Community will provisionally until 31 December 1991, contribute on the same conditions as specified in this Decision to the financing of the expenditure incurred by the Member States concerned in enforcing the arrangements applicable. Member States must communicate the arrangements in question to the Commission together with the justification for them.

PROCESSING AND MARKETING OF FISHERY AND AQUACULTURE PRODUCTS

The Council discussed in detail a proposal for a Council Regulation on the improvement of the conditions under which fishery and aquaculture products are processed and marketed.

As a result of the reform of the Structural Funds, Regulation No 355/77 on the processing of agricultural and fishery products will be repealed on 31 December 1989. Accordingly, the purpose of this proposal is to implement a special Regulation on the improvement of the conditions under which fishery and aquaculture products are processed and marketed which takes account both of the objectives of the reform of the Structural Funds, in particular of the concentration of the measures implemented in certain regions of the Community, and of the specific nature of the fisheries sector, and in particular of the link to be established with Regulation No 4028/86 on Community measures for improving and adapting structures in the fisheries and aquaculture sector.

The Council was able to reach a broad consensus on the basis of a compromise proposal and agreed to take a final decision on this issue at the next Fisheries Council meeting on 18 and 19 December.

CONSERVATION OF FISHERY RESOURCES

The Council held a policy discussion on a proposal for amendments to Regulation (EEC) No 3094/86. This proposal provides inter alia for the introduction of the possibility of using selective twin-codend trawls, the bottom codend 50 mm and the top codend 65 mm in length, for Norway lobster. The mesh-size would be increased to 55 mm when non-selective trawls are used.

The Council instructed the Permanent Representatives Committee to continue discussions on this subject so that the Council could take a decision at the earliest opportunity.

COD IN THE CHANNEL

The Council agreed on an amendment to Regulation No 4194/88 fixing the total allowable cod catches for 1989 in areas ICES VII b, c, d, e, f, g, h, j, k, VIII, IX; X, CECAF 34.1.1. (EC area).

The new TAC is set at 25 400 tonnes on the basis of the 15th report from the Scientific and Technical Fisheries Committee. The breakdown is in accordance with the customary scale.

THIRD COUNTRIES

The Council noted an oral report from the Commission on the progress of negotiations in the fisheries sector, in particular with the Soviet Union.

FURTHER FISHERIES DECISION

The Council adopted the Decision amending Decision 87/279/EEC on Community financial participation with regard to the facilities for the monitoring and supervision of fishing activities in waters falling under the sovereignty or within the jurisdiction of Portugal.

The purpose of this amendment is to extend the period of application of Decision 87/279/EEC until 31 December 1991.

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PRESS RELEASE

10182/89 (Presse 224)

1371st meeting of the Council

- Environment -

Brussels, 28 and 28 November 1989

President: Mr Brice LALONDE

State Secretary  
for the Environment of the  
French Republic

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

Belgium:

Mrs Miet SMET State Secretary for the Environment

Denmark:

Mrs Lone DYBKJAER Minister for the Environment

Germany:

Mr Klaus TOEPFER Federal Minister for the Environment,  
Nature Conservation and Reactor Safety

Mr Clemens STROETMANN State Secretary, Federal Ministry of the  
Environment, Nature Conservation and  
Reactor Safety

Greece:

Mr Constantin LIASKAS Minister for the Environment,  
Regional Planning and Public Works

Spain:

Mr Javier SAENZ COSCULLUELA Minister for Public Works and Town  
Planning

France:

Mr Brice LALONDE State Secretary for the Environment

Ireland:

Mr Padraig FLYNN Minister for the Environment

Mrs Mary HARNEY Minister of State at the Department  
of the Environment

Italy:

Mr Giorgio RUFFOLO Minister for the Environment

Luxembourg:

Mr Alex BODRY Minister for the Environment

Netherlands:

Mr Ch. R. van BEUGE Deputy Permanent Representative

Portugal:

Mr Luis VALENTE DE OLIVEIRA Minister for Planning and Territorial Administration

Mr José MACARIO CORREIA State Secretary for the Environment

United Kingdom:

Mr Christopher PATTEN Minister for the Environment

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o

Commission:

Mr Carlo RIPA DI MEANA Member

ESTABLISHMENT OF THE EUROPEAN ENVIRONMENT AGENCY AND THE EUROPEAN ENVIRONMENT  
MONITORING AND INFORMATION NETWORK

The Council held a debate on a proposal for a Regulation on the establishment of the European Environment Agency and the European Environment Monitoring and Information Network, on which it is awaiting the Opinion of the European Parliament.

The objective would be to provide, inter alia, the Community and the Member States with:

- objective, reliable and comparable information at European level enabling them to take the necessary measures for the protection of the environment, to assess the results of such measures and to ensure that the public is provided with sound information on the state of the environment;
- to that end, the necessary technical and scientific support.

For the purposes of achieving this objective, the Agency's tasks would be, inter alia, to:

- collect, process and analyse data;
- provide the objective information necessary for framing and implementing environmental policies;
- help ensure that environmental data at European level are comparable;
- promote the incorporation of European environmental information into international environment monitoring programmes;

- stimulate the development and application of environmental forecasting techniques so that adequate preventive measures can be taken at the appropriate time;
- stimulate the development of methods of assessing the cost of damage to the environment and the costs of environmental preventive, protection and restoration policies;
- stimulate the exchange of information on the best technologies available for preventing or reducing damage to the environment.

The Agency would furnish information, directly usable in the implementation of Community environmental policy, concerning inter alia:

- air quality;
- water quality;
- the state of the soil, of the fauna and flora, and of biotopes;
- land use and natural resources;
- waste management;
- noise emissions;
- chemical substances which are hazardous for the environment;
- transfrontier, plurinational and global phenomena;
- coastal protection.

Environmental data supplied to, or emanating from, the Agency may be published and will in principle be accessible to the public.

The Agency will be open to countries which are not members of the European Community but which share with the Community and the Member States a common interest in the objectives of the Agency pursuant to agreements concluded between the Community and themselves following the procedure in Article 228 of the Treaty.

The debate enabled a common approach to be worked out towards the proposal as a whole on the understanding, in particular, that the question of the Agency's headquarters remains unresolved. The Council will take a final decision on the proposal after receiving the European Parliament's Opinion.

#### FREEDOM OF ACCESS TO INFORMATION ON THE ENVIRONMENT

The Council held an initial policy debate on the proposal for a Directive on freedom of access to information on the environment.

The main features of the Commission proposal are:

- recognition of a right of access for natural and legal persons to environmental information held by public authorities;
- freedom of access to such information simply upon written request (passive information);
- periodic circulation by Member States of reports on the state of the environment (active information).

After all delegations stated that they could agree with both the principle and the objective of the proposal, the Council instructed the Permanent Representatives Committee to resume its work on this proposal so as to enable the Council to take a decision at a forthcoming meeting.

PROTECTION OF NATURAL AND SEMI-NATURAL HABITATS AND OF WILD FAUNA AND FLORA

The Council held a debate on the proposal for a Directive on the protection of natural and semi-natural habitats and of wild fauna and flora, on which the Opinions of the European Parliament and the Economic and Social Committee are awaited.

The proposal is designed to establish a coherent Community policy on wildlife protection, taking as its starting point existing Community legislation and relevant international agreements.

The Council instructed the Permanent Representatives Committee to continue its discussions on the subject, inter alia as regards the technical Annexes, so as to enable the Council to take a decision after receiving the Opinions of the European Parliament and the Economic and Social Committee.

PROTECTION OF FRESH, COASTAL AND MARINE WATERS AGAINST POLLUTION CAUSED BY NITRATES FROM DIFFUSE SOURCES

The Council continues its examination of the proposal for a Directive concerning the protection of fresh, coastal and marine waters against pollution caused by nitrates from diffuse, notably agricultural, sources.

The proposal provides for "vulnerable zones" to be pinpointed, in which harmful agricultural practices, in particular the application of livestock manure and chemical fertilizer, would be strictly limited. Sound agricultural practices are to be applied in other zones.

The Council instructed the Permanent Representatives Committee to discuss the proposal in further detail so that it would be able to adopt a Directive on the subject as soon as possible.

#### CONSERVATION OF TROPICAL FORESTS - COUNCIL CONCLUSIONS

"The Council, after noting the progress report presented by the Commission representative and the opinions expressed by the delegations, welcomes the development of the proceedings initiated at Community level further in particular to the Commission communication of 6 September 1989 and the Council Resolution of 21 November 1989.

The Council recalls the prospects raised at international level of the risk of climate change and of measures to be taken to limit the greenhouse effect, including measures in the area of forestry conservation, and underlines, in particular, the need for the Community and its Member States to play an active part in this connection, notably in the proceedings of the IPCC (Intergovernmental Panel on Climate Change).

The Council calls upon the Commission to inform it of any action it proposes to take further to the various proceedings which are being conducted in the different Community bodies and if appropriate to submit to it a specific action programme directed in particular at evaluating, protecting and helping to manage and optimize the genetic potential of tropical forests.

The Council instructs the Permanent Representatives Committee to continue examination of the Commission communication, taking into account the many dimensions of that aspect of forestry heritage, if necessary by setting up an ad hoc working party."

INTERNAL MARKET, TAXATION AND THE ENVIRONMENT - COUNCIL CONCLUSIONS

"The Council held an initial exchange of views on the subject of completion of the internal market, taxation and the environment.

The Council takes note of the independent experts' report on the environment and the internal market and wishes to emphasize the importance of a wide-ranging open-ended discussion on the environmental dimension of the Internal Market.

The Council notes in particular that fiscal instruments can play an important part in changing the behaviour of economic operators so as to reduce damage to the environment.

The Council calls upon the Commission to study, with the assistance of the relevant national experts, the use of economic and fiscal instruments in the Community for the conservation of the environment and to submit its conclusions to the competent bodies."

MISCELLANEOUS DECISIONSResearch policy

The Council adopted the common positions concerning the conclusion of five Co-operation Agreements between the EEC and Austria, Finland, Norway, Sweden and Switzerland in the field of medical and health research.

The Agreements are designed to associate these five countries with the Community R & D programme in the field of medical and health research (1987-1991) (see Press release 8589/87 Presse 157 of 28 September 1987).

In fact, the Decision adopting that programme authorized the Commission to negotiate agreements for that purpose with non-member States participating in European co-operation in the field of scientific and technical research (COST) which had concluded framework agreements with the Community in this area.

The Agreements provide for the Parties to co-operate in the period 1988 to 1991 in the research targets and areas set out in the Community programme through co-ordination of those activities which form part of the research programmes of the five countries concerned and the Community. Contracting Parties' financial contributions will be determined using a proportionality factor based on GDP.

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PRESS RELEASE

10309/89 (Presse 228)

1372nd Council meeting  
- LABOUR AND SOCIAL AFFAIRS -

Brussels, 30 November 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 Erik KIRKEGAARD Minister for Labour

Germany

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

Greece

Mr Apostolos KAKLAMANIS 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

Mrs Michèle ANDRE State Secretary for Women's Rights

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

Mrs Elske TER VELD

State Secretary, Ministry of  
Social Affairs and Employment

Portugal

Mr José Albino da SILVA PENEDA

Minister for Labour and  
Social Security

United Kingdom

Mr Norman FOWLER

Secretary of State for Employment

Mr Tim EGGAR

Minister of State,  
Department of Employment

Commission

Mr Martin BANGEMANN  
Ms Vasso PAPANDEOU

Vice-President  
Member

EUROPEAN EMPLOYMENT SURVEY

The Council of the European Communities and the Ministers for Labour and Social Affairs, meeting within the Council, adopted the following Resolution on setting up a European employment survey:

"THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE MINISTERS FOR LABOUR AND SOCIAL AFFAIRS, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Resolution of 22 December 1986 on an action programme on employment growth <sup>(1)</sup>,

Having regard to the Council Resolution of 5 June 1989 on continuing vocational training <sup>(2)</sup>,

Having regard to the conclusions of the European Council meetings in Hanover on 27 and 28 June 1988, in Rhodes on 2 and 3 December 1988 and in Madrid on 26 and 27 June 1989,

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(1) OJ No C 340, 31.12.1986, p. 1

(2) OJ No C 148, 15. 6.1989, p. 1.

Whereas completion of the internal market will bring enhanced growth thereby creating substantially more jobs in the Member States in the medium term;

Whereas the initial phase of increased competition and intensified restructuring could lead to job losses and changes in employment patterns localized in certain regions and certain sectors;

Whereas in order to make a success of these changes it is essential for all those involved to identify the problems soon enough to be able to minimize the likely adverse effects during the transitional phase and, conversely, to make the most of the advantages that are anticipated in the medium term;

Whereas, also, shortages of skilled labour are beginning to emerge in many sectors and whereas in some Member States, owing to their specific demographic trends, the working population is in decline;

Whereas employment policies are the responsibility of the Member States;

Whereas, in accordance with Community law, the Commission has a major role to play in the field of employment;

Whereas both sides of industry should be closely involved in efforts to investigate these problems and seek practical means of solving them, and whereas this co-operation would pave the way for progress in the Member States' economies;

30.XI.1989

Whereas it is important that those engaged in economic and social affairs should have the information they need to define strategies which take account of the employment situation in sectors affected by completion of the internal market,

1. INVITE the Commission and the Member States to set up a European employment survey its remit being to study employment trends on an ongoing basis, focussing on the sectors affected by completion of the internal market, taking into account the work already carried out at Community level, namely:
  - to gather available information from the Member States on the prospects for change in employment and qualifications in the sectors most affected by completion of the internal market;
  - to provide an overview of the information gathered, making it possible to distinguish the broad trends in those sectors;
  - to circulate widely, for operational purposes, the results of the work referred to in the preceding indent to all those with responsibility for economic and social affairs, especially both sides of industry within the Community;

2. INVITE the Commission, in conjunction with the Member States and after consulting both sides of industry, to submit to them on a regular basis the topics and sectors covered by the survey's remit and, at the annual debate on employment, to submit to the Council a summary of work carried out on these topics and sectors;

INVITE the Commission, from the beginning of 1990, to take the necessary steps to set up the survey in question by calling upon the human and financial resources at its disposal;

3. INVITE the Member States to co-operate with the Commission in conducting the survey;

INVITE in particular each Member State to designate a national co-ordinator to provide the information referred to in the first indent of point 1 and give the Commission any appropriate assistance with its task, thereby creating a Community-wide network to assist in carrying out the remit described in point 1;

CONSIDER that the information provided within the framework of the survey should contribute to enabling both the Member States and the Commission to reflect, inter alia, upon improving the employment and job creation impact of the European Social Fund".

EUROTECNET PROGRAMME

The Council agreed to the Community action programme to promote innovation in the field of vocational training as a result of technological change in the European Community (EUROTECNET).

The Council instructed the Permanent Representatives Committee to finalize the text of the Decision with a view to its formal adoption as an "A" item at a forthcoming meeting.

The programme will run for five years from 1 January 1990 with the aim of promoting innovation in the fields of basic vocational training and continuing vocational training to take account of technological changes and their impact on employment, work and qualifications.

The EUROTECNET programme comprises a network of national or transnational innovatory projects designed to develop and improve vocational training policies and systems for the new technologies in the Member States and a series of Community measures designed to support and supplement national measures.

WORKPLACE DIRECTIVE

The Council adopted the Directive concerning the minimum safety and health requirements for the workplace (first individual Directive within the meaning of the framework Directive of 12 June 1989 on the protection of the safety and health of workers at work).

The Directive provides, inter alia, that:

- workplaces used for the first time after 31 December 1992 must satisfy the minimum safety and health requirements laid down in Annex I (concerning, for example: electrical installations, emergency routes and exits, fire detection and fire fighting, ventilation of enclosed workplaces, room temperature and room lighting, rest rooms, sanitary equipment, etc.);
- in the case of workplaces in use before 1 January 1993, employers must apply the minimum safety and health requirements laid down in Annex II - which are less stringent than those laid down in Annex I - at the latest four years after 1 January 1993.

Under the Directive, consultation and participation of workers and/or their representatives will take place in accordance with Article 11 of the framework Directive on the matters covered by this Directive, including its Annexes.

WORK EQUIPMENT DIRECTIVE

The Council adopted the Directive concerning the minimum safety and health requirements for the use of work equipment by workers at work (second individual Directive within the meaning of the framework Directive of 12 June 1989 on the protection of the safety and health of workers at work).

The Directive lays down in particular that the employer must obtain and/or use:

- work equipment which, if provided to workers in the undertaking and/or establishment for the first time after 31 December 1992, complies with the provisions of any relevant Community Directive which is applicable or the minimum requirements laid down in the Annex, to the extent that no other Community Directive is applicable or is so only partially;
- work equipment which, if already provided to workers in the undertaking and/or establishment by 31 December 1992, complies with the minimum requirements laid down in the Annex no later than four years after that date.

Under the Directive, consultation and participation of workers and/or their representatives will take place in accordance with Article 11 of the framework Directive on the matters covered by this Directive, including its Annex.

PERSONAL PROTECTIVE EQUIPMENT DIRECTIVE

The Council adopted the Directive concerning the minimum safety and health requirements for the use of personal protective equipment by workers at work (third individual Directive within the meaning of the framework Directive of 12 June 1989 on the protection of the safety and health of workers at work).

The Directive lays down in particular that, before choosing personal protective equipment, the employer is required to assess the personal protective equipment which he intends to use. This assessment shall involve, inter alia, an analysis and assessment of risks which cannot be avoided by other means.

In accordance with the Directive, Member States shall ensure that general rules are established for the use of personal protective equipment covering risk cases and situations where the use of personal protective equipment is necessary.

The Annexes to the Directive contain useful information on the establishment of these notes.

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

DIRECTIVE ON CARCINOGENS

The Council approved its common position on the proposal for a Council Directive on the protection of workers from the risks related to exposure to carcinogens at work. This common position will be sent to the European Parliament under the co-operation procedure.

The proposed Directive lays down that the employer must reduce use of carcinogens at the place of work, in particular by replacing them, insofar as is technically possible, with substances, preparations or processes which are not dangerous or are less dangerous. Whenever carcinogens are used, the employer must apply a series of organizational measures to prevent or reduce exposure.

FORCE PROGRAMME

Commissioner PAPANDREOU presented to the Council a Commission communication on a Community action programme for the development of continuing vocational training (FORCE). Following an exchange of views, the President drew the following conclusions:

"The Council notes with satisfaction that the Commission has submitted a Community action programme for the development of continuing vocational training.

This proposal, prepared following the Council Resolution of 5 June, gives concrete form to the challenge which effective access to continuing vocational training represents for every European and is consistent with the priorities outlined in the context of the social dialogue at VAL DUCHESSE.

In line with the approach evolved at the informal meeting in AUXERRE, this action programme will reinforce the fundamental role which continuing vocational training needs to play in the completion of the interior market. It will help to underpin investment in human resources, which is a decisive factor both socially and economically.

For this reason, the Council considers that the Working Party on Social Questions needs to commence examination of the Commission proposal without delay. The Council wishes to reach a decision by 1 July 1990."

COMMISSION ACTION PROGRAMME IN THE FIELD OF EMPLOYMENT, INDUSTRIAL RELATIONS,  
SOCIAL AFFAIRS AND TRAINING

The Council heard an oral communication from Mrs PAPANDREOU on the Commission action programme on the implementation of the Social Charter.

The Council awaits with interest the first series of proposals which the Commission will be submitting to it under its 1990 work programme.

EUROPEAN COMPANY

The Council heard a communication from Vice-President BANGEMANN on the social aspects of the European Company.

VOCATIONAL TRAINING AND THE EMPLOYMENT OF WOMEN IN EUROPE

The Council heard a communication from the French delegation on vocational training and the employment of women in Europe.

ILO: SAFETY IN THE USE OF CHEMICALS AT WORK

The Council adopted a Decision concerning the negotiations of the International Labour Conference on Safety in the Use of Chemicals at Work.

MISCELLANEOUS DECISIONSDisplay screen equipment

Following substantive approval at its Social Affairs meeting on 30 October 1989, the Council adopted the common position with a view to the adoption of the Directive on the minimum safety and health requirements for work with display screen equipment.

It should be noted that this Directive will be the 5th individual Directive within the meaning of the framework Directive of 12 June 1989 and will constitute the final action of the Article 118a package submitted by the Commission in March 1988.

Under the Directive, employers are required to:

- analyse workstations in order to evaluate the safety and health conditions to which they give rise for their workers;
- take appropriate measures to ensure that workstations meet the minimum requirements laid down in the Annex to the Directive with regard to equipment, environment and operator/computer interface.

The Directive also lays down that:

- the worker's activities must be planned in such a way that daily work on a display screen is periodically interrupted;
- workers are entitled to an appropriate eye and eyesight test and, if necessary, an ophthalmological examination.

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

### Genetically modified organisms

Following the policy agreement reached at its Environment meeting on 19 September 1989, the Council adopted the common position with a view to the adoption of a Directive on the deliberate release into the environment of genetically modified organisms.

This Directive, together with that on the confined use of genetically modified organisms - agreed on at the Environment Council meeting on 8 and 9 June 1989 but for which the consultation procedure with the European Parliament is still in progress - sets out to create a consistent framework for the development of biotechnology within the Community under safe conditions.

It is designed to ensure that genetically modified organisms (GMOs) are used in the natural environment in complete safety. It lays down a case-by-case notification and approval procedure, with the procedure varying depending on whether release is for R&D purposes or in the form of products for placing on the market.

### Relations with the EFTA countries

The Council decided to sign, subject to conclusion, the Agreements between the European Economic Community and the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on trade electronic data interchange using the communications network (TEDIS).

Undertakings, including small and medium-sized enterprises, research establishments and other bodies established in the six partner countries may

tender for and perform contracts under the TEDIS programme on the same terms and under the same procedures as those applying to undertakings, research establishments and other bodies established in the Community.

The outcome of the implementation of the TEDIS programme and, in particular, of contracts concluded in accordance with Article 2 is notified to the Contracting Parties.

Financial contributions by the Contracting Parties will be determined by a GDP-based proportional coefficient.

The Council also decided to consult the European Parliament, in accordance with the urgent procedure, and the Economic and Social Committee on the aforementioned Agreements.

PRESS RELEASE

10311/89 (Presse 230)

1373rd meeting of the Council

- TRANSPORT -

Brussels, 4 and 5 December 1989

President: Mr Michel DELEBARRE

Minister for Infrastructure, Housing,  
Transport and the Sea  
of the French Republic

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

Belgium:

Mr Jean-Luc DEHAENE  
Deputy Prime Minister and  
Minister for Communications and  
Institutional Reforms

Denmark:

Mr Knud OESTERGAARD  
Minister for Transport

Germany:

Mr Friedrich ZIMMERMANN  
Federal Minister for Transport

Greece:

Mr Apostolos-Athanassios TSOCHATZOPOULOS  
Minister for Transport and  
Communications

Mr Nicolaos PAPPAS  
Minister for the Merchant Navy

Spain:

Mr Emilio PEREZ TOURINO  
Deputy Minister for Transport,  
Tourism and Communications

France:

Mr Michel DELEBARRE  
Minister for Infrastructure,  
Housing, Transport and the Sea

Mr Jacques MELLICK  
Minister for the Sea (Ministry  
for Infrastructure, Housing,  
Transport and the Sea)

Mr Goerges SARRE  
State Secretary for Road and  
River Transport (Ministry  
for Infrastructure, Housing,  
Transport and the Sea)

Ireland:

Mr Seamus BRENNAN

Minister for Tourism and  
Transport

Mr John P. WILSON

Minister for the Navy

Italy:

Mr Carlo BERNINI

Minister for Transport

Mr Carlo VIZZINI

Minister for the Merchant Navy

Luxembourg:

Mr Robert GOEBBELS

Minister for Transport

Netherlands:

Ms Hanja MAIJ-WEGGEN

Minister for Transport and  
Public WorksPortugal:

Mr João de OLIVEIRA MARTINS

Minister for Public Works  
Transport and Communications

Mr Carlos SILVA COSTA

State Secretary for  
Internal Transport

Mr Eduardo CORREIRA DE MATOS

State Secretary for External  
Transport and CommunicationsUnited Kingdom:

Mr Michael PORTILLO

Minister of State at the  
Ministry for Transport (Minister  
for Public Transport)Commission:

Sir Leon BRITTAN

Vice-President

Mr Karel VAN MIERT

Member

SHIPPING

The Council adopted the following conclusions on shipping:

1. Discussions on port State control

The Council calls upon the Member States and the Commission to discuss at the forthcoming meeting of the Committee set up under the Paris Memorandum of Understanding on Port State Control (Antwerp, May 1990), together with their Scandinavian colleagues and Canadian and United States associates, the achievement of the objectives contained in the Paris Memorandum by improving controls, emphasizing the need for uniform and effective application of control procedures, and the training of inspectors.

2. Shipping food aid

The Council calls upon the Commission to take all useful initiatives concerning the shipping of food aid, laying stress on the transparency of procedures for awarding transport operations pursuant to the provisions of Regulation (EEC) No 954/79 and Regulation (EEC) No 4055/86, No 4056/86, No 4057/86 and No 4058/86, given that third-country carriers may participate in the trade if they operate on the basis of fair commercial competition.

**3. Need to adopt a Regulation on group exemption for consortia**

The Council calls upon the Commission to find a way, in the very near future, of removing the legal uncertainty facing consortia, preferably by means of a proposal for a Council Regulation. The Council will have to examine whether at this stage group exemption would facilitate the company groupings necessary for competition with the major shipping groups that exist or are being formed in third countries.

**4. Need for legal clarification on multi-modal transport**

The Council calls upon the Commission to find a way, in the very near future, of clarifying the position under competition law of multimodal transport containing a shipping leg, taking into account the fact that multi-modal transport, in particular much modern container transport, could be simplified by - indeed is not possible without - agreements on land transport prices and conditions and that, as a consequence, the Council will have to examine whether such agreements should be covered by a group exemption.

## 5. A research programme on shipping

The Council took due note of the information provided by the Commission on the shipping research projects contained in the proposal for a transport research programme (EURET) that it recently adopted in particular on the development of vessel traffic services (VTS), the optimum deployment of manpower and the analysis of the relationship between the human being and on-board equipment. The Council hopes that shipping research will be given a suitable place in the next framework programme for research (1990 to 1994), as it will play a major role in restoring the competitiveness of Community fleets.

## 6. Vessel transfer

The Council, anxious to free shipowners operating merchant ships of all tonnages flying the flag of a Member State from the costs and administrative procedures involved in a change in register within the Community in the very near future, would like the Commission to submit at the earliest opportunity a short, general proposal on the matter in the spirit of the internal market based on the principle of mutual recognition of existing international technical standards. Such a proposal would be an efficient means of limiting outdated costs and would very swiftly come to represent a milestone in common shipping policy.

#### 7. Freedom of movement for seafarers

In order to develop freedom of movement for Community seafarers on board Community-registered ships, the Council calls upon the Commission to complete its current work as soon as possible and to present suitable proposals for the mutual recognition of certificates and diplomas issued by Member States.

#### 8. Implementation of the 1986 Regulations

Besides these new proposals, the Council stresses that the active and consistent implementation of the Regulations adopted in 1986 should also help considerably in strengthening the competitive position of Community fleets. In this connection, the Council would point out that the first phase of the liberalization provided for by Regulation (EEC) No 4055/86 will be in force by 1 January 1990. The Council therefore invites the Commission to submit to it a report on the implementation of the Regulations adopted in 1986.

The Council also instructed the Permanent Representatives Committee to continue the examination of the following points:

- improvement in the operating conditions of Community shipping;
- financial and fiscal measures concerning shipping operations with ships registered in the Community;
- maritime cabotage.

#### NEGOTIATIONS WITH THE COUNTRIES OF WEST AND CENTRAL AFRICA

The Council asked the Commission to pursue its contacts with the African countries concerned, preferably at a high political level, in order to find ways of advancing the negotiations.

#### LAND CABOTAGE

The Council agreed by a qualified majority on a draft Regulation laying down the conditions under which non-resident carriers may operate road haulage services within a Member State.

The Council stressed the importance of the adoption of this Regulation, which constitutes a first significant stage in the implementation of Community road cabotage, an essential element in the construction of a frontier-free Europe. The transitional system permits any road haulage carrier for hire or reward who:

- is established in a Member State in accordance with its legislation, and

- is authorized in that State to operate international road haulage services, in accordance with the legislation of the aforementioned State,

to operate on a temporary basis, under the conditions laid down in the present Regulation, national road haulage services for hire or reward in another Member State, without having a registered office or other establishment therein.

The draft Regulation provides, among other things, for:

- the introduction of a transitional road cabotage system, to apply from 1 July 1990 until 31 December 1992;
- the introduction of specific cabotage authorizations on a quota basis (for the first year 15 000 authorizations each valid for two months, with the possibility of converting an authorization into two authorizations valid for one month);
- the allocation of the authorizations among the Member States calculated on the basis of the Community quota for intra-Community road transport held by each Member State, i.e.:

BELGIUM	1 302
DENMARK	1 263
GERMANY	2 073
GREECE	573
SPAIN	1 350
FRANCE	1 767
IRELAND	585
ITALY	1 767
LUXEMBOURG	605
NETHERLANDS	1 842
PORTUGAL	765
UNITED KINGDOM	1 107

*Alice*  
*21-3206*

- the fixing by the Commission, each year, of the increase in cabotage quota in line with the average trends in internal road haulage in the Member States on the basis of the Community statistics available; if the average percentage increase is less than 10% then the figure of 10% shall be adopted;
- the introduction of safeguard clauses;
- the entry into force of the definitive cabotage system on 1 January 1993, with adoption of the system by the Council, acting on a proposal from the Commission before 1 July 1992.

#### VOCATIONAL TRAINING FOR DRIVERS OF VEHICLES CARRYING DANGEROUS GOODS

The Council adopted a Directive on vocational training for certain drivers of vehicles carrying dangerous goods by road.

This Directive will require certain drivers of vehicles carrying dangerous goods by road to hold a vocational training certificate.

The training required of these drivers in order to obtain a vocational training certificate will be given in the form of a theoretical course accompanied by practical exercises and approved by the competent authority. The vocational training will be ratified by the passing of an examination approved by the competent authority.

The essential objectives of the training referred to in the Directive will be to increase awareness of the risks inherent in the carriage of dangerous goods and impart to those concerned the basic knowledge needed to minimize the chance of an

incident occurring and, if one does occur, to take the measures necessary to safeguard themselves and the environment and to limit the effects of the accident.

While compatible with the ADR, the Directive imposes tighter controls in certain of its aspects. Thus, the Directive will apply to all national and international transport within the Community. It includes a more comprehensive list of topics to be covered in the vocational training and imposes the obligation to follow practical and theoretical courses, and to take an examination. It also provides for the mutual recognition of training certificates and in certain cases will apply from an earlier date than that laid down in the ADR.

The Directive will enter into force:

- as from 1 July 1992:

= for the carriage of dangerous goods in tanks and for the carriage of explosive substances;

- as from 1 January 1995, for all other types of carriage of dangerous goods.

#### USE OF VEHICLES HIRED WITHOUT DRIVERS FOR THE CARRIAGE OF GOODS BY ROAD

Pending the Opinions of the European Parliament and the Economic and Social Committee, the Council held a preliminary discussion on the proposal for a Directive amending Directive 84/647/EEC on the use of vehicles hired without drivers for the carriage of goods by road, and on a Commission report on this subject.

Following the discussion, the Council instructed the Permanent Representatives Committee to continue talks so as to enable the Council to take a decision when it has received the Opinions of the European Parliament and the Economic and Social Committee.

#### NEGOTIATIONS BETWEEN THE EEC AND THIRD COUNTRIES OF TRANSIT

The Commission submitted a report to the Council on the progress in the negotiations with the third countries of transit (Austria, Switzerland, Yugoslavia).

After examining this matter, the Council adopted supplementary conclusions for the furtherance of negotiations with these countries.

#### RAILWAYS POLICY

The Council held an exchange of views on railways policy in the Community.

Commissioner VAN MIERT announced that the Commission had just approved a communication concerning the areas in which the Member States are asked to act in order to clarify the relations between railways and public authorities and to create the conditions enabling full use to be made of the technical advantages offered by rail.

This communication is accompanied by a number of proposals:

- (1) proposal for a Directive on the development of railways;
- (2) proposal for a Regulation amending Regulation No 1191/69 (public service);

(3) proposal for a Decision on the creation of a European TGV network;

(4) proposal for a Directive amending Directive 75/130 (combined transport).

As regards the development of a high-speed rail network within railway infrastructures, the Council adopted the following resolution:

"COUNCIL RESOLUTION

The Council requests the Commission to convene a high-level Working Party comprised of representatives of the Governments of the Member States and of the European railway companies to discuss the development of a European high-speed rail network.

This Working Party will be consulted with a view to the preparation, by 31 December 1990, of an outline plan stating the priority projects to be undertaken with a view to the completion of a European high-speed rail network, on the basis of national plans and decisions already taken at international level, in particular. This plan will be referred to the Council for approval.

The Working Party will also be consulted on the common technical standards and features which will enable modern trains to operate on this network and ensure compatibility of techniques and infrastructures between the various sections of the network."

ROAD SAFETY

The Council held a policy debate on those areas in which the Community could contribute to the improvement of road safety.

The Council acknowledged receipt of a note from the Belgian, Luxembourg and Netherlands delegations on initiatives to be taken in this field.

Finally, the Council instructed the Permanent Representatives Committee to begin the required discussions, also on the basis of the guidelines which emerged from the meeting on 16 October 1989.

#### SOCIAL REGULATIONS CONCERNING ROAD TRANSPORT

The Council held a brief exchange of views on social regulations concerning road transport, on the basis of a note from the Presidency stating the need to re-examine existing Community regulations with a view to making improvements as and where necessary, particularly in regard to the provisions on the working time of drivers.

The Council took note of the Commission's observations, and of the initiatives it had undertaken or was contemplating in this area, including in particular, consultations with workers and employers. Reference was made in this context to the negotiations which will take place in 1990 within the Economic Commission for Europe of the United Nations for the revision of the AETR.

#### TRANSPORT INFRASTRUCTURE

The Council continued the policy debate begun on 16 October 1989 on an amended proposal for a Regulation for an action programme in the field of transport infrastructure with a view to the completion of an integrated transport market in 1992.

The Council took note of a working document from the Commission on this subject.

The Council instructed the Permanent Representatives Committee to continue discussions on this subject.

#### DEVELOPMENT OF CIVIL AVIATION IN THE COMMUNITY

In order to facilitate the furtherance of discussion on the Commission proposals on the second phase of development of civil aviation in the Community, the Council thought that significant progress must be reached during this second phase in the areas of the liberalization of passenger and freight air transport external policy and harmonization.

With regard to capacity, the Council agreed on the principle of a progressive increase of capacity share from 1 November 1990, with a view to achieving the elimination of bilateral restrictions on 1 January 1993.

With regard to fares, the Commission proposal based on the system of "double disapproval" remains an objective to be attained on 1 January 1993. In the intervening period, the Council agreed to set up a more flexible, simple and efficient zones system.

On the subject of relations between the State of registration and its carriers, it was recognized that the principles put forward by the Commission correspond to the objectives needed for the completion of the Internal Market, principles which will be put into effect before 1 July 1992 on the basis of general specifications and harmonized criteria. The Council also approved a certain number of conclusions on market access, cabotage, competition and non-regular services.

The Danish, Greek and Portuguese delegations entered reservations on some of the dates in these conclusions.

Finally, concerning airspace congestion, the role of EUROCONTROL as the competent body for development of co-operation measures in Europe should be confirmed, and Member States should be reminded of the need to join and to have the Commission draft a Directive on purchases of air navigation equipment in order to harmonize technical specifications for such equipment and for air traffic control procedures, defined in close co-operation with EUROCONTROL.

MISCELLANEOUS DECISIONSOther decision in the transport sector

The Council adopted the Directive on the limitation of noise emission from civil subsonic jet aeroplanes.

The substance of this Directive was decided upon on 16 October 1989. Its object is to further the Community's action on the noise emission from aeroplanes in accordance with the pertinent rules of the Convention on International Civil Aviation: this action was initiated by Directive 80/51/EEC on the limitation of noise emission from subsonic aeroplanes and amended by Directive 83/206/EEC.

Environment

The Council authorized the Commission on behalf of the Community, to take part in the 1st European Conference on the environment and health (Frankfurt, 7 and 8 December 1989).

Common agricultural policy

The Council adopted the Regulations:

- amending Regulation No 1188/81 laying down general rules for granting refunds adjusted in the case of cereals exported in the form of certain spirituous beverages and the criteria for fixing the amount of such refunds
- amending Regulation 2727/75 on the common organization of the market in cereals.

This amendment involves the introduction of a de minimis rule for the cereals co-responsibility levy.

- laying down general rules for implementing the Act of Accession of Spain and Portugal as regards the compensation mechanism on imports of fruit and vegetables originating in Spain.

#### Relations with the Eastern European countries

Further to the political agreement achieved at the General Affairs Council on 27 November 1989, the Council adopted the Regulation suspending non-specific quantitative restrictions in respect of Poland and Hungary and amending Regulation No 3420/83 accordingly.

#### Relations with Tunisia

The Council adopted the Regulation implementing Decision No 2/89 of the EEC-Tunisia Co-operation Council of 27 September 1989 amending on account of the accession of Spain and Portugal to the European Communities, the Protocol concerning the definition of the concept of "originating products" and methods of administrative co-operation.

#### Relations with the ACP States and the OCT

The Council adopted the Regulations:

- on the application of Decision No 1/89 of the ACP-EEC Council of Ministers amending Protocol No 1 to the Third ACP-EEC Convention concerning the definition of the concept of "originating products" and methods of administrative co-operation
- amending Annex II, concerning the definition of the concept of "originating products" and methods of administrative co-operation, to Decision 86/288/EEC on the Association of the Overseas Countries and Territories with the European Economic Community.

Customs union

The Council adopted the Regulations opening and providing for the administration of:

- autonomous Community tariff quotas for certain agricultural, chemical and industrial products (1990)
  - a Community tariff quota for frozen peas originating in Sweden (1990)
  - Community tariff quotas for cod and fish of the species *Borengadus saida* originating in Norway (1990).
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# **COUNCIL OF THE EUROPEAN COMMUNITIES**

1374th meeting of the Council

- ACP-EEC Convention-

Brussels, 27 November 1989

The official press release was unavailable. A summary of the meeting has been reproduced from the Bulletin of the European Communities, No. 11-1989.

## 1374th meeting

2.7.8. Meeting took place on 27 November<sup>2</sup>

<sup>2</sup> Bull. EC 11-1989, point 2.2.39.

## Renewal of the ACP-EEC Convention

### *Informal ministerial meeting*

2.2.39. Following a series of negotiations between the two parties from 25 to 27 November in Brussels,<sup>1</sup> interspersed with internal coordination meetings, the ACP countries and the Community reached full agreement on all the provisions of the next Convention except the volume and breakdown of funding.

This last point having been left open at the request of the ACP countries, the informal ministerial meeting closed without a final agreement being reached, so it was not possible to conclude the negotiations.

However, it was agreed that very close contacts would be maintained between the two co-Presidents and the Commission in order to explore ways and means of reaching a satisfactory solution on the volume of funding, preferably in time for the signing ceremony to take place on the date originally planned.

<sup>1</sup> Previous meeting: Bull. EC 10-1989, point 2.2.26.