

COUNCIL OF THE EUROPEAN COMMUNITIES

PRESS RELEASES

PRESIDENCY: DENMARK

JANUARY-JUNE 1993

Meetings and press releases April-May 1993

<b>Meeting number</b>	<b>Subject</b>	<b>Date</b>
1651 <sup>st</sup>	General Affairs/Political	5 April 1993
1652 <sup>nd</sup>	Internal Market	5 April 1993
1653 <sup>nd</sup>	Labour/Social Affairs	6 April 1993
1654 <sup>th</sup>	Economics/Finance	19 April 1993
1655 <sup>th</sup>	Environment/Energy	23 April 1993
1656 <sup>th</sup>	Agriculture	26-27 April 1993
1657 <sup>th</sup>	Research	29 April 1993
1658 <sup>th</sup>	Industry	4 May 1993
1659 <sup>th</sup>	General Affairs/Political	10 May 1993
1660 <sup>th</sup>	Telecommunications	10 May 1993
1661 <sup>st</sup>	Culture	17 May 1993
1662 <sup>nd</sup>	Agriculture	24-27 May 1993
1663 <sup>rd</sup>	Development Co-operation	25 May 1993
1664 <sup>th</sup>	Health	27 May 1993
1665 <sup>th</sup>	No record of a meeting	

PRESS RELEASE

5570/93 (Presse 47)

1651st Council meeting

- GENERAL AFFAIRS -

- POLITICAL CO-OPERATION -

Luxembourg, 5 April 1993

President: Mr Niels HELVEG PETERSEN

Minister for Foreign Affairs  
of the Kingdom of Denmark

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

Belgium:

Mr Willy CLAES Minister for Foreign Affairs  
Mr Robert URBAIN Minister for Foreign Trade and European Affairs

Denmark:

Mr Niels HELVEG PETERSEN Minister for Foreign Affairs  
Mr Jorgen ØSTRØM MØLLER State Secretary for Foreign Affairs

Germany:

Mr Klaus KINKEL Federal Minister for Foreign Affairs  
Mrs Ursula SEILER-ALBRING Minister of State, Foreign Affairs

Greece:

Mr Michalis PAPACONSTANTINOU Minister for Foreign Affairs  
Mr Georges PAPASTAMKOS State Secretary for Foreign Affairs

Spain:

Mr Javier SOLANA Minister for Foreign Affairs  
Mr Carlos WESTENDORP State Secretary for Relations with the European Communities  
Mr Miguel Angel FEITO HERNANDEZ State Secretary for Trade

France:

Mr Alain JUPPE Minister for Foreign Affairs  
Mr Gérard LONGUET Minister for Industry and Foreign Trade  
Mr Alain LAMASSOURE Minister with special responsibility for Foreign Affairs

Ireland:

Mr Dick SPRING Minister for Foreign Affairs  
Mr Tom KITT Minister of State at the Departments of the Taoiseach and Foreign Affairs with special responsibility for European Affairs

Italy:

Mr Emilio COLOMBO Minister for Foreign Affairs

Luxembourg:

Mr Jacques POOS Minister for Foreign Affairs

Netherlands:

Mr P KOOIJMANS Minister for Foreign Affairs  
Mr Piet DANKERT State Secretary for Foreign Affairs

Portugal:

Mr José Manuel Durao BARROSO Minister for Foreign Affairs  
Mr Vitor MARTINS State Secretary for Foreign Affairs

United Kingdom:

Mr Tristan GAREL JONES Minister of State, Foreign and Commonwealth Office

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Commission:

Sir Leon BRITTAN Member  
Mr Hans VAN DEN BROEK Member

**ACCESSION NEGOTIATIONS WITH NORWAY**

The Council examined Norway's request for accession. For the purposes of this examination it drew upon the Commission's opinion and on a report from the Permanent Representatives Committee. At the close of discussions the Council adopted the following conclusions:

Recalling the conclusions adopted by the European Council held in Edinburgh on 12 December 1992 concerning those EFTA countries which were candidates for accession to the European Union, the Council:

- welcomed the Commission's positive assessment of the request for accession presented by Norway;
- decided to open negotiations with a view to Norway's accession to the Union;
- approved the general arrangements for the Union negotiations.

**RELATIONS WITH RUSSIA**

The Council heard a report from the Presidency on the visit by the Ministerial Troika to Moscow on 26 and 27 March.

The Council also approved supplementary negotiating directives for a partnership and co-operation agreement with Russia, the aim being to complete current negotiations as swiftly as possible.

In addition, the Council held a first reading of the Commission's proposal for a Regulation concerning the provision of technical assistance to economic reform and recovery in the independent States of the former USSR (TACIS). This showed broad agreement among Ministers. The Council will resume work on the matter when it has received the Parliament's Opinion, with a view to reaching a decision.

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In this context the Council and the Commission made the following statement:

"The Community, which has started to open up its markets to the CCEEs and the Republics of former USSR, would welcome similar efforts on the part of other industrialized countries."

**TRADE POLICY**

The Council noted a report by Sir Leon BRITTAN on his talks in Brussels on 29 and 30 March with Mr Mickey KANTOR, United States Representative for trade questions.

This report dealt both with the Uruguay Round and with bilateral disputes in EEC-US trade relations.

This was followed by a thorough debate which provided the Commission with a complete briefing on delegation's viewpoints for the purposes of further talks to be held in Washington on 19 and 20 April.

The Council expressed its appreciation of the Commission's action. It renewed its total support for the Commission's efforts to resolve the bilateral disputes satisfactorily and, with particular regard to public contracts, to achieve a balanced solution based upon comparable and effective access to the respective markets.

The Council will review all these questions at its next meeting.

**SEPARATE EUROPE AGREEMENTS WITH THE CZECH REPUBLIC AND WITH SLOVAKIA**

The Council authorized the Commission to negotiate two separate Europe Agreements with the Czech Republic and with Slovakia and drew up negotiating directives for that purpose.

These agreements are intended to replace the Europe Agreement signed on 6 December 1991 with the former Czechoslovakia.

**SIGNING OF A TRADE AND ECONOMIC CO-OPERATION AGREEMENT, AN ECSC AGREEMENT AND A FINANCIAL PROTOCOL WITH SLOVENIA**

The Council decided to sign a trade and economic co-operation agreement, an ECSC Agreement and a Financial Protocol with Slovenia.

The signing of these agreements took place today, along with the signing of a transport agreement decided by the Council on 15 March (see joint Press Release No 5572/93 Presse 49).

**DECLARATION ON FORMER YUGOSLAVIA**

The Community and its Member States express great concern at the reiterated refusal of the Bosnian Serb leaders to sign the Vance/Owen Peace Plan. They continue to demand that the plan be accepted by all three parties and consequently implemented. To this end, full international pressure is now being put on the Bosnian Serbs and on the authorities in Belgrade. The Community and its Member States continue to make sanctions more effective, even further isolating Serbia-Montenegro. In this respect they welcome the decision adopted today by the extraordinary Council of Ministers of the WEU on measures to strengthen the enforcement of the UN embargo on the Danube.

The Bosnian Serbs have repudiated the Peace Plan. The Community and its Member States have repeatedly made it clear (European Council 11-12 December 1992, 1 February 1993) that the non-acceptance of the Peace Plan would have the most severe consequences and would lead to total international isolation of Serbia/Montenegro. It is now time to take concrete steps down that route. The Community and its Member States have elaborated a package of possible measures for such a contingency. They therefore welcome the fact that the Security Council is at present dealing with a draft resolution supporting the Peace Plan and strengthening the sanctions regime, which contains essential elements of the European concept. The Community and its Member States trust that the European members of the Security Council will continue their efforts with a view to the adoption, without delay, of a resolution in accordance with this concept.

If the present policies of the Serb side are carried on, the Bosnian Serbs and Serbia-Montenegro will remain isolated for years to come. However, if the Bosnian Serbs accept the Peace Plan and it is being fully implemented in good faith, this pressure will gradually be lifted, leading to the full readmittance of Serbia-Montenegro to the international Community.

The Community and its Member States are deeply worried about the humanitarian situation in Bosnia-Herzegovina, especially its Eastern part. They strongly demand that Serb attacks stop and that humanitarian assistance immediately be given free access.

The Community and its Member States welcome the prolongation of the UNPROFOR mandate. They urge the Croatian government and the Serbs in Croatia to successfully negotiate a settlement of the disputes between them, based on the principles of the Vance Plan.

The Community and its Member States, expressing their full support for the International Conference, warmly thank Cyrus Vance for his great contribution to it and look forward to co-operating with the Thorvald Stoltenberg.

### **MIDDLE EAST PEACE PROCESS**

The Council heard a report from the Presidency on the recent visit by the Ministerial Troika to the Middle East.

## MISCELLANEOUS DECISIONS

### Andean Pact

The Council decided to sign the Framework Co-operation Agreement between the European Economic Community and the Cartagena Agreement and its Member States, the Republic of Bolivia, the Republic of Colombia, the Republic of Ecuador, the Republic of Peru and the Republic of Venezuela.

This signing is scheduled to take place in Copenhagen on 23 or 24 April in connection with the Ministerial Conference of the Institutionalized dialogue between the EEC and the Rio Group.

### Taxation

The Council adopted a decision authorizing the United Kingdom to apply a measure derogating from Articles 5(8) and 21(1)(a) of the Sixth Directive (77/388/EEC) on the harmonization of the laws of the Member States relating to turnover taxes.

This derogation was granted pursuant to Article 27 of the Sixth VAT Directive which permits the Council to authorize measures derogating from the Directive in order to simplify the procedure for changing the tax or to prevent certain types of tax evasion or avoidance.

The purpose of this measure is to extend until 31 December 1996 the derogation granted to the United Kingdom in 1990 concerning the transfer of certain assets within a group of companies which do not enjoy a full right to deduct VAT.

### Textiles

The Council adopted a Regulation establishing a Community procedure for administering quantitative import restrictions and monitoring products originating in certain third countries.

The purpose of this Regulation is to establish rules for administering import restrictions and monitoring procedures laid down in agreements, protocols, arrangements and specific import regimes negotiated with third countries, together with special transitional provisions, pending the implementation by the Commission of a centralized data-processing system. The Regulation will apply only until the Council adopts a more general Regulation, for which

the Commission will shortly be submitting a proposal and which will cover all administrative questions relating to bilateral textile agreements and other textile agreements negotiated by the Community with third countries.

#### Mediterranean countries

The Council adopted Regulations:

- concerning the tariff quota for fresh strawberries originating in the Occupied Territories (1 200 t from 1 November 1992 to 31 March 1993 at zero duty) and laying down the procedure applicable to certain agricultural products subject to reference quantities originating in the said territories (1992-1993) (tomatoes, aubergines, sweet peppers, courgettes, fresh oranges);
- opening and providing for the administration of a Community tariff quota for malt beer originating in Malta (for 1993 - 5 000 t duty free).

#### Agriculture

The Council adopted regulations

- concerning statistical information to be supplied by Member States on crop products other than cereals. The purpose of this Regulation is to harmonize and improve the flow of data which is already largely in existence. It defines the data to be supplied, sets deadlines for transmission and establishes the degree of precision required to guarantee their objectivity and representativity;
- amending Regulation (EEC) No 2420/92 temporarily suspending the Common Customs Tariff duties on imports of certain mixtures of residues of the maize starch industry and of residues from the extraction of maize germ oil obtained by wet milling for the period from 1 April to 31 May 1993.

Consumers

Following the agreements reached on 2 March, the Council formally adopted:

- a Directive on unfair terms in consumer contracts.

The purpose of this Directive is to approximate, at the latest by 31 December 1994, Member States' legislation on unfair terms in contracts concluded between a consumer and a seller or supplier acting for purposes relating to his trade, business or profession, whether publicly or privately owned, so as to provide consumers with a high level of protection within the Community.

- A resolution on future action on the labelling of products in the interest of the consumer

(see Press Release 5012/93 Presse 25).

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PRESS RELEASE

5571/93 (Presse 48)

1652nd Council meeting

- INTERNAL MARKET -

Luxembourg, 5 April 1993

President: Mr Jan TROEJBORG

Minister for Industry of the  
Kingdom of Denmark

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

Belgium:

Mr Robert URBAIN

Minister for Foreign Trade and  
European Affairs

Denmark:

Mr Jan TROEJBORG

Mr Christopher Bo BRAMSEN

Minister for Industry  
State Secretary for Industry

Germany:

Mr Johann EEKHOF

State Secretary, Federal Ministry of  
Economic Affairs

Greece:

Mr Georges THEOFANOUS

Secretary-General, Ministry of Trade

Spain:

Mr Carlos WESTENDORP

State Secretary for Relations with the  
European Communities

France:

Mr Alain LAMASSOURE

Minister with special responsibility for  
European Affairs

Ireland:

Mr Charles McCREEVY

Minister for Tourism and Trade

Italy:

Mr Gianfranco CIAURRO

Minister for Community Policies

Luxembourg:

Mr Georges WOHLFART

State Secretary for Foreign Affairs and  
Foreign Trade

Netherlands:

Mr Piet DANKERT

State Secretary for Foreign Affairs

Portugal:

Mr Vitor MARTINS

State Secretary for European Integration

United Kingdom:

Mr Neil HAMILTON

Parliamentary Under-Secretary of State,  
Department of Trade and Industry

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o

Commission:

Mr Martin BANGEMANN

Member

Mr Raniero VANNI d'ARCHIRAFI

Member

## **THE INTERNAL MARKET AFTER 1992 - FUTURE DEVELOPMENTS**

The Council held a general open debate on the follow-up to the completion of the Internal Market, i.e. the further steps that should be taken by the Community and the Member States to ensure full benefits from the single market for citizens (workers and consumers) and business.

The Ministers' interventions focused mainly on certain key aspects summarized below:

### **1. The Internal Market - Benefits**

- The advantages to citizens and to trade and industry in the Community: employment productivity, competitiveness, investment, growth and consumer choice.
- The need to follow up the industrial and economic effects of the internal market in particular on SMEs - the role of the Commission and the Member States in assessing the impact of Community legislation.

### **2. Economic efficiency and improved rights**

- The future steps to be taken to secure further development of the Internal Market in pursuance of the Edinburgh conclusions to create further economic efficiency and improved rights for companies and for consumers in the Community.

### **3. Transparency**

- The development of systematic consultation and a more systematic use of green papers before proposing Community legislation.
- The need to ensure greater coherence and clarity in Community and Member State legislation on the Internal Market. The role of formal legislative consolidation

and of consolidation at Community level; means of ensuring that transparency is assured at national level.

#### **4. Information and communication**

- The importance of ensuring the widest possible circulation of information of a quantitative and qualitative calibre to guarantee that Community legislation is accessible to both businesses and citizens.

#### **5. Implementation of internal market rules and administrative co-operation**

- The legal rights of citizens and companies.
- Means of ensuring that businesses and consumers are adequately informed of the procedures and ways of obtaining remedies or redress in other Member States;
- Means of ensuring correct implementation in each Member State; increased administrative co-operation without creating new layers of bureaucracy;
- Means of dealing with emergencies; the efficiency of the mechanisms provided for under existing Directives and the role of the Internal Market Advisory Committee.

The discussion also gave several delegations an opportunity to stress the importance they attach to

- the role that the single market will have to play in combating unemployment;
- the achievement of rapid progress concerning the free movement of persons;
- compliance with the principle of subsidiarity, while continuing to combat the creation of further obstacles to trade.

Several Ministers reported on measures adopted at national level to ensure access to

information on Community law and to deal with any problems that might arise in implementing the Internal Market.

At the end of its discussions, the Council agreed to resume them as soon as the Commission had submitted a formal communication at its next meeting.

### **COMPLETION OF THE INTERNAL MARKET INCLUDING THE ABOLITION OF FRONTIER CONTROLS**

The Council acknowledged an oral statement from the Commission on the completion of the Internal Market including the abolition of frontier controls and agreed to resume its examination of this matter at its next meeting.

### **STATUTE FOR A EUROPEAN COMPANY (SE)**

The Council held a policy debate on the proposals for a Regulation and a Directive on the Statute for a European Company.

These proposals, the original versions of which were submitted by the Commission in 1970, are among the proposals contained in the White Paper on the internal market which have not yet been adopted by the Council.

Discussions centred on the basic question of whether there was a real interest in the creation of the SE in most of the Member States and whether the creation of this new form of company was necessary within the framework of the Internal Market.

At the end of the discussions the Presidency concluded that:

- a significant majority of delegations were in favour of setting up the SE in order to

ensure freedom of establishment for businesses in the Internal Market, taking into account the obstacles that still existed in this area, particularly in the transfer of registered office and international mergers;

- the Presidency will continue to seek appropriate solutions, perhaps through bilateral talks with the delegations that have expressed major reservations, on the question of worker participation and other issues that are of special importance to one or other of the delegations;
- in the light of these talks and further consideration the Presidency will endeavour to draw up an overall compromise solution that might be submitted to the Council meeting in June.

#### **TERM OF PROTECTION OF COPYRIGHT AND CERTAIN RELATED RIGHTS**

The Council discussed certain key questions relating to the proposal for a Directive harmonizing the term of protection of copyright and certain related rights.

In the context of the internal market, the aim of this proposal is to abolish the trade barriers and distortions of competition arising from the current variations between the laws of the Member States. It is based on the principles of the Berne and Rome Conventions for the Protection of Literary and Artistic Works and related rights.

There was a majority in favour of fifty years as the term for related rights, but the term for copyright must be considered further at a later date.

The Council also had an extensive exchange of views on the issue of the term of protection

for audiovisual and cinematographic works and on whether moral rights should be included in the scope of the Directive.

It instructed the Permanent Representatives Committee to continue discussing these and other unresolved questions.

### **COPYRIGHT AND RELATED RIGHTS APPLICABLE TO SATELLITE BROADCASTING AND CABLE RETRANSMISSION**

The Council agreed, with an abstention from France, to the substance of the common position on the Directive on the co-ordination of certain rules concerning copyright and related rights applicable to satellite broadcasting and cable retransmission.

The aim of the proposal is to supplement Community provisions on copyright, making a distinction between satellite broadcasting and cable retransmission, and to introduce only the harmonization necessary for cross-border activities.

The proposal provides that satellite broadcasting is subject to the authorization of the rightholder and that such authorization must be obtained in the country of origin. It also provides for a common level of protection for authors, artists, performers, producers of phonograms and broadcasting organizations throughout the Community.

As regards cable retransmission rights, the proposal provides that these must be negotiated solely through collecting societies representing the various categories of rightholders.

With regard to transitional provisions, the Directive in principle provides that the act of satellite broadcasting is to take place solely in the country of broadcasting. In the case of agreements currently concluded on the basis of the territorial division of rights, a transitional period of five years is set from the date of incorporation of the Directive into national law

to enable the parties to renegotiate agreements to bring them into line with the Directive. Some delegations want derogations for international co-production agreements, whereby several producers of cinematographic or audiovisual works of different nationalities share the exploitation rights of the work on a territorial basis.

As for transitional provisions relating to cable retransmission, the Member States concerned may retain the bodies with responsibility for settling disputes between interested parties that are in existence on 1 January 1995 for a period of eight years after that date.

### **PERSONAL PROTECTIVE EQUIPMENT**

Pending the Opinion of the European Parliament on the first reading, the Council held an exchange of views, because of the link between this item and the agenda item concerning CE conformity marking.

In the course of the discussion the Council considered whether or not to exclude helmets for users of two or three-wheeled motor vehicles from the scope of the Directive pending specific proposals from the Commission in this area for more stringent safety requirements.

The Council agreed to return to this subject at a later date.

### **COMMUNITY TRADE MARK**

The Council held a further exchange of views on the proposal for a Regulation on the Community trade mark. The Presidency announced its intention to continue bilateral talks with the delegation concerned in order to reach a solution, more especially on the question of the rules governing the languages of the Trade Marks Office.

## CE CONFORMITY MARK

The Council gave its political agreement on two proposals designed to harmonize the rules on CE conformity marking for industrial products covered by the "new approach" Directives. They will be formally adopted shortly, after finalization of the texts. The two proposals contain in particular:

- a proposal for a Directive amending eleven Directives already adopted on the basis of the "new approach", and introducing CE conformity marking into Directive 73/23/EEC concerning low voltage, as follows:
  - 87/404 (simple pressure vessels);
  - 88/378 (safety of toys);
  - 89/106 (construction products);
  - 89/336 (electromagnetic compatibility);
  - 89/392 (machinery);
  - 89/384 (non-automatic weighing instruments);
  - 90/385 (active implantable medical devices);
  - 90/396 (appliances burning gaseous fuels);
  - 91/263 (telecommunications terminal equipment);
  - 92/42 (new hot-water boilers fired with liquid or gaseous fuels);
  - 73/23 (electrical equipment designed for use within certain voltage limits);
- a proposal for a Decision supplementing Decision 90/683/EEC of 13 December 1990 concerning the certification modules for use in the technical Directives with provisions regarding the harmonized rules on CE conformity marking.

The rules adopted for conformity marking implement the principles established in the Council Resolution of 7 May 1985 on the new approach and those of the Resolution of 21 December 1989 on a global approach to conformity assessment for industrial products.

Under these rules CE conformity marking affixed on industrial products signifies their compliance with all the relevant provisions of the Directive.

### **FOODSTUFFS - ADDITIVES AND SWEETENERS**

Pending the Opinion of the European Parliament on the additives proposal, the Council might hold a policy debate on the two proposals for Directives relating respectively to amending the food additives framework Directive and sweeteners for use in foodstuffs. It should be emphasized in advance that there is a majority in favour of the two Directives being adopted simultaneously.

The proposals in question were submitted following the European Parliament's rejection in May 1992 of the common position adopted by the Council on the sweeteners proposal. The enacting terms of the common position granted Member States, in a footnote, the opportunity to ban the use of additives in their national production of traditional foodstuffs. In the case in point, the foodstuffs in question were low-alcohol or non-alcoholic beers. Parliament felt, inter alia, that such an important issue could not be regulated in an individual Directive purely by means of a footnote.

The new proposal on additives adopts a legal method which enables derogations to be granted from the general rules on additives in order to protect national production of traditional foodstuffs, without prejudice to the principles of the single market, particularly as regards free movement of goods and freedom of establishment.

At the end of the debate the Council instructed the Permanent Representatives Committee to continue discussions, particularly on the possibility of incorporating the exceptions for traditional foodstuffs into the text of the general Directive on additives, in the light of the outcome of its discussions and the Opinion of the European Parliament.

**MAXIMUM DESIGN SPEED, MAXIMUM TORQUE AND MAXIMUM NET ENGINE POWER OF TWO OR THREE-WHEEL MOTOR VEHICLES**

After an exchange of views on the maximum power limit for two or three-wheel motor vehicles the Council agreed to instruct the Permanent Representatives Committee to re-examine this matter and to submit the item for adoption by the Council at its meeting in June.

**TELEMATIC NETWORKS**

The Council acknowledged the Commission's communication on trans-European data communications networks between administrations. This initiative constitutes the first application in the telecommunications sector of proposed Community action in the field of trans-European networks.

The communication contains two proposals for Decisions, namely:

- a framework Decision designed to identify the objectives, priorities and broad lines of action in the field of trans-European data communication networks between administrations, and
- a Decision for a multiannual Community programme as the Community's contribution in support of projects of common interest concerning data exchange between administrations as defined in the framework Decision.

It should be noted that this item could also be included in the preparations for the Telecommunications Council on 10 May 1993.

## OTHER INTERNAL MARKET DECISIONS

### Explosives for civil uses

Following the common position adopted by the Council on 17 December 1992 and the completion of the procedure for co-operation with the European Parliament, the Council is called upon to proceed with final adoption, with the abstention of the French delegation, of the Directive on the harmonization of provisions governing the placing on the market and supervision of explosives for civil uses.

The Directive has a twofold purpose:

- to harmonize the conditions governing the placing on the market of explosives by laying down the essential requirements with which such products must comply and the procedures for verification of conformity with essential requirements;
- to set up a system for the supervision of transfers of explosives within the Community as an alternative to physical frontier controls.

The Directive defines the concept of explosives by reference to the "UN Recommendations on the Transport of Dangerous Goods" as published by the UN (Orange Book). The Directive does not apply to explosives for military or police uses, or to pyrotechnical articles. Special arrangements are laid down for munitions.

In order to be placed on the market, explosives must, at the end of the transitional period, comply with essential safety requirements. Verification of such compliance will be carried out by external bodies. Where there is presumption of conformity, the producer can affix the CE marking to the product in question, thereby enabling it to be accepted throughout the Community.

In view of the abolition of physical checks at frontiers, the proposal establishes an alternative system for monitoring transfers of explosives within the Community. It also takes account of cases where particular security requirements are needed. In these cases, transfers must receive prior authorization. The authorization of the Member State of destination or transit is the subject of a document accompanying the explosive to its final destination.

## Two or three-wheel motor vehicles

Following the adoption on 18 June 1992 of framework Directive 92/61/EEC establishing the administrative procedures for the type approval of two or three-wheel vehicles and for component type approval, the Council is called upon to adopt the legislative instruments summarized below:

### - Braking

Following approval by the European Parliament on 10 February 1993 of the common position adopted by the Council on 17 December 1992 the Council definitively adopted the individual Directive concerning the braking of the vehicles in question.

### - Statutory markings

The Council adopted the common position on the technical requirements applying to statutory markings for the vehicles concerned.

The purpose of the markings, which are to be entered indelibly on the "manufacturer's plate", is firstly to harmonize the widely differing legislative provisions in force in the Member States, and secondly to improve road safety and environmental protection.

The marking will make it possible, during roadside police checks, to verify that the vehicle forms part of the production run of the type of vehicle that has been type approved, and thus meets the design requirements adopted.

### - Unauthorized use

The Council adopted the common position on the Directive on protective devices intended to prevent the unauthorized use (anti-theft devices) of the vehicles in question.

The requirements set out in this Directive apply to the design of these devices and their operation once they have been fitted to the vehicle. The requirements are needed, firstly, to harmonize the widely differing legal provisions in force in the Member States and, secondly, for reasons of road safety.

The requirements of the Directive are intended, inter alia, to avoid, when the vehicle is in motion or its engine is running, any accidental locking of the device or deterioration in the steering gear or transmission on which the device acts, which might thereby impair safety.

### Free movement of doctors

Following approval by the European Parliament on 8 February 1993 of the common position adopted by the Council on 14 December 1992, the Council proceeded with final adoption of the Directive designed to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications.

The purpose of the Directive is to produce a legislative consolidation of existing legislative acts in this field in order to make an important aspect of Community legislation clearer and more accessible.

It should be stressed that this constitutes a legislative consolidation in that the new Directive replaces the various Directives which are the subject to the consolidation; it leaves their substance untouched but assembles them into a single text, with only the formal amendments required by the consolidation operation itself.

The Directive groups together in a single text the following Directives:

- 75/362/EEC concerning the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine, including measures to facilitate the effective exercise of the right of establishment and freedom to provide services;
- 81/1057/EEC supplementing Directives 75/362/EEC, 77/452/EEC, 78/686/EEC and 78/1026/EEC concerning the mutual recognition of diplomas, certificates and other evidence of the formal qualification of doctors, nurses responsible for general care, dental practitioners and veterinary surgeons respectively, with regard to acquired rights;
- 75/363/EEC concerning the co-ordination of provisions laid down by law, regulation or administrative action in respect of activities of doctors;
- 86/457/EEC on specific training in general medical practice.

### Public supply contracts - consolidation

The Council adopted a common position on the Directive co-ordinating procedures for the award of public supply contracts.

The purpose of the Directive is to carry out a legislative consolidation of the legislation in force, in that the new Regulation will replace the various Regulations which are the subject of the consolidation operation.

It aims more particularly to recast (legislative consolidation and amendment) Directive 72/62/EEC in order to bring it into line, in particular in respect of procedural rules but also of other rules, including provisions on technical specifications, with the Directives concerning public works and service contracts.

## **TRANSIT AND STORAGE STATISTICS**

Following the adoption of the common position on 21 December 1992 and the completion of the co-operation procedures with the European Parliament, the Council proceeded with the final adoption of the Regulation on transit statistics and storage statistics relating to the trading of goods between Member States.

This Regulation, which follows on from Articles 4 and 31 of Regulation No 3330/91, is designed to determine the framework within which Member States are authorized to organize their statistical surveys of transit and storage movements, to ensure that the burden on those responsible for providing information does not vary excessively from one Member State to another. It should be noted that Regulation No 3330/91 established the system for collecting statistics relating to the trading of goods States as from 1 January 1993 and that Articles 4 and 31 thereof provide that the Council will adopt the necessary provisions for the establishment of transit and storage statistics.

## **CUSTOMS CO-OPERATION**

By a qualified majority, the German delegation voting against, the Council adopted the Decision concerning the negotiation of customs co-operation agreements with the Community's main trading partners.

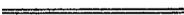
By this Decision the Council authorizes the Commission to negotiate customs co-operation agreements with the Community's main trading partners, principally with the aim of:

- facilitating access to the markets of the countries in question for Community exporters;
- guaranteeing equal treatment for Community operators in those countries;
- improving relations between the customs authorities of those countries and Community customs authorities to improve the effectiveness of the fight against customs fraud.

## **SECURITIES**

The Council adopted the common position with a view to adopting a Directive setting up a Securities Committee.

In line with the Banking Committee and the Insurance Committee, the twofold task of the Securities Committee will be to advise and assist the Commission in carrying out the executive powers delegated to it by the Council in the securities field. It may be called upon to exercise these duties in the event of technical adaptations to the Directives on capital adequacy and investment services.



# **COUNCIL OF THE EUROPEAN COMMUNITIES**

1653<sup>rd</sup> meeting of the Council

-Labour and Social Affairs-

Luxembourg, 6 April 1993

The official press release was unavailable. A summary of the meeting has been reproduced from the Bulletin of the European Communities, No. 4-1993.

### **1653rd meeting**

*1.6.5. Labour and social affairs (Luxembourg, 6 April).*

*Previous meeting:* Bull. EC 12-1992, point 1.7.3

*President:* Ms Andersen, Danish Minister for Labour.

*Commission:* Mr Flynn.

#### *Main item*

Protection of workers from risks related to exposure to biological agents at work: common position agreed (→ point 1.2.105).

#### *Other business*

- Employment situation in the Community: discussed.
- Social dialogue: discussed.
- Organization of working time: exchange of views.
- Establishment of European Works Councils: discussed in depth.
- Health and safety aboard fishing vessels: progress report.
- Protection of young people at work: examined.

## Health and safety at work

1.2.105. Proposal for a Council Directive amending Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work.

**Directive to be amended:** Council Directive 90/679/EEC: OJ L 374, 31.12.1990; Bull. EC 11-1990, point 1.3.50

**Commission proposal:** OJ C 217, 24.8.1992; COM(92) 261; Bull. EC 7/8-1992, point 1.3.124

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. EC 11-1992, point 1.3.130

**Parliament opinion (first reading):** OJ C 72, 15.3.1993; Bull. EC 1/2-1993, point 1.2.143

**Amended Commission proposal:** OJ C 82, 23.3.1993; COM(93) 86; Bull. EC 3-1993, point 1.2.92

*Common position agreed by the Council on 6 April.* The proposal aims to establish, pursuant to Directive 90/679/EEC, a first list of biological agents (bacteria and similar organisms, viruses, parasites and fungi) classified according to their level of risk of infection, together with a code of practice on vaccination of workers exposed to biological agents for which effective vaccines exist.

1.2.106. Proposal for a Council Directive concerning the minimum safety and health requirements for transport activities and workplaces on means of transport.

**Commission proposal:** OJ C 25, 28.1.1993; COM(92) 234; Bull. EC 11-1992, point 1.3.129

*Endorsed by the Economic and Social Committee on 28 April.* The Committee nevertheless suggested that the Annexes be revised in terms of laying down specific standards for each mode of transport concerned.

PRESS RELEASE

**5838/93 (Presse 55)**

1654th Council meeting

**ECONOMIC AND FINANCIAL QUESTIONS**

Luxembourg, 19 April 1993

President: Ms Marianne JELVED  
Minister for Economic Affairs  
of the Kingdom of Denmark

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

<u>Belgium:</u> Mr Philippe MAYSTADT	Minister for Finance
<u>Denmark:</u> Ms Marianne JELVED Mr Mogens LYKKETOFT	Minister for Economic Affairs Minister for Finance
<u>Germany:</u> Mr Theo WAIGEL Mr Christoph ZEITLER	Federal Minister for Finance State Secretary for Finance
<u>Greece:</u> Mr Stefanos MANOS Mr Michail GALIENOS	Minister for Economic Affairs State Secretary for Finance
<u>Spain:</u> Mr Carlos SOLCHAGA  Mr Pedro PEREZ	Minister for Economic Affairs and Finance State Secretary for Economic Affairs and Finance
<u>France:</u> Mr Edmond ALPHANDERY	Minister for Economic Affairs
<u>Ireland:</u> Mr Bertie AHERN	Minister for Finance
<u>Italy:</u> Mr Piero BARUCCI	Minister for the Treasury
<u>Luxembourg:</u> Mr Jean-Claude JUNCKER	Minister for Finance
<u>Netherlands</u> Mr H.J. BROUWER	General Treasurer
<u>Portugal:</u> Mr Jorge BRAGA DE MACEDO	Minister for Finance
<u>United Kingdom:</u> Sir Norman LAMONT	Chancellor of the Exchequer
	- + -
<u>Commission:</u> Mr Henning CHRISTOPHERSEN Mr Peter SCHMIDHUBER Ms Christiane SCRIVENER	Member Member Member
	- + -
<u>The following also attended:</u> Sir Brian UNWIN Mr Jean-Claude TRICHET	President of the EIB Chairman of the Monetary Committee

**FOLLOW-UP ON THE DECLARATION FROM EDINBURGH ON PROMOTING ECONOMIC RECOVERY IN EUROPE - CONCLUSIONS OF THE COUNCIL**

The council (ECOFIN) has today endorsed a new thrust of economic policies designed simultaneously to aim at higher, non-inflationary growth and rising employment and to realize the convergence criteria. These policies constitute a first step in the implementation of the Edinburgh declaration. The Council is determined to provide an improved foundation for confidence and growth.

During the last two years economic growth has slowed - globally as well as in the Community - and unemployment has increased to very high levels. Without new policy measures the Community will be faced with a continuously high level of unemployment during the coming years.

Today's conclusions confirm the will of the council to strengthen co-operation and co-ordination of economic policy.

The nature and scope of the measures taken to enhance growth and employment should differ according to the economic situation and, in particular, the budgetary position of each Member State. It is, however, crucial to ensure that these measures are concerted in both substance and timing. The Commission estimates that the benefit for each Member State regarding growth and employment in this case will be significantly increased. Such concertation should be put into effect to the extent possible for the policies already decided for 1993 and it should be consistently applied in relation to 1994. Public expenditure should be reorientated by giving higher priority to those investments in infrastructure and environment which are of particular importance for economic growth. In parallel higher private investment will be encouraged - both through national policies and through actions at the community level. A more detailed list of such actions is given in the Commission's report: "Promoting Economic Recovery in Europe".

The indicative estimates by the Commission of the direct effects from these initiatives point to an increase in the total GDP in Member States of the order of 0,6% and an employment creation of 450 000 jobs over two years. Perhaps even more important than the direct effects from these initiatives on growth and employment will be the resulting revival in

business and consumer confidence which will be the basis for sustained growth also in the years following 1993-1994. The design of the growth initiative is in accordance with the economic policies as set out in the Maastricht Treaty as higher growth will contribute to fulfilling the convergence criteria - in particular regarding the budget deficits. The initiative comes on top of the establishment of the single market.

The Council has noted with satisfaction the reduced level of interest rates during the last few months. A balanced economic policy will improve the conditions for further reductions.

The Council has also noted with satisfaction that many Member States have accomplished moderate wage settlements, in the private and the public sectors, which gives reason for optimism regarding future price developments. Positive prospects for low inflation in most Member States constitute the foundation for increasing growth and employment and lower interest rates.

In order to increase efficiency and support non-inflationary growth structural reforms will be implemented. The Council has noted with interest the opinion of the Economic Policy Committee (in the report: "Improving the Functioning of the Labour Market") and has decided to have an in-depth discussion at its next meeting.

The Council agrees to continue action to pursue the objective of promoting economic recovery in Europe. The council (ECOFIN) will make a report to the European Council next June on the implementation of the Edinburgh declaration, based on the package of measures presented today and including subsequent decisions and developments in addition to the initiatives taken at community level. A further review of the conjunctural situation, of the effectiveness of the measures already taken and of the possible need for further measures to be included in national budgets for 1994 will be conducted by the ECOFIN Council in the Autumn.

It is also of vital importance that the Uruguay Round negotiations are rapidly and successfully concluded and the community will actively work towards such an outcome.

The growth initiative includes a wide range of actions and measures which have been announced and decided in the last few months at national and Community levels for implementation during 1993; in some cases Member States are already taking advantage of the new or enlarged Community facilities agreed in Edinburgh.

The main areas where national and Community action is being taken are:

- greater priority in public expenditure on infrastructure and other capital investment and on other growth-enhancing spending;
- new facilities and incentives to encourage private investment;
- structural reforms, to make markets work better, increase competition, and reduce subsidies and other distortions,
- improved support for small and medium-sized enterprises, which hold considerable potential for employment creation;
- additional training and other schemes to prepare the unemployed for work and to improve the quality and skills of the labour force;
- wage restraint, economy-wide wage moderation to improve competitiveness and help reduce unemployment.

Besides the specific measures they are taking, some Member States are also giving support to activity by not attempting to offset the effects of the economic slowdown on their budget deficits.

**ECONOMIC RELATIONS BETWEEN THE COMMUNITY AND THE USA**  
**AND GLOBAL GROWTH - CONCLUSIONS OF THE COUNCIL**

The Community has on 19 April 1993, decided to change and renew the design of economic policies. The aim is to promote economic growth and employment in a balanced and sustainable way. The Community is committed to improving economic convergence with low inflation and sound public finances.

The Council (ECOFIN) recalls that the economic relationship between the Community and the US is of major importance for worldwide economic development.

The Community, the US and Japan have a common responsibility and the economic strength to stimulate world trade, to revitalize global non-inflationary growth including employment. The Community welcomes the common will to embark on a co-ordinated growth initiative. The Community wants to encourage that process, where growth, price stability and employment is at the top of the agenda.

Accordingly, there is a need for an appropriate dialogue to strengthen economic co-operation. To that end proper preparation of the Tokyo Summit is essential. In this respect it is encouraging to observe a certain degree of economic policy convergence on both sides of the Atlantic: stimulating growth without hampering in any respect the necessary medium term strong improvement in public finance.

The Council (ECOFIN) stresses that the European Community and the US are each other's largest single trading partner and have a common interest in expanding trade. It is thus of vital importance that the Uruguay-Round negotiations are rapidly and successfully completed, and bilateral disputes rapidly resolved by negotiations and without escalation.

### **7TH VAT DIRECTIVE**

The Council held a discussion on the issues outstanding regarding the proposal for a Directive on special VAT arrangements applicable to second-hand goods, works of art, collectors' items and antiques. The problems relate in particular to the arrangements governing the taxation of imports of works of art, second-hand items of jewellery and second-hand cars.

The Council instructed the Permanent Representatives Committee to continue to work towards a global compromise to enable it to adopt this important Directive in the near future.

### **COMPANY TAXATION**

The Council took note of a progress report on the common system of taxation applicable to interest and royalty payments made between companies in different Member States.

During the brief debate on this issue, emphasis was placed on the importance of this Directive for the completion of the single market and in the context of the growth initiative for growth in Europe.

The Council instructed the Permanent Representatives Committee to continue work on this Directive to enable it to take a decision at a forthcoming meeting.

**INTERINSTITUTIONAL AGREEMENT ON BUDGETARY DISCIPLINE**

The Council took stock of the progress of the negotiations with the European Parliament concerning the conclusion of an interinstitutional agreement on budgetary discipline.

The Council called upon the presidency to continue its discussions on the subject with the European Parliament within the proper framework and instructed the Permanent Representatives Committee to examine the various aspects of the dossier in more depth in preparation for the next ECOFIN Council meeting.

**EIB LOANS TO ALBANIA**

Following a brief exchange of views on the question of a Community guarantee to the EIB against losses under loans for projects in Albania, the Council agreed to resume examination of this dossier at a forthcoming meeting.

## MISCELLANEOUS DECISIONS

### Fisheries

Following consultations with the Norwegian and Swedish authorities, the Council adopted the Regulation definitively fixing the total allowable catches (TAC) and fishing opportunities allocated to the Member States for the year 1993 in the Skagerrak and Kattegat.

The TACs thus fixed amount to 165 000 t of herring, 45 000 t of sprat, 15 000 t of cod, 4 600 t of haddock, 17 000 t of whiting, 11 200 t of plaice and 10 500 t of northern prawn.

The Council also adopted the Regulation opening and providing for the administration of Community tariff quotas for cod and fish of the species *Boreogadus saida* originating in Norway (1993).

Under this Regulation customs duties in respect of cod and fish of the species *Boreogadus saida* originating in Norway are suspended from 1 April to 31 December 1993 within the limits of tariff quotas of 13 250 t for dried fish and 10 000 t for salted fish.

The Council also adopted the Decision authorizing the Commission to conduct negotiations within the framework of an Intergovernmental Conference on straddling stocks and highly migratory species.

### Agriculture

The Council adopted the Regulation opening for 1993, as an autonomous measure, a special import tariff quota for high-quality fresh, chilled or frozen beef and veal falling within

CN codes 0206 10 95 and 0206 29 91. This involved a quota of 11 430 t at a duty rate of 20%.

The Council adopted the Directive amending Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community, and Directive 91/683/EEC amending Directive 77/93/EEC.

This Directive establishes 1 June 1993 as the date of implementation of the amendments made to the basic Directive (77/93/EEC) by Directive 91/683/EEC concerning the plant health arrangements applicable in the Community to facilitate the establishment of an area without internal frontiers.

### **Research**

The Council adopted a decision authorizing the Commission to negotiate a scientific and technical co-operation agreement between the European Economic Community and Canada.

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PRESS RELEASE

6057/93 (Presse 61)

1655th meeting of the Council

- ENVIRONMENT / ENERGY -

Luxembourg, 23 April 1993

President : Mr Sven AUKEN

Minister for the Environment  
of the Kingdom of Denmark

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

Belgium:

Mr Melchior WATHELET

Deputy Prime Minister, Minister for  
Justice and Economic AffairsDenmark:

Mr Sven AUKEN

Mr Jann SJURSEN

Mr Leo BJØRNESKOV

Mr Soeren SKAFTE

Minister for the Environment

Minister for Energy

State Secretary for the Environment

State Secretary for Industry and Energy

Germany:

Mr Clemens STROETMANN

Mr Reinhard GOEHNER

State Secretary for the Environment

Parliamentary State Secretary to the

Federal Minister for Economic Affairs

Greece:

Mr Achilles KARAMANLIS

Mr Vassilios KONTOYANNOPOULOS

Minister for the Environment, Regional  
Planning and Public Works

Minister for Energy

Spain:

Mr José BORREL

Minister for Public Works and  
TransportFrance:

Mr Michel BARNIER

Minister for the Environment

Ireland:

Mr Michael SMITH

Mr Noel TREACY

Minister for the Environment

Minister of State for Finance, with  
responsibility for Public WorksItaly:

Mr Rocco Antonio CANGELOSI

Deputy Permanent Representative

Luxembourg:

Mr Alex BODRY

Minister for Energy and the  
EnvironmentNetherlands:

Mr J.G.M. ALDERS

Minister for Housing, Planning  
and the EnvironmentPortugal:

Mr Carlos BORREGO

Mr Luis MIRA AMARAL

Minister for the Environment and  
Natural Resources

Minister for Industry and Energy

United Kingdom:

Mr Timothy EGGAR

Mr David MACLEAN

Minister for Energy

Minister of State, Department  
of the EnvironmentCommission:

Mr Yannis PALEOKRASSAS

Mr Abel MATUTES

Member

Member

COMMUNITY STRATEGY ON CLIMATE CHANGE - PRESIDENCY CONCLUSIONS

THE COUNCIL, stressing the serious global environmental issues at stake:

WELCOMES progress achieved so far and ongoing work in developing the Community's overall strategy to limit carbon dioxide emissions and to improve efficiency of production, conversion, distribution and use of energy;

STRESSES that measures to save energy, to improve energy efficiency and to promote the use of renewable energies constitute a fundamental element of this strategy and must be actively pursued in the Community and in all the Member States;

WELCOMES the political agreement reached on the conclusion by the Community and its Member States of the UN Convention on Climate Change and URGES that this decision be legally adopted at the earliest possible date;

WELCOMES the recent decision to establish a Community monitoring mechanism for CO<sub>2</sub> and other greenhouse gas emissions in the Member States, which will enable periodical assessments to be made of the effectiveness of initiatives and actions concerning energy saving, energy efficiency and the promotion of renewable energies, with a view to ensuring that the Community is on track to fulfil the commitments referred to in that decision;

CONSIDERS that the major global environmental problems at stake make it imperative for these commitments to be fully respected;

NOTES that the data presently available need to be completed and re-evaluated in parallel with the discussions on the proposal for a fiscal instrument;

INVITES the Commission to present, in accordance with the implementation of the decision

on a monitoring mechanism, estimates on the achievement of the objective for the Community and its Member States in line with the commitments of the Community;

RECALLS in particular that the fulfilment of these commitments in the Community as a whole depends inter alia on equitable burden-sharing between the Member States as agreed in the conclusions of the Council of 29 October 1990. Equitable burden-sharing must take into account different levels of economic development and different levels of CO2 emissions of individual Member States as well as other appropriate criteria. The proposals should promote efforts for increased energy efficiency;

NOTES that the programmes submitted by several Member States indicate that the use of fiscal instruments makes a significant contribution to their planned reductions in CO2 emissions; CONSIDERS that the Community's overall strategy must take account of this situation and that, in this perspective, a decision on such an instrument at Community level should be reached as soon as possible; eleven delegations agree on the need for a positive decision. To some delegations it is decisive that the tax will only apply above a certain level of emissions related to the EC average;

NOTES the progress made in the Ad Hoc Working Party on the Commission's proposal for a carbon/energy tax, and that a decision on a fiscal instrument of this nature will need inter alia to define the base for the calculation of the tax;

PLEDGES its commitment to the rapid adoption of the proposals for the SAVE directive and ALTENER programme of the Community, and URGES the European Parliament to forward its opinion on these proposals before the meeting of the Council (Energy) in June 1993;

STRESSES the importance of joint efforts and effective measures on the part of industrialized countries to combat climate change and therefore AGREES that the Community will also rapidly take an initiative in the OECD framework in order to promote the use of fiscal instruments with a view to an effective and coordinated effort to reduce CO2 emissions,

consistent with the Community's own strategy; that at the same time it will continue a constructive dialogue with its other trading partners, energy producers and developing countries;

WELCOMES in this context the US administration's proposal for new energy taxes as an important contribution which, together with the tax initiatives of the other OECD countries in this field, helps to meet the Community's demand that the effects on competitiveness of any corresponding tax initiative by the Community be reduced;

URGES the Presidency to establish a basis for a decision on a fiscal instrument with a view to accelerating the work in the Council (ECOFIN).

#### SAFETY OF NUCLEAR REACTORS IN CENTRAL AND EASTERN EUROPE

The Council noted the Commission's submission of a report on the Community's current and proposed measures to help the Central and East European countries to improve the safety of their nuclear reactors.

During the presentation, Mr PALEOKRASSAS, Commissioner, drew attention to the role played by the Commission in the co-ordination of western aid in the context of the nuclear G-24 set up for this purpose. He stressed that the stage of exchanging information had now given way to co-ordination and active evaluation.

The Commissioner also expressed the hope that negotiations on the basic agreement for the European Energy Charter, which were proceeding favourably would soon reach a successful conclusion, thus allowing the nuclear protocol to be concluded.

OTHER DECISIONSTrade questions

The Council adopted the Regulations

- opening and providing for the administration of Community tariff quotas for certain mixtures of malt sprouts and barley screenings. The Regulation specifies that no customs duties or agricultural levies will be collected on imports of these products, within the limits of a Community tariff quota of 85 000 tonnes, for the period from 1 April to 31 December 1993.
  
- extending until 31 December 1993 the measures taken under the agreement between the EEC and the United States of America for the conclusion of negotiations under GATT Article XXIV.6.

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**COUNCIL OF THE EUROPEAN COMMUNITIES**

1656th meeting of the Council

- Agriculture -

Luxembourg, 26-27 April 1993

The official press release was unavailable. A summary of the meeting has been reproduced from the Bulletin of the European Communities, No. 4-1993.

## **1656th meeting**

*1.6.8. Agriculture (Luxembourg, 26 and 27 April).*

**Previous meeting:** Bull. EC 3-1993, point 1.6.8

*President:* Mr Westh, Danish Minister for Agriculture and Fisheries.

*Commission:* Mr Steichen.

### *Main item*

Agricultural prices and related measures for the 1993/94 marketing year: three Regulations discussed and adopted (→ points 1.2.117, 1.2.119 and 1.2.121).

### *Other business*

- Standard quality for cereals: exchange of views.
- Uruguay Round — Agriculture: progress report.
- Organization of the market in potatoes: policy discussion.
- Implementation of CAP reform — Memorandum from the German delegation: exchange of views.
- National aid for distillation of certain wines in Portugal: decision adopted.

1.2.117. Proposals for Council Regulations on agricultural prices and related measures (1993/94).

**References:**

Council Regulation (EEC) No 1079/77 on a co-responsibility levy and on measures for expanding the markets in milk and milk products (OJ L 131, 26.5.1977), as last amended by Regulation (EEC) No 1374/92: OJ L 147, 29.5.1992; Bull. EC 5-1992, point 1.1.145

Council Regulations on application of the CAP: OJ L 180, 1.7.1992; OJ L 181, 1.7.1993; OJ L 215, 30.7.1992; Bull. EC 6-1992, points 1.3.140 to 1.3.147

**Commission proposals:** OJ C 80, 20.3.1993; COM(93) 36; Bull. EC 1/2-1993, point 1.2.167

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. EC 3-1993, point 1.2.116

*Endorsed by Parliament on 22 April* subject to various amendments regarding mainly products not covered by CAP reform. Parliament called for rapid reform in the fruit and vegetables, sugar and wine sectors, increases in the intervention price for olive oil, the guide price for adult bovine animals and producer aids for silkworms and dried fodder, and maintenance of the status quo for certain products (indica rice, cotton, pigmeat) for which the Commission proposed a lower price or production aid. Other amendments include widening the scope of aid for seeds.

OJ C 150, 31.5.1993

*Regulation (EEC) No 1029/93 repealing Regulation (EEC) No 1079/77 adopted by the Council on 27 April.* Abolishes the co-responsibility levy in the milk sector with effect from 1 April 1993.

OJ L 108, 1.5.1993

*Dried fodder*

1.2.119. Council Regulation (EEC) No 1015/93 fixing the guide price for dried fodder products for the period 1 to 31 May 1993.

*Proposal adopted by the Commission on 27 April.*

COM(93) 186

1.2.121. Proposal for a Council Regulation on the common organization of the market in potatoes.

**Commission proposal:** OJ C 333, 17.12.1992; COM(92) 185; Bull. EC 11-1992, point 1.3.162  
**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. EC 1/2-1993, point 1.2.175

*Endorsed by Parliament on 22 April* subject to various amendments covering in particular introduction of common quality standards and market regulation procedures.

OJ C 150, 31.5.1993

Bull. EC 4-1993

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PRESS RELEASE

6060/93 (Presse 64)

1657th Council meeting

- RESEARCH -

Luxembourg, 29 April 1993

President: Mr Svend BERGSTEIN,

Minister for Research and  
Technology of the Kingdom of Denmark

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

Belgium:

Mr Jean-Maurice DEHOUSSE Minister for Science Policy and Scientific and Cultural Institutions

Denmark:

Mr Svend BERGSTEIN Minister for Research and Technology

Germany:

Mr Matthias WISSMANN Federal Minister for Research and Technology

Greece:

Mr Georges PENELIS Secretary-General, Ministry of Research

Spain:

Mr Elias FERERES State Secretary for the Universities and Research

France:

Mr François FILLON Minister for Higher Education and Research

Ireland:

Mr Eamonn RYAN Deputy Permanent Representative

Italy:

Mr Rocco Antonio CANGELOSI Deputy Permanent Representative

Luxembourg:

Mr Marc FISCHBACH Minister for Education

Netherlands:

Mr J.E. ANDRIESEN Minister for Economic Affairs

Portugal:

Mr Luis VALENTE DE OLIVEIRA Minister for Planning and Territorial Administration  
Mr Manuel FERNANDES THOMAZ State Secretary for Science and Technology

United Kingdom:

Mr David DURIE Deputy Permanent Representative

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Commission:

Mr Martin BANGEMANN Member  
Mr Antonio RUBERTI Member

FOURTH FRAMEWORK PROGRAMME OF COMMUNITY ACTIVITIES IN THE FIELD OF  
RESEARCH AND TECHNOLOGICAL DEVELOPMENT - COUNCIL CONCLUSIONS

Further to its discussion at its meetings of April, October and December 1992, and taking into account new elements, in particular the conclusions of the European Council in Edinburgh, the Council has continued its examination of the working document of the Commission on the fourth Framework Programme for Community actions of research and technological development. In the light of these discussions and without prejudice to further study of the second working document of the Commission and any other new information which might be made available, the Council has reached the following conclusions:

I. OBJECTIVES

The Council considers that, in order to create a prosperous Community based on industrial competitiveness, quality of life and sustainable development, Community actions under the fourth Framework Programme must have as their objectives to strengthen the scientific and technological basis of Community industry and its international competitiveness while promoting all the research activities deemed necessary for the implementation of Community policies.

The Council agrees that:

1. all activities must be of high scientific and technological quality;
2. attention shall be paid to the contribution which the Framework Programme should make to the promotion of social and economic cohesion;
3. Community support for RTD should continue to focus on generic, precompetitive research, and be of multisectoral application;
4. coordination between national RTD programmes and between national and Community RTD programmes as well as dissemination of results to enterprises, in particular SMEs, should be improved;

5. the content of the Fourth Framework Programme should ensure the necessary continuity of Community RTD and its further development, building on the experience of the second and third Framework Programmes and taking into account the need to ensure greater efficiency and added value, in particular through concentration, selectivity and the application of the subsidiarity principle;
6. the fourth Framework Programme should promote the development of standards across the Community to strengthen the single market and thus influence the development of world standards.

## II. STRUCTURE

The Council agrees that:

1. a certain concentration and consolidation of themes covered by the four activities in Article 130G of the Treaty into a limited number of lines or programmes is necessary; at this stage the Council considers that a number of 15-20 lines or programmes could be appropriate;
2. notwithstanding decisions to be taken at a later stage on the number and content of specific programmes on the basis of proposals from the Commission, the Council considers that the following areas - which are included in the Commission's second working document - could constitute the basic lines of the first activity of the fourth Framework Programme:
  - Information technologies
  - Communications technologies
  - Telematics
  - Industrial and materials technologies
  - Measurement and testing
  - Environment and Climate
  - Marine research and technologies
  - Biomedicine and Health
  - Biotechnology
  - Agriculture (including agro-industries, food technologies, forestry, rural

- development) and fisheries
- Non-nuclear energy
- Nuclear fission safety
- Thermonuclear fusion
- Transport-related research
- Socio-economic research;

3. given their importance for the effective implementation of the Framework Programme, international co-operation, dissemination and optimization of results and training and mobility, which constitute separate activities under Article 130G of the Treaty, should also be incorporated, where appropriate and subject to the definition of the necessary budgetary and administrative arrangements, in the specific programmes under the first activity.

### III. FINANCIAL PERSPECTIVES

The Council agrees that, taking into account that, in the future, all Community RTD activities should be included in the Framework Programme, the total amount for the fourth Framework Programme should, in accordance with the conclusions of the European Council in Edinburgh, be consistent with the overall development of expenditure on internal policies and should at least broadly allow for maintaining the global Community RTD effort at the present level.

### IV. INTERNATIONAL COOPERATION

The Council agrees that:

1. cooperation in scientific and technological research between the European Community and third countries should in principle be undertaken on the basis of mutual advantage, and taking into account, on the basis of the subsidiarity principle, international cooperation activities of the Member States;
2. increased participation in the Framework Programme by EFTA countries, inter

alia through the EEA Agreement, could bring significant added value to the European research effort;

3. particular attention should be paid to cooperation in science and technology with countries of Central and Eastern Europe and the NIS of the former Soviet Union, with a view to preserving their considerable scientific potential;
4. particular attention should also be paid to scientific and technological cooperation with developing countries so as to reflect their respective priorities, develop their capacities for research and maximise the resulting benefits for their social and economic development;
5. scientific and technological cooperation with non-European industrialised third countries should respect the principle of no exchange of funds, ensure a balance of benefits and contribute to achieving more cost-effectively the objectives of the Framework Programme;
6. EUREKA should remain the principal vehicle for supporting research activities which are nearer to the market and the Commission should bring forward proposals to improve the synergy between the Community's research activities and EUREKA;
7. synergy with activities of other international organisations should also be improved;
8. COST should continue to play an important, specific and complementary role by promoting scientific and technological cooperation in Europe through multilateral research projects.

## V. IMPLEMENTATION

The Council agrees that:

1. the fourth Framework Programme should have a duration of five years, ensuring continuity in the Community's RTD programmes;
2. detailed criteria and mechanisms should be established for cost-effective implementation and improved management of the Framework Programme in order to ensure that its objectives are fully met;
3. emphasis should be put on the improvement of procedures for independent and timely evaluation of the Framework Programme and on the definition of mechanisms for independent and systematic evaluation of actions undertaken in order to assess whether changes are necessary and to ensure proper support for policy choices and programme development;
4. shared cost actions should continue to constitute the main means of implementation of the Framework Programme. Bearing in mind the resources available and depending on the type of research activity, concerted actions, could, however, play a greater role, thus contributing *inter alia* to better coordination between national research efforts. Direct action, to be carried out by the JRC, will continue to play its part in areas where it can contribute efficiently;
5. mechanisms should be sought with a view to facilitating access to results and increasing effective participation of SMEs from all regions of the Community.

## VI. PROCEDURE

The Council:

- reiterates its request to the Commission to present its proposal for the fourth Framework Programme as soon as possible;
- recalls that at the Council meeting on 9 December 1992, the Commission undertook to present a document on management of Community RTD programmes by 31 March 1993. Invites the Commission to make this document available without further delay. It further recalls that the Commission has undertaken to present a document on RTD policy and cohesion;
- invites the Presidency to continue contacts with the European Parliament with a view to facilitating subsequent agreement on the Commission's proposal;
- agrees that work should be intensified, concentrating in particular on a full examination of the second working document from the Commission, with a view to achieving fuller political agreement on the fourth Framework Programme at the Council meeting in June.

THE EUROPEAN COMMUNITY AND SPACE - COUNCIL CONCLUSIONS

The Council:

- considered that the communication of the Commission offered a pertinent overview of the situation of space activities in Europe and that its broad objectives constituted a useful basis for the possible definition of future Community activities in this field;
- considered, that the Commission should continue to develop its role as a user of space technology, in particular in the field of earth observation, with a view to contributing to the optimization of the use of satellite data as well as to the implementation of Community policies;
- agreed that the question of Community support for space- related RTD activities, including, if appropriate, development of instruments, should be considered when deciding on the Community RTD Fourth Framework Programme and its specific programmes, according to the normal rules and procedures; noted, however, that the Commission does not intend to propose a specific Community space research programme within the fourth Framework Programme;
- invited the Commission to continue its efforts, within its sphere of competence and in the appropriate fora, in order to establish favourable conditions for the development of space application markets and for competitive European space industries.
- agreed that synergy and complementarity between the Community RTD programmes and the activities of ESA and, while respecting the provisions of the Treaty, activities of the Member States and other international organisations should be further developed, whilst avoiding any duplication of efforts and whilst fully respecting the operating rules and procedures of both the Community and ESA;
- noted the Commission's intention to establish an ad hoc group on Space with representatives of all the Member States.

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Commissioner RUBERTI informed the Council of the Commission's intention to organize a European Week of Scientific Culture in the Autumn of 1993.

## DECISION CONCERNING EDUCATION - TEMPUS II

The Council adopted a Decision adopting the second phase of the trans-European co-operation scheme for higher education (TEMPUS II) (1994-1998).

TEMPUS II, adopted for a period of four years as of 1 July 1994, concerns the countries of Central and Eastern Europe designated as eligible for economic aid by Regulation (EEC) No 3906/89 (PHARE programme), and the Republics of the former Soviet Union as defined in Regulation (EEC, EURATOM) No 2517/91 (TACIS programme). Based on an assessment of the specific situation of each country, the Commission will in accordance with the procedures laid down in the abovementioned Regulations, agree with the eligible countries concerned whether they should begin to participate in TEMPUS II and the general scope and nature of their participation, in the context of the national programming of Community assistance for social and economic reform.

The objectives of TEMPUS II are to promote, as part of the overall objectives and guidelines of the PHARE and TACIS programmes in the context of economic and social reform, the development of the higher education systems in the eligible countries, through as balanced a co-operation as possible with partners from all the Member States of the Community. Specifically, TEMPUS II seeks to help the higher education systems of the eligible countries to address:

- (a) issues of curriculum development and overhaul in priority areas;
- (b) the reform of higher education structures and institutions and their management;
- (c) the development of skill-related training to address specific higher and advanced level skill shortages during economic reform, in particular through improved and extended links with industry.

The Decision requires the Commission to submit, before 30 April 1996, an interim report and possibly also a proposal for the continuation or adaptation of TEMPUS for the period beginning 1 July 1998 and a final report by 30 June 1999.

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PRESS RELEASE

6062/93 (Presse 66)

1658th Council meeting

- INDUSTRY -

Brussels, 4 May 1993

President: Mr Jan TRØJBORG,

Minister for Industry  
of the Kingdom of Denmark

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

Belgium:

Mr Melchior WATHELET Deputy Prime Minister, Minister for Economic Affairs

Denmark:

Mr Jan TRØJBORG Minister for Industry  
Mr Christopher Bo BRAMSEN State Secretary for Industry

Germany:

Mr M. Günther REXRODT Federal Minister for Economic Affairs  
Mr Manfred STOLPE Prime Minister of the Land of Brandenburg

Greece:

Mr Theodoros DAMIANOS State Secretary for Industry

Spain:

Mr Claudio ARANZADI Minister for Industry  
Mr Alvaro ESPINA MONTERO State Secretary for Industry

France:

Mr Gérard LONGUET Minister for Industry, Posts and Telecommunications and Foreign Trade

Ireland:

Mr Seamus BRENNAN Minister of State with special responsibility for Commerce and Technology

Italy:

Mr Paolo SAVONA Minister for Industry

Luxembourg:

Mr Robert GOEBBELS Minister for Economic Affairs

Netherlands:

Mr J.E. ANDRIESSEN Minister for Economic Affairs

Portugal:

Mr Luis MIRA AMARAL Minister for Industry and Energy

United Kingdom:

Mr Timothy SAINSBURY Minister of State for Trade and Industry

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Commission:

Mr Martin BANGEMANN Member  
Mr Karel VAN MIERT Member  
Mr Peter SCHMIDHUBER Member  
Mr Raniero VANNI D'ARCHIRAFI Member

RESTRUCTURING OF THE COMMUNITY STEEL INDUSTRY - PRESIDENCY CONCLUSIONS

Following its meeting on 25 February 1993, the Council reviewed the progress made by the industry in defining a restructuring programme and its financing.

The Council was encouraged by the important steps forward which had been achieved, but underlined that crucial restructuring decisions had still to be taken urgently.

The Council also reviewed the progress accomplished by the Commission in implementing the Conclusions of the meeting of 25 February 1993, in respect of the full range of accompanying measures for the restructuring, concerning in particular market stabilization, social aid, the external aspect and state aid discipline.

The Council believed a credible restructuring and rationalization programme could be achieved that would lead to lasting reorganization of the steel industry. This result can be promoted by presenting all investment plans to the Commission as soon as possible.

The Council noted that industry is planning to set up voluntary financial mechanisms within the framework of Article 53 of the ECSC Treaty for certain ECSC products, and that the industry has asked the Commission to consider ways of facilitating the financing of such mechanisms by granting ECSC loans within the limits of Article 54(1) of the ECSC Treaty. The Council is looking forward to being informed of the result of these considerations.

The Council noted with satisfaction the rapid adoption by the Commission of production and delivery guidelines aimed at stabilizing the market, as well as the publication of basic import prices, which have already contributed to an increase in the market's price levels.

The Council also welcomed the recent adoption by the Commission of a Communication on

the accompanying social measures. The Council noted that the Commission will be in a position to report on negotiations between social partners and make more precise budgetary calculations later in the year, in the light of progress made by industry in the definition of a restructuring programme.

The Commission has informed the Council of its proposals for the negotiation of tariff quotas for imports of sensitive products for the Czech and Slovak Republics. The Council looks forward to a rapid completion of the negotiations.

The Commission reported to the Council about the notified state aid cases requiring a Council assent according to Article 95 of the ECSC Treaty.

The Council was aware of the urgency of decisions in these cases to be taken under the Belgian Presidency.

### ECSC FINANCIAL ACTIVITIES

The Council conducted a policy debate on future financial activities under the ECSC Treaty, on the basis of a Commission working paper, a memorandum from the French delegation and a report from the Permanent Representatives Committee.

Bearing in mind that the ECSC Treaty was to expire in the year 2002, at its meeting on 24 November 1992 the Industry Council in particular called on the Commission to expedite its work on a set of measures aimed at, inter alia:

- reducing the levy as far as possible;
- phasing out loans granted under Articles 54 and 56 of the ECSC Treaty;
- organizing, with due account being taken of social aspects, the takeover by financial institutions, notably the EIB, of some of the ECSC's financial activities.

In essence, the Commission's approach, as it emerges from the two communications already sent to the Council on this subject in March 1991 and November 1992 involves a

progressive phasing out/phasing in of budgetary activity driven by the twin constraints of a declining revenue and a political priority, with available resources, for the financing of social expenditure.

At the close of the debate, the Council called on the Commission to press ahead with discussions on both the steel restructuring in progress and ECSC financial activities, so that final conclusions could be reached as soon as possible, and in any case by the end of the year.

#### INDUSTRIAL COMPETITIVENESS AND ENVIRONMENTAL PROTECTION

The Council, meeting in open session, held a policy debate on the inter-relationship between industrial competitiveness and environmental protection.

The Council adopted the conclusions annexed hereto.

#### STATE AID FOR SHIPBUILDING

The Council held a policy debate on the proposal for extension of the 7th Community Directive on state aid for shipbuilding, having taken note of the progress of the OECD negotiations for a multilateral agreement on shipbuilding between the world's most important shipbuilding nations. The aim of this multilateral agreement would be to phase out all direct and indirect public support measures for shipbuilding, ship conversion and ship repair, and other obstacles to re-establishing normal conditions of competition in the sector.

The 7th Directive was adopted in December 1990 and expires at the end of 1993; it states that production aid for shipbuilding and ship conversion may be considered compatible with the common market provided that the total amount does not exceed a common maximum ceiling, fixed by the Commission and reviewed every twelve months, expressed as a percentage of the contract value before aid.

At the close of the debate, the Presidency noted;

- agreement on the rapid resumption of negotiations within the OECD, and a willingness to show sufficient flexibility, without calling into question the Community's determination to avoid recourse to unilateral measures;
- a favourable approach to the principle of a one-year extension of the arrangements established by the 7th Directive; COREPER was accordingly asked to continue examining the proposal as soon as the European Parliament's Opinion had been received, with a view to formal adoption of the proposal as soon as possible;
- agreement on the following statement:

"The Council and the Commission declare that the Community shipbuilding policy will be reviewed in 1994. The Council calls on the Commission to keep a close watch on the demand for new vessels and the outcome of the OECD negotiations on eliminating aid to the shipbuilding industry and to take the necessary steps, including with regard to the seventh Directive, to deal with the developments in these areas."

#### MARITIME INDUSTRIES

The Council took note of an oral report from Commissioner BANGEMANN on the latest developments regarding proceedings in the Discussion Forum set up early in 1992 to boost the competitiveness of maritime industries.

#### SMALL AND MEDIUM-SIZED ENTERPRISES: COMMUNITY MEASURES TO INTENSIFY AND ENSURE THE CONTINUITY OF POLICY FOR ENTERPRISE

The Council held a policy debate on two proposals, amended by the Commission following the European Parliament's Opinion, on Community measures to intensify and ensure the continuity of policy for enterprise, in particular SMEs, in the Community.

The main purpose of the first proposal is to ensure from 1 January 1993 onwards the strengthening of the priority axes of enterprise policy in the context of the "growth initiative" decided on at the Edinburgh European Council, whilst that of the second is to ensure the continuity of the other aspects of enterprise policy when the present multiannual programme expires (31 December 1993).

The discussion revealed that the Council was in favour of merging the two proposals - the content of which would remain unchanged - into a single programme and starting implementation on 1 July 1993.

The Permanent Representatives Committee was instructed to expedite examination of the proposals in the light of this guidance, so that a decision could be adopted quickly.

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The Commission reported to the Council on:

- the activities of the European Textile and Clothing Observatory (factual report on the Community textile and clothing industry 1991/1992);
- follow-up to the Resolution of 3 December on administrative simplification for enterprises, especially SMEs.

MISCELLANEOUS DECISIONS

The Council adopted the Regulation laying down certain provisions for the application of the bilateral agreements on agriculture between the Community, of the one part, and Austria, Finland, Iceland, Norway and Sweden, of the other part.

The Regulation stipulates that these implementing provisions will be adopted by the Commission in accordance with the Management Committee procedure laid down in the Regulations on the common organization of the relevant agricultural markets.

The agreements were signed in Oporto on 2 May 1992, at the same time as the Agreement on the European Economic Area between the Community and the EFTA States; in the wake of Switzerland's decision not to ratify the EEA Agreement, agreements were signed on 17 March 1993 in order to apply the aforementioned bilateral agreements on agriculture earlier than scheduled, i.e. on 15 April, and until entry into force of the EEA Agreement.

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INDUSTRIAL COMPETITIVENESS AND ENVIRONMENTAL PROTECTION - COUNCIL  
CONCLUSIONS

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Council Resolution of 18 June 1992 on the role of European standardization in the European economy,

Having regard to the Council Resolution of 3 December 1992 on administrative simplification for enterprises, especially small and medium-sized enterprises,

Having regard to the importance of SMEs not only in economic activity in general but also by virtue of the vital role they can play, in terms of dynamism, productivity, adaptability and innovation, in enhancing competitiveness while protecting the environment,

Having regard to the communication "Industrial policy in an open and competitive environment: guidelines for a Community approach", presented by the Commission on 20 November 1990,

Having regard to the programme "Towards Sustainability", presented by the Commission on 29 April 1992,

Having regard to relevant international agreements, and in particular the Rio Declaration and Agenda 21, adopted by the United Nations Conference on Environment and Development (UNCED) meeting in Rio de Janeiro from 3 to 14 June 1992,

Having regard to the communication "Industrial competitiveness and protection of the environment", presented by the Commission on 4 November 1992,

Having regard to the Council Resolution of 3 December 1992 concerning the relationship

between industrial competitiveness and environmental protection,

Having regard to the Council Resolution of 1 February 1993 on a Community programme of policy and action in relation to the environment and sustainable development,

Taking into account the advisability of integrating environmental requirements into Community policies and legislation which affect industrial competitiveness, and the need to consider how to introduce reporting on the environmental effects of these policies, and on the effects of such environmental dimension on industrial competitiveness,

**HAS ADOPTED THESE CONCLUSIONS:**

In order to further develop the issues raised in the Council Resolution of 3 December 1992 concerning the relationship between industrial competitiveness and environmental protection,

**THE COUNCIL:**

1. Notes the need for a follow-up to the Commission communication and is looking forward to having a report on the progress made on issues raised in the abovementioned Resolution and considers that further actions are required.
2. Considers that an in-depth dialogue on industrial competitiveness and environmental protection with industry, including SMEs, is an essential element both for the Commission and Member States in shaping the Community's environmental policy, and for industry in defining its strategies accordingly.

The dialogue with industry on environmental protection should, in particular, ensure that:

- the Community's initiatives in the field of the environment take into account both economic and environmental costs and benefits of such initiatives, or of

or of not taking action, continuous technological development improving environmental performance in industrial processes and products, the range of environmental instruments with a view to developing cost-efficient instruments and market-promoting perspectives;

- optimum understanding and transparency are achieved as regards the aims and concrete contents of the relevant legislation.

The dialogue shall also include opinions from small and medium-sized enterprises in connection with the preparation of initiatives in this area.

3. Underlines that environmental aims and considerations should be taken into account, where appropriate, in standardization work.

Recognizes that the technological development and environmental policies call for further elaboration of the concept of life-cycle management and technical standards which allow for applicability of newly developed products and processes and use of recycled and recyclable materials which can save resources and improve both environmental protection and industrial competitiveness, whilst safeguarding a high level of public health, safety, etc.

4. Considers that an active participation of enterprises, in particular small and medium-sized enterprises, is called for in order to combine environmental protection and competitiveness in relation to Community environmental and industrial initiatives and regulation. The practical possibilities for SMEs need to be fully taken into account in order to ensure the effective application of Community environmental rules.

Consequently it is necessary to provide for the involvement of enterprises including SMEs in consultations prior to the preparation of proposals for Community legislation, impact studies, information and by consultancy services, to improve performance by

enterprises, in particular small and medium-sized enterprises, when combining environmental considerations and competitiveness.

5. Acknowledges that the interrelations between industrial development and environmental quality are highly complex; their improved understanding will support the development of (mutually beneficial) industrial and environmental policies.

Recognizes that, in order to achieve the common goal of sustainable development, the obtaining of competitive advantages on a high level of environmental responsibility depends on the right timing for goals and instruments, sound environmental management practices by enterprises and identification of the international trend in the environmental field, the environmental policies of the main competitors to the Community, i.e. that similar measures are taken by the EC's major competitors, and the ability to integrate various policy areas, e.g. R&D, standardization and environmental policy.

In the design of Community environmental initiatives, due consideration should be given to the actual situation in industry, notably by sector, by size of enterprises, by skills, and by economic resources, given the diversity of the industrial structure of the various Member States and regions in the Community.

6. Confirms the advantage of public procurement policies which take into account environmental priorities, whilst respecting the public procurement directives and the constraints of the Treaty as well as internationally agreed principles.
7. Notes the importance of promoting, at the appropriate level, environmental awareness among consumers.
8. Considers it important to continue to work for compatibility between an open trade policy and the protection of the environment.

9. Takes note of the Commission's intention to adopt a framework for state aids for the environment.
10. Confirms the importance of monitoring developments on the abovementioned issues with special reference to consideration of the need for adjustments to Community level initiatives.

11. CALLS UPON THE COMMISSION TO:

- I. Strengthen the dialogue with industry, in co-operation with Member States, especially on the overall issues of competitiveness and environmental protection as well as on horizontal environmental issues such as those identified in the 5th Environmental action Programme and, as soon as possible, to inform the Council on this dialogue. This dialogue should enable the industry to participate more efficiently in the effort to move towards sustainability.

The information should include a description of the co-ordination between this dialogue with industry and the dialogue with a broader range of organizations to be set up as a part of the 5th Environmental Programme.

- II. Use the principle of maximum use of standards where there is a need for detailed technical specifications with respect to environmental aspects within requirements of EC Directives and invite the European Standards Organizations when adopting or revising standards to give adequate weight to environmental considerations, in particular sound environmental management practices and the use of recycled and recyclable materials.
- III. Consider in co-operation with the Member States what can be done on a Community basis for enterprises in view of the special problems in combining environmental protection and competitiveness. Initiatives, which should be in accordance with the

principle of subsidiarity and within the Community programmes for SMEs, should include:

studies on enterprises' difficulties in adapting to environmental legislation of the Community with a view to providing consultancy services and information programmes to make enterprises aware of, and prepared for, their environmental responsibility and to encourage exchange of experience on environmental issues in particular the transfer of technology and technological co-operation.

- IV. Carry out research at Community level, identifying, examining and elucidating relationships between industrial competitiveness and environmental protection and examining the interconnection between the Community's goals to promote competitiveness and its environmental policy goals drawing on experience from industrially developed areas other than Europe, for the purpose of presenting proposals.

Such proposals should reflect the actual situation of the structure of industry, in particular the small and medium-sized enterprises.

- V. Explore the need for an adequate information base for decision making, in particular to evaluate the growth potential of environmental industries, both on the markets for end-of-pipe technology and for clean technologies.
- VI. Develop the methodologies for the quantitative and qualitative evaluation of the industrial competitiveness consequences of environmental policies and the environmental consequences of industrial activity and policies and in particular to present a proposal for future work.
- VII. Support efforts with the appropriate resources and maximize the opportunities for enterprises to take part in promotion of the work on the eco-labelling scheme and other information intended for consumers.

Strengthen in a cost-efficient manner and with the co-operation of Member states the efforts to promote environmental awareness among consumers.

Present a regular progress report, in accordance with the Regulation, on the measures taken to ensure compliance with this scheme and the number of products covered by such a scheme.

Present appropriate proposals for actions aiming at greater participation by SMEs in the Eco-management and audit scheme.

VIII. Monitor the follow-up to any environmental recommendations relating to publicly funded schemes as set out in the 5th Environmental Programme.

IX. Take the appropriate steps in co-operation with Member States to promote the implementation of Agenda 21 agreed at the Rio Conference and to work for a full consideration in the GATT of environment-related issues.

THE COUNCIL,

Consequently invites the Commission to initiate action on these issues and to review progress at the end of 1995.

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**COUNCIL OF THE EUROPEAN COMMUNITIES**

1659th meeting of the Council

- General Affairs and Political Cooperation -

Luxembourg, 10 May 1993

The official press release was unavailable. A summary of the meeting has been reproduced from the Bulletin of the European Communities, No. 5-1993.

### **1659th meeting**

*1.6.3. General affairs and political cooperation (Brussels, 10 May).*

**Previous meeting:** Bull. EC 4-1993, point 1.6.13

*President:* Mr Helveg Petersen, Danish Minister for Foreign Affairs.

*Commission:* Mr Delors, Sir Leon Brittan, Mr Marin, Mr van den Broek, Mr Schmidhuber and Mr Pinheiro.

#### *Main items*

- Agreement with the United States on government procurement: approved (→ point 1.2.23).
- Preparations for OECD ministerial meeting: resolution adopted (→ point 1.3.79).

#### *Other business*

- Former Yugoslavia: discussed.
- Interinstitutional Agreement on budgetary discipline: progress report noted.
- Public access to the institutions' documents: Commission communication presented.
- Relations with Russia: exchange of views.
- Relations with the countries of Central and Eastern Europe: discussed.
- Relations with the Gulf Cooperation Council: position prepared.
- Uruguay Round: briefing on delegation memorandum.

1.2.23. Council Decision 93/323/EEC concerning the conclusion of an Agreement in the form of a Memorandum of Understanding between the European Economic Community and the United States of America on government procurement.

**Reference:** visit by Sir Leon Brittan, Member of the Commission, to Washington: Bull. EC 4-1993, point 1.3.30

*Proposal adopted by the Commission on 5 May.*

*Adopted by the Council on 10 May.* This Memorandum of Understanding follows the partial agreement reached by Sir Leon Brittan, Member of the Commission, and Mr M. Kantor, the United States special representative for trade negotiations, on access to public contracts. It came into force on 25 May and is valid for two years. It aims to extend access to contracts for the supply of goods, works and services

awarded by central governments by removing the obstacles which one side's companies have to overcome to gain access to the other side's contracts.

The Agreement also aims to open up the electricity sector (excluding telecommunications): the Community is extending the benefits of Directive 90/531/EEC to the United States and is not applying Article 29 of that Directive concerning Community preference to the supply of United States electricity sector products; in return, the United States is waiving the provisions of the Buy American Act with regard to six federally financed electricity utilities and is thus putting an end to the discrimination suffered by Community companies wishing to respond to invitations to tender issued by those utilities. The United States Administration is also undertaking to negotiate with all the States and major municipalities on their observance of the GATT Code on Government Procurement with a view to repealing certain provisions of the Buy American Act.

Finally, an independent study aimed at estimating the value and judging the quality of public procurement opportunities opened up is being jointly financed by the two parties. The study, which is to be completed by 31 January 1994, will serve as a basis for continuing the negotiations on opening up government procurement in the context of the revision of the GATT Code on Government Procurement.

The Agreement was signed and came into force on 25 May.

OJ L 125, 20.5.1993

## Organization for Economic Cooperation and Development

1.3.79. Council resolution on the relationship between environmental protection and international trade.

**Reference:** United Nations Conference on the Environment and Development: Bull. EC 6-1992, point 1.3.127

*Adopted by the Council on 10 May.* In preparation for the next OECD ministerial meeting, the Council noted the increasing interaction between international trade and environmental issues. It considered that trade policies and environmental policies should be aimed at promoting sustainable development. It therefore considered that global and cross-border environmental problems were best tackled by multilateral strategies and international cooperation.

It therefore called on the Commission *inter alia*:

to continue to play an active and constructive role in the GATT and OECD working parties discussing the issue;

to explore the possibilities of guaranteeing that the issues in question would be tackled as soon as the Uruguay Round was concluded;

to draw up a green paper focusing in particular on the inclusion in international environment and trade agreements of provisions on sustainable development.

Bull. EC 5-1993

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PRESS RELEASE

6381/93 (Presse 71)

1660th Council meeting

- Telecommunications -

Brussels, 10 May 1993

President: **Mr Arne MELCHIOR**

Minister for Communications of  
the Kingdom of Denmark

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

Belgium

Mr Guy COEME

Deputy Prime Minister, Minister for Transport, Public Undertakings and Public Building

Denmark

Mr Arne MELCHIOR

Mr Helge ISRAELSEN

Minister for Communications

State Secretary for Communications

Germany

Mr Wolfgang BÖTSCH

Federal Minister of Posts and Telecommunications

Greece

Mr Panayiotis DELIMITSOS

State Secretary for Communications

Spain

Ms Elena SALGADO

Secretary-General for Communications

France

Mr Gérard LONGUET

Minister for Posts and Telecommunications

Ireland

Mr Brian COWAN

Minister for Communications

Italy

Mr Maurizio PAGANI

Minister for Posts and Telecommunications

Luxembourg

Mr Alex BODRY

Minister for Posts and Telecommunications

Netherlands

Mrs J.R.H. MAIJ-WEGGEN

Minister for Transport and Public Works

Portugal

Mr Carlos Silva COSTA

State Secretary for Transport and Telecommunications

United Kingdom

Mr Edward LEIGH

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

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Commission

Mr Martin BANGEMANN

Mr Karel VAN MIERT

Member

Member

## HIGH DEFINITION TELEVISION (HDTV)

After a very long discussion based on a compromise proposed by the Danish Presidency, it became clear that although progress had been made since the Telecommunications Council on 15 December 1992 (see Press Release 10085/92 Presse 213), it was not enough to bring about an agreement.

However, 11 delegations could agree to the broad outlines of an action plan based on the following principles:

1. The plan is intended only to promote the 16/9 format (625 or 1250 lines), whatever the European television standard and the method of broadcasting (terrestrial, satellite or cable) used.
2. Community funding will cover only a part of the difference in the cost of production/diffusion in the ordinary 4/3 format and in the 16/9 format; Community funding will in general cover only 50% at most of additional costs. The remaining 50% will have to come from other sources. The Council attaches great importance to the participation of the business sector in funding.
3. 30% of Community funds will be earmarked for markets not served during the initial stages of the action plan. These funds could cover up to 80% of additional costs, the remaining 20% being found from other sources.
4. The action plan should be as simple as possible and based on transparent, fair and unbureaucratic mechanisms.
5. Funds will be allocated to broadcasters or producers established in the EEC on the basis of the number of hours produced and broadcast in the 16/9 format with a maximum support of X ECU/hour. The support will depend on the actual cost of the type of programme and its technical quality with particular attention

being paid to programmes produced in Europe. New productions will thus receive the highest level of support. Only broadcasters providing services for over 50 hours a year in the 16/9 format will receive funds.

6. Support will be granted annually on a first come, first served basis, with preference being given to projects for which additional funding comes from the business sector.
7. Community funding is to be set at ECU 200 million. It will be granted only if applicants can prove that other funds have already been committed to cover the remaining 50%. Apart from the ECU 200 million, ECU 85 million will be held in reserve until 1 January 1995 for markets not yet served during the initial phases of implementing the action plan. In addition to the ECU 85 million, ECU 21 million must be forthcoming from other sources.
8. The action plan will cover a period of three and a half years, terminating at the end of 1996.
9. Efforts will be made to expand considerably the markets served by the action plan, while paying due attention to the need to attain the critical mass.

The Presidency noted that at this Council meeting the United Kingdom delegation was not in a position to accept some of these points, in particular those relating to the sum to be allocated to the action plan.

The Commission accordingly announced that pending further developments with the action plan, it would be continuing its discussions on digital television and the possible revision of Directive 92/38/EEC.

## APPLICATION OF OPEN NETWORK PROVISION TO VOICE TELEPHONY

The Council registered its agreement, by qualified majority, on the common position on the Directive on the application of open network provision (ONP) to voice telephony, with Spain abstaining and Portugal voting against it. The Directive will be formally adopted at a forthcoming meeting after final editing of the texts.

The Directive is part of the policy established by Commission Directive 90/338/EEC on competition in the markets for telecommunications services and on the Council framework Directive (90/387/EEC), which is designed to harmonize conditions for access to and use of telecommunications networks throughout Europe by gradually applying open network provision (ONP) in priority areas.

The first step in applying this framework Directive came on 5 June 1992 when the Council adopted a Directive on the application of open network provision to leased lines.

The ONP Directive represents a further, very important step in harmonization in this sector, since it concerns the largest and most economically significant service operated by telecommunications organizations.

It has three main objectives:

- to lay down the rights of users of voice telephony services in their relations with telecommunications organizations;
- to improve access for all users, including providers of services, to the public telephone network infrastructure;
- to encourage the Community-wide provision of voice telephony services.

In particular, it should be noted that as regards certain important aspects of voice telephony, such as quality of service, billing and the supply of advanced voice telephony services, the Directive gives the Commission the power to check that action taken by the Member States to attain the objectives laid down converge at Community level, and provides for a procedure enabling the Commission, assisted by a regulatory committee, to take binding measures if that convergence proves to be inadequate.

The Directive is due to enter into force one year after its final adoption.

## EUROPEAN TELECOMMUNICATIONS EQUIPMENT INDUSTRY - COUNCIL CONCLUSIONS

The Council welcomes the Commission communication on the European telecommunication industry.

It stresses that action aimed at the improvement of the competitiveness of the industry and the correction of its structural problems is in the first place the responsibility of the industry itself. The ability of the industry to address successfully such challenges would allow it to draw the maximum benefit from the establishment of the internal market, while respecting Community competition rules.

It recognizes that the Community and the Member States should take the necessary initiatives to give industry a favourable business environment, taking due account of the principle of subsidiarity.

The Council reaffirms the importance of an internationally competitive industry in the telecommunications field in Europe operating at a high technological level.

In this respect, the Council invites the Commission to strengthen Community action already under way and, if necessary, to propose new Community actions aimed at four fundamental objectives.

### 1. The establishment of a real internal market

Action in this field implies the follow-up and acceleration of the implementation of the Green Paper regarding the creation of a unified telecommunications market, with the aim of perfecting the operation of the internal market as a level playing field for all economic operators and of allowing expansion of new segments of this market by liberalization and harmonization including standardization. The full application of the competition rules of the Community and of the Directive on procurement in the telecommunications sector is of particular relevance here.

2. Support for research and technological development

The rapid availability of advanced telecommunications services being a key factor for economic development, industrial co-operation in R&D remains an essential element of Community policy in this sector. In this respect, the use of RACE programme results should continue to be encouraged, in conjunction with EUREKA, while respecting Community competition rules. Subject to a decision to be reached on the fourth framework programme, the Community effort in R&D should take into account the needs of the markets presently in growth and the intensity of international competition, and should fully exploit the synergy between the telecommunications sector and that of the electronics industry in Europe, including small and medium-sized enterprise aspects.

3. The development of the terminal equipment market

The terminal equipment market represents an important segment of the telecommunications equipment market, in which the industry in Europe should play a strengthened role. Therefore, in compliance with Community competition rules, a series of consultations should be carried out with the interested parties with the objective of supporting industrial efforts to emerge as competitive players in the new market segments. This includes co-operation efforts in R&D of the industry in those basic technologies required for the realization of identified terminals. In this respect, the primary importance for the development of this market of accelerating the full application of the Directive on mutual recognition of terminal equipment type approval is recalled.

4. Improving competitive conditions on the world market

Telecommunications have been developing into a global industry for the last few years. This trend implies that trade and competition policies should ensure an open and fair competitive environment for telecommunications equipment manufacturers.

This trend implies as well that the rapid globalization of the telecommunications market as a worldwide market should be taken into account by Community policy and decisions.

Levelling the playing field would permit the elimination of unsatisfactory access conditions which still prevail in certain markets outside the Community and contribute to setting up fair and transparent rules of competition at world level. Therefore, in particular, it is necessary to investigate the behaviour of vertically integrated telecommunications companies on the market.

The Community's efforts should be directed towards the objective of opening up competitive opportunities in the global telecommunications market. The GATT should

be the principal means whereby this objective could be achieved, but bilateral negotiations may also be required.

Commercial policy and competition policy will be instrumental in the Community's efforts towards the objective of a level playing field; the "centralized point of information" <sup>(1)</sup> providing supporting information and analysis to this effect.

## **TELECOMMUNICATIONS SERVICES**

The Council took note of the Commission's presentation of its communication on the outcome of the consultations on the situation in the telecommunications services sector. The presentation gave the Council an opportunity for a first discussion of the subject.

You are reminded that at its meeting on 19 November 1992, the Council adopted a Resolution in which it called on the Commission to consider, with interested parties, the political, economic, commercial and social implications of the options set out in its communication on the situation in the telecommunications services sector in 1992. The Council also called on the Commission to set out, following these consultations, a transparent approach and timetable for setting up a regulatory framework for the Community telecommunications market.

In the communication presented at the meeting, the Commission proposes to continue the process of liberalizing telecommunications begun with the 1987 Green Paper and more specifically with Directive 88/301/EEC liberalizing terminal equipment and Directive 90/388/EEC liberalizing all telecommunications services except for voice telephony.

In that context, it is asking the Council to decide on a number of principles contained in the Commission communication, in particular:

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<sup>(1)</sup> See Council Resolution of 18 November 1991 concerning electronics, information and communications technologies.

- the complete liberalization of services;
- a transitional period ending in 1998;
- a precise schedule in two main stages with a consolidation phase (1993-1995) and a phase of gradual opening up to competition (1996-1998);
- the role of infrastructures.

Following its discussion, the Council instructed the Permanent Representatives Committee to continue work on this dossier with maximum efficiency, in order to enable the Telecommunications Council convened for 16 June to arrive at an agreement.

### **SINGLE MARKET FOR POSTAL SERVICES**

The Council took note of an oral report by the Commission on its consultations on the development of the single market for postal services.

Pending the submission, in the very near future, of the Commission's formal report, which should also include a precise timetable for future work, the Council instructed the Permanent Representatives Committee to examine the Commission document as soon as it arrived, prior to the discussion to be held in the Telecommunications Council on 16 June.

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PRESS RELEASE

6390/93 (Presse 80)

1661st meeting of the Council

**CULTURAL AFFAIRS**

Brussels, 17 May 1993

President: **Mrs Jytte HILDEN**  
Minister for Culture  
of the Kingdom of Denmark

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

Belgium:

Mr Hugo WECKX

Minister for Culture and Brussels Affairs  
(Flemish Community)

Mr Eric TOMAS

Minister for the Budget, Culture and Sport  
(French-speaking Community)

Mr Bernd GENTGES

Minister for Education, Culture and Youth  
Affairs (Executive of the German-speaking  
Community)

Denmark:

Mrs Jytte HILDEN

Minister for Culture

Mr Erik JACOBSEN

State Secretary for Cultural Affairs

Germany:

Mrs Ursula SEILER-ALBRING

Minister of State, Foreign Affairs

Mr Hans ZEHETMAIR

Minister for Education, Science and the Arts,  
Bavaria

Greece:

Mrs Theodora BAKOYANNIS

Minister for Culture

Spain:

Mr Jordi SOLE TURA

Minister for Culture

France:

Mr Jacques TOUBON

Minister for Culture and the French-speaking  
World

Ireland:

Mr Michael D. HIGGINS

Minister for Arts, Culture and the Gaeltacht

Italy:

Mr Rocco Antonio CANGELOSI

Deputy Permanent Representative

Luxembourg:

Mrs Marie-Josée JACOBS

Minister with responsibility for Cultural  
Affairs

Netherlands:

Mrs Hedy D'ANCONA

Minister for Welfare, Health and Cultural  
Affairs

Portugal:

Mr Pedro Miguel SANTANA LOPES

State Secretary for Culture

United Kingdom:

Mr Peter BROOKE

Secretary of State for National Heritage

Commission:

Mr João de DEUS PINHEIRO

Member

### PROMOTION OF BOOKS AND READING

On the basis of a note from the Presidency and of information supplied by the Commission, the Council and the Ministers for Culture meeting within the Council held a discussion on the promotion of books and reading in the Community further to the ministerial symposium held in Copenhagen on 22 April 1993, at which the Europe-wide "Reading for Pleasure" campaign was launched.

The discussion revealed agreement among the delegations on the need to concentrate Community efforts in the following areas:

- reading by children and adolescents
- translation of literary works and the training of translators
- publishing houses and book prices
- studies and comparable statistics relating to books.

The Belgian delegation, which was to hold the next Presidency, announced that, with the Commission's help, it intended to study the question of book prices during the second half of the year.

### COMMUNITY PROGRAMME FOR EXCHANGES OF ARTISTS

The Council and the Ministers for Culture meeting within the Council held an exchange of views on a Presidency proposal for the setting up of a Community programme for exchanges of artists, particularly young artists.

At the close of their debate, they invited the Commission, after further discussion of the subject in the Committee on Cultural Affairs, to submit a communication listing existing measures and possibly appropriate proposals in this area, taking into account current

co-operation between the Member States, the Presidency note and their discussion on the subject.

PROMOTION OF THE TRANSLATION OF CONTEMPORARY EUROPEAN DRAMATIC  
WORKS - RESOLUTION

"The Council and the Ministers for Culture meeting within the Council,

Recognizing, as part of the improvement of the dissemination of the culture of the European peoples, the need for wider circulation of contemporary dramatic works within the European Community so as to enable decision-makers in theatres and the broadcasting sector to present a more varied repertoire of drama from the Member States to the public of the other Member States;

Noting that potential producers of dramatic works may need to read these works in their own language before taking a decision on production, particularly when the original language of the work is a lesser spoken language in Europe;

Recalling the importance attached to the promotion of translation of dramatic works in the Ministers' Resolution of 7 June 1991 on the development of the theatre in Europe;

AGREE to promote the translation of contemporary dramatic works by playwrights of the Member States which have been successful in their country of origin; this should be organized within the pilot scheme for the translation of contemporary literary works established by their Resolution of 9 November 1987, as an addition to it;

INVITE the Commission to assess any necessary steps for putting into practice such a scheme on the translation of dramatic works, including proposals for appropriate financing, and to propose an appropriate number of translations, preferably into at least two languages, each year; the whole to be evaluated within the review of the main scheme for the

translation of contemporary literary works, due at the end of 1994. They invite the Commission, in so doing, to take account of the ideas contained in a separate Presidency proposal to promote translation of dramatic works."

### MEDIA PROGRAMME

Ministers discussed the MEDIA programme relating to the promotion of audiovisual production in Europe, which was adopted in December 1990.

Mr DEUS PINHEIRO, Member of the Commission, informed the Council that the Commission would shortly be submitting the first evaluation report on the programme, following an audit by an independent firm.

The report will be discussed at the next meeting of the Council in November 1993.

### CULTURAL ACTIVITIES

The Council and the Ministers for Culture meeting within the Council welcomed the fact that the Commission had submitted a preliminary work programme in the cultural field for 1993 and a report on activities in the cultural field in 1992.

The submission of the preliminary programme corresponds to the annual outline requested in the guidelines for Community cultural action adopted on 12 November 1992.

## OTHER COMMUNITY POLICIES OF CULTURAL INTEREST

On the basis of a note from the Presidency, the Council held a discussion of developments in other Community policies of cultural interest, including questions relating to copyright, high definition television and tax.

### CAMINO DE SANTIAGO (ROUTE OF ST JAMES)

At the Spanish delegation's instigation, and in view of the fact that 1993 is the Year of St James, the Ministers welcomed the initiatives taken by several Member States to contribute to the identification, restoration and preservation of the historical and artistic heritage of the Camino de Santiago.

They further welcomed the action taken by several Member States for improving the knowledge of the Camino, which forms part of Europe's cultural heritage, and their initiatives to encourage participation in this work by citizens and by cultural associations and bodies.

The declaration adopted emphasizes the leading role of the Council of Europe in the promotion of the Camino de Santiago as a "cultural itinerary of the Council of Europe" and the part played by that Institution in celebrations for the Year of St James.

MISCELLANEOUS DECISIONSAgriculture

The Council adopted Regulations:

- amending Regulation No 2390/89 laying down general rules for the import of wines, grape juice and grape must. The aim of the Regulation is to extend for one year, until 30 April 1994, the derogating rules relaxing the requirements relating to certificates of origin and analysis reports to be supplied by the United States, on condition that the United States provide special guarantees accepted by the Community;
- amending Regulation No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation No 822/87. The aim of the Regulation is to extend for one year, until 30 April 1994, the derogation granted for wine originating in the United States as regards the application of certain oenological practices not allowed in the Community.

Fisheries

The Council adopted a Decision permitting the provisional application of the Protocol defining for the period 18 January 1993 to 17 January 1996 the fishing opportunities and the financial contribution provided for by the 1987 Agreement between the Community and the Republic of Seychelles.

The technical and financial conditions of the new Protocol are the same as those applying to the previous Protocol, which expired on 17 January 1993.

Specifically, licences to fish simultaneously in Seychelles waters will continue to be granted to forty Community tuna seiners. In addition, fishing licences may be granted to tuna liners and surface longliners not exceeding 18 metres in length.

Community financial compensation for the period of the Protocol amounts to ECU 9,9 million, including ECU 2,7 million towards the financing of scientific programmes in the Seychelles to gain greater knowledge of fish stocks developing in the region of the Indian Ocean surrounding the Seychelles islands.

The Council also adopted a Regulation applying within the Community the measures adopted by the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) at its annual meeting held in Hobart from 26 October to 6 November 1992.

These measures, which chiefly concern the waters off South Georgia,

provide for TACs to be set for certain species, as well as closed seasons for fishing and a ban on directed fishing for certain stocks.

The text adopted amends Regulation No 2245/85 on technical measures for the conservation of fish stocks in the Antarctic.

#### Environment

The Council adopted a Decision on the accession of the Community to the Protocol to the 1979 Geneva Convention on Long-Range Transboundary Air Pollution on the reduction of emissions of nitrogen oxides or their transboundary fluxes.

The Protocol, which is based on the principle of correction at source, sets an overall aim for the stabilization of total nitrogen oxide emissions and provides for the application of emission standards and the adoption of pollution control measures, while leaving the matter of any reinforcement of obligations to be settled in future negotiations.

In adopting this Decision, the Council considers that the stabilization of total nitrogen oxide emissions constitutes an important first step and that it is necessary significantly to reduce the current level of emissions, not only of nitrogen oxide, but of all nitrogenous pollutants throughout the Community.

#### Tropical timber

The Council adopted a Decision concerning Community participation in the negotiations for the conclusion of a new International Timber Agreement on the basis of negotiating directives established in that Decision.

#### Berlin "Partners in Progress" Fair

The Council adopted a Regulation applying supplementary generalized tariff preferences in respect of certain products originating in countries benefiting from generalized preferences and sold at the Berlin "Partners in Progress" Fair, an event concentrating on products exported by developing countries.

#### Coal industry

The Council took note of a Commission report on the application of the Community rules for State aid to the coal industry in 1991.

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PRESS RELEASE

6704/93 (Presse 82)

1662nd Council meeting

**AGRICULTURE**

Brussels, 24, 25, 26 and 27 May 1993

President: Mr Bjørn WESTH,

Minister for Agriculture and Fisheries of the  
Kingdom of Denmark

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

Belgium:

Mr André BOURGEOIS Minister for Agriculture

Denmark:

Mr Bjørn WESTH Minister for Agriculture and Fisheries  
Mr Nils BERNSTEIN State Secretary for Agriculture

Germany:

Mr Jochen BORCHERT Federal Minister for Food, Agriculture and Forestry  
Mr Franz-Josef FEITER State Secretary, Federal Ministry of Food, Agriculture and Forestry

Greece:

Mr Christos KOSKINAS Minister for Agriculture

Spain:

Mr Pedro SOLBES MIRA Minister for Agriculture

France:

Mr Jean PUECH Minister for Agriculture and Fisheries

Ireland:

Mr Joe WALSH Minister for Agriculture, Food and Forestry

Italy:

Mr Alfredo DIANA Minister for Agriculture

Luxembourg:

Ms Marie-Josée JACOBS Minister for Agriculture, Viticulture and Rural Development

Netherlands:

Mr Piet BUKMAN Minister for Agriculture, Nature Conservation and Fisheries

Portugal:

Mr Arlindo CUNHA Minister for Agriculture

United Kingdom:

Mr John GUMMER Minister for Agriculture, Fisheries and Food

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Commission:

Mr René STEICHEN Member

PRICES FOR AGRICULTURAL PRODUCTS AND RELATED MEASURES (1993-1994)

After long and difficult negotiations, the Council reached political agreement on the prices package for the 1993-1994 marketing year. This agreement was based on an overall compromise from the Presidency, which the Commission endorsed, and includes various aspects to make the reform acceptable to farmers, without affecting its foundations.

The Council thus approved the following Commission proposals:

- Prices for agricultural products and related measures (1993-1994);
- Fixing the non-rotational set-aside rate;
- Amendment of Regulation (EEC) No 1785/81 on the common organization of the market in the sugar sector;
- Milk quotas and prices for milk products, including the proposals for quotas to be granted to Italy, Spain and Greece

subject to the amendments below (pages 4 to 18).

The regulations will be finalized rapidly so that they can be adopted formally by the Council at a forthcoming meeting.

The Council also adopted the Regulations:

- fixing the target price for dried fodder for the marketing years 1993-1994 and 1994-1995;
- fixing the basic prices and buying-in prices for fruit and vegetables for the marketing year 1993-1994.

## COMPROMISE

### 1. CEREALS

Monthly increments for cereals to be fixed at 1,425 Ecu/t.

The Commission states that the same derogations as those available in 1992/1993 as regards moisture content and minimum quality of durum wheat will be maintained for the 1993/1994 marketing year. The 1% abatement in the intervention price for barley with a specific weight under 64% will not apply for the 1993/1994 marketing year.

The Commission states that it will adopt provisions under Article 13 of Regulation (EEC) No 1766/92 to ensure the continuation of the whisky refund system from 1 July 1993, under which payments to compensate for the difference between world and Community cereals prices are paid at the production stage. This statement is made without prejudice to the need to make technical changes to respond to comments by the Court of Auditors and without prejudice to the Commission's right, subject to protocol 19 of the 1972 Treaty of Accession, to review the system if the Council were to decide, on the basis of a Commission proposal, to change its existing policy on alcoholic drinks generally.

#### Durum wheat

The Council reiterates the importance it attaches to improving the transparency of the market for durum wheat in order to ensure the continued viability of the processing industry outside the traditional production zones. It notes that the Commission will be taking appropriate measures to this end. It also notes that the Commission will study the price hierarchy of cereals in Portugal and will, if appropriate, bring forward proposals.

## 2. RICE

In the light of a re-examination of transport costs, the target price is increased by 8,27 Ecu/t by comparison with the Commission's proposal.

The proposed amendment to Annex A of Regulation (EEC) No 1418/76 (definition of broken rice) is not adopted but will be the object of further study before a decision is taken.

The Commission undertakes to examine the effect upon the rice regime of the introduction of the new support system for other arable crops and will make proposals as appropriate. These proposals may, in particular, include an area ceiling.

## 3. POTATO STARCH

The premium for producers of potato starch will continue for three years at the present level provided that production of potato starch does not exceed the average of the last three marketing years (1,5 million tonnes including production in the new Länder).

## 4. SUGAR

The following amendments and clarifications are made to the Commission proposal contained in 4632/93:

The second and third recitals are redrafted as follows:

"Whereas the year 1993/1994 will be the first year of transition towards the full application of the major reform decided by the Council in 1992 for the majority of the major arable crops;

Whereas sugar, although it too is a major arable product, is not included in the reform;

Whereas, in order to allow national authorities and producers to concentrate on the application of the new regime for arable products without being confronted at the same time by the choices to be made for the long term future of the sugar regime;

Whereas the sugar regime as it exists at present is such as to preclude the risk of a sudden change in the area planted and that it is, therefore, possible for it to coexist, at least for a time, with the new regime for other arable products;

Whereas it is, therefore, desirable to provide for the prolongation of the existing price and products regime for 1993/1994 marketing year;"

The current derogation authorizing sugar beet harvested in Portugal to be processed in Spain will apply also to the 1993/1994 season.

The current authorization given to the Federal Republic of Germany to grant aid for the restructuring of the sugar industry in the new Länder is extended to cover 1993/1994 and the limit on the total amount of aid for the four marketing years 1990/1991 to 1993/1994 is set at DM 460 million.

The Commission will, by 1 October 1993, present its proposal for the sugar regime for the period commencing 1 July 1994.

Concerning inulin fructose syrup, the Council wishes the quotas granted on the basis of the criteria referred to in the Commission proposal to be as restrictive as possible, subject to the general provisions of Community law and the jurisprudence of the Court. In particular, it stresses that the production and the capacity to be taken into account should relate to specific installations designed and exclusively used for performing the complete production process from reception of the basic agricultural product to

manufacture of the finished inulin fructose syrup.

5. LINSEED

In proposed Article 17a, the figure of ECU 87 is replaced by ECU 85. Should the area planted for 1993/1994 exceed 266 000 hectares, this figure will be reduced in proportion to that excess. The granting of this aid will not be subject to the condition of the producer participating in the set-aside scheme.

The Commission undertakes to exercise its transitional powers so as to ensure that land planted to linseed for 1993/1994 will be eligible for aid in this year whether or not it conforms to the provisions of Article 9 of Regulation No 1765/92 and that an increase in base areas will be made on account of the inclusion of this crop in the arable products scheme in exactly the same way as base areas were originally calculated.

The Council will determine the rate of the compensatory payment for the 1994/1995 marketing year and subsequent years when it sets other prices for 1994/1995.

To allow for the possibility of adjustments in future years the Commission's proposal is amended so as to add linseed to the products referred to in Article 15(2) of Regulation No 1765/92.

6. FIBRE FLAX

The Council notes the intention of the Commission to propose an amendment to Article 3(2), first indent, of Regulation (EEC) No 619/71 so as to maintain the existing situation under which 25% of the aid is paid to the grower and 75% to the processor. It also notes that the Commission intends to treat the Federal Republic of Germany as a production zone for the purposes of Article 4(2) of Regulation No 1308/70.

## 7. OLIVE OIL

The Council notes the intention of the Commission to reduce the payment delays for sales into intervention to the same period as applicable to cereals.

The Council invites the Commission to consider the possibility of introducing intervention B in the olive oil regime to enable action to be taken should there be serious market disturbance before normal intervention opens.

The Council decided unanimously to fix the amount of production aid for olive oil in Portugal at the same level as for Spain, i.e. ECU 66,65/100 kg.

## 8. WINE

The Council takes note of the Commission's intention to propose for the 1993/1994 marketing year a partial release of the quantity under contract before the end of the nine month storage period. Some wine stored under this regime may be delivered for distillation provided that this takes place before 1 July.

The derogations currently accorded to Spain under Articles 90 and 127 of the Act of Accession in respect of the mixing of red and white wine and of acidity are extended for a further season.

## 9. FRUIT AND VEGETABLES

The Council notes that the Commission is undertaking a review of the market organization for fruit and vegetables and will report on its conclusions. In this context it requests the Commission to study whether there could be an adjustment of the seasonality of the Community import regime and internal support in this sector, without prejudice to its position in the GATT.

The Council notes the intention of the Commission to propose, for application from the 1993/1994 marketing year and following the market study which it undertook to make last year, a system of aid for processing satsumas, mandarins and clementines into segments and juices.

#### 10. COTTON

The change in the cotton butoir will be delayed until 1994/1995. In the context of the price fixing proposal for that year, the Commission will report on the latest market situation.

#### 11. TOBACCO

The Commission undertakes to re-examine, on the basis of the most up-to-date statistics, the guarantee threshold quantities for tobacco as fixed for the 1994 harvest by Regulation (EEC) No 2076/92. If necessary it will propose to the Council during the second half of 1993 the amendments to be made to the 1994 guarantee thresholds for the different variety groups within the total tobacco quantity allocated to each Member State.

As far as Greece is concerned it will examine in particular the possibility of increasing, whilst respecting budgetary neutrality, the threshold quantity fixed for flue-cured varieties by means of a transfer of quantities allocated to other variety groups.

#### 12. APPLICATION OF ARTICLE 9 OF REGULATION (EEC) No 1765/92

In the light of the developments in the new Länder arising from the application of the CAP, the Commission will investigate the possibility of enabling some interchange to take place between land which was previously used for arable purposes and land which was not.

It will, at the same time, examine the possibility of similar flexibility with regard to changes in land utilization in Portugal arising for similar reasons, and more generally

in the context of land restructuring schemes.

### 13. MANIFEST ERRORS IN APPLICATIONS FOR CAP REFORM AIDS

The Commission recognizes that producers may have made errors in the applications in the first year of reform. Although the applications made by the 15 May deadline should be final, producers who discover manifest errors in the applications after having submitted them and report these to their authorities should not be penalized on this account. Detailed guidance for the application of these principles will be drawn up by the Commission and distributed to the EAGGF Committee.

### 14. MILK

Further to the decision taken by the Council in May 1992, the intervention price for butter will be reduced as follows:

- 3% on 1 July 1993
- 2% on 1 July 1994

The indicative price for milk and the threshold prices for milk products are adjusted accordingly.

Without prejudice to subsidiarity, the Council requests the Commission to present a proposal amending Regulation (EEC) No 804/68 to include a legal basis authorizing Member States to apply a particular levy to their own production in order to provide the funds needed, for example, to continue the kind of promotion schemes which are currently financed by the co-responsibility levy.

The Council takes note of the Commission's intention to amend milk quota

Regulation (EEC) No 3950/92 as follows:

- For Portugal, the global quantity for direct sales is reduced by 51 000 t and the global quantity for deliveries is increased by the same amount.
- For the Federal Republic of Germany, the global quantity for direct sales in the new Länder is reduced by 50 000 t and the global quantity for deliveries is increased by the same amount.

As far as SLOM III is concerned, the Council undertakes to take a final decision on the basis of the proposal of the Commission as set out in the annex to 6743/93 and as amended in the light of the most recent judgment of the Court of Justice (C 81/91 of 19 May 1993), once the Opinion of the European Parliament is available.

In order to help Member States to fulfil their obligations resulting from this regulation, and to take account of other problems raised during the discussions in the Council - including the concerns raised in some Member States by the termination, with effect from 1 April 1992, of the compensation for suspended quantities - the global guaranteed quantities for deliveries set out in the Commission proposal (6127/93) are increased by 0,6% <sup>(1)</sup> with the exception of the global guaranteed quantities of Spain, Greece and Italy which, for the 1993/1994 marketing year, are increased in conformity with the Commission proposal (6127/93).

The Council notes that the Commission will closely monitor the implementation of the milk quota scheme in Greece, Spain and Italy in order to verify compliance with the detailed undertakings on which the agreement on quotas for these three countries was based. The Commission will submit a report to the Council in March 1994 accompanied by proposals on whether the increased quotas should be continued in 1994/1995 and subsequent years.

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<sup>(1)</sup> This additional quantity will be put into the national reserve.

A Community contribution of ECU 40 million from the Guarantee Fund will be made available to Member States to finance quota restructuring measures contained in Article 8 of Regulation (EEC) No 3950/92. The total financial allocation per Member State is set out in the attached table.

Inward processing

Inward processing shall be permitted for the 1993/1994 marketing year in the milk sector. The Council agrees that, should this lead to market disturbance, it will agree to a proposal from the Commission to reintroduce the ban on inward processing in 1994/1995.

FINANCIAL ALLOCATION PER MEMBER STATEAMOUNTS IN ECUS

B	1 106 613
DK	1 678 207
D	10 460 461
EL	235 842
E	1 959 115
F	8 854 814
IRL	1 970 627
I	3 470 719
L	101 007
NL	4 133 772
P	679 994
UK	5 348 829

## 15. BEEF AND SHEEPMEAT

The Council requests the Commission to consider:

- (a) means by which, in the interests of simplification, the ewe premium headage limits could be subsumed into the system of individual limits decided in the context of the reform, and
- (b) a facility for Member States to apply appropriate environmental conditions to the payment of ewe premiums and male bovine premiums in line with the system already decided for suckler cow premiums

and to make appropriate proposals.

- (c) the possibility of financing, on the same basis as that set out in Article 4d(7), last subparagraph, of Regulation (EEC) No 805/68, the national complementary share of the suckler cow premium in the case of Member States having a large, highly specialized breeding herd whose products, because of their high classification, are not eligible for intervention support.

The Council asks the Commission to examine the market prospects for beef and the intervention system. The Commission will, by 30 November 1993, submit a report, if necessary accompanied by appropriate proposals.

The Council requests the Commission to submit, by 30 November 1993, a report on the market situation for sheepmeat accompanied, if appropriate, by proposals.

### Applications for the beef special premium: slaughter model

The Council notes the intention of the Commission to amend the application model so as

to extend the 30-day application period to 6 months.

#### Suckler cows

The Commission will propose that the suckler cow premium agreed in December 1992 for Luxembourg be adjusted so as to give a total amount of 3 000.

#### 16. PIGMEAT

The basic price for pigmeat remains at the level fixed for 1992/1993.

#### 17. DROUGHT IN SPAIN AND PORTUGAL

In the light of the drought in Portugal, the Council requests the Commission to make proposals to utilize funds provided for Portugal under Regulation (EEC) No 3311/92 but not yet utilized.

The Commission will continue its examination, in consultation with the Spanish authorities, of the effects of the persistent drought on its regionalization plan, in particular as regards the irrigated areas, with a view to making adjustments which will bring it closer to what is feasible in terms of the actual availability of water supplies.

#### 18. PORTUGAL: TECHNICAL ADAPTATIONS

P.M. Following the adoption by the Council of Regulations integrating Portuguese agriculture into the single market, there will be an adaptation of the Regulations concerning Portugal (5832/1/93, page 8).

## 19. PROPOSED COUNCIL REGULATION ON THE EAGGF (INTEREST RATES)

Without prejudice to the Opinion of the European Parliament and taking account of the amendments on page 3 of 6752/93, the Commission proposal is approved.

## 20. AGRIMONETARY MATTERS

The Council note that the Commission will propose application rules for Article 9 of Regulation (EEC) No 3813/92 as soon as possible and undertakes to decide on that proposal before 31 July 1993.

It also recognizes that certain markets, in particular that for sheepmeat, may have been disturbed by recent exceptional exchange developments and would be prepared to consider requests for authorization for national aid to help to deal with such exceptional problems, under Articles 92 and 993 of the Treaty.

## 21. SET-ASIDE

In nitrate-sensitive areas established under Directive 91/676/EEC and where there are compulsory schemes which have been notified to the Commission requiring a significant reduction in the use of fertilizers, the Commission considers that, in approved cases, the rate applicable to non-rotation may exceed the general rate by only 3 percentage points. It will make a proposal to the Council to this effect by 31 July 1993 with a view to a decision being taken by 31 October 1993. The effect of this concession will be the subject of a report on its effect on production accompanied, if necessary by appropriate proposals, after two years of experience.

In view of the conflicting evidence on the effect of rotation on yields a large experiment will be made in the following manner. Countries where, in view of the very high proportion of the base area put into set-aside, a very large sample will be available,

will be permitted to allow non-rotational set-aside with an additional rate of 3 percentage points. The Commission will arrange a two year statistical survey in such countries with a view to establishing the effects of rotation on yields in order to determine whether this percentage gives a sufficient guarantee that rotation and non-rotation are equally effective in terms of the control of production. If that study reveals that 3 percentage points are not adequate for this purpose, the necessary upward adjustment up to the level applicable in the rest of the Community will be made by the Commission acting through the management committee procedure. The countries eligible to participate in this experiment are ones where the percentage of the base area as fixed in Regulation No 845/93 estimated to be entered into set-aside in the first year of the scheme exceeded 13% as shown in the 1994 preliminary draft budget.

The Council takes note of the Commission reflection paper on other set-aside issues and invites the Commission to make appropriate proposals on this basis before 31 July 1993 so as to allow decisions to be taken before 31 October 1993.

The Council invites the Commission to consider making a proposal to amend the criteria for regionalization plans so as to allow greater flexibility to Member States, whilst fully respecting past average yields. It is understood that whilst this proposal is under consideration, existing transitional arrangements will continue.

The Council requests the Commission to propose an increase in the reference rates of compensation for set-aside by 12 Ecu/t applicable with respect to set-aside which relates to the 1994/1995 marketing years onwards and undertakes to take a decision on the basis of this proposal before the 1994/1995 set-aside season begins (15 December 1993).

The Council notes that the Commission will propose that the growing of sugar beet for industrial purposes on set-aside land, without any compensatory payment, be allowed.

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OTHER ITEMS ON THE AGENDAURUGUAY ROUND - AGRICULTURAL ASPECTS

The Council took note of the outcome of the Commission's talks on 15 May 1993 with the United States Secretary of State for Agriculture, Mr Espy, and held a short exchange of views on the progress of negotiations in the Uruguay Round. Various delegations stated their positions, in particular the French delegation, which commented on the memorandum submitted by the French Government.

The Council will examine this dossier further at its next meeting.

POTATOES

The Council again examined the Commission proposal to introduce a common market organization for potatoes.

The differing views of delegations which were apparent at the last Council meeting as regards the principle of introducing such an organization and its scope remained. Some delegations wanted a more wide-ranging organization, including more binding market management instruments; some could accept the Commission approach (a "light-weight" organization); others considered a market organization unnecessary.

The Council instructed the Special Committee on Agriculture to continue its discussions.

### STANDARD QUALITIES FOR CEREALS

Pending the Opinion of the European Parliament, the Council continued its discussions on the Commission proposal to fix standard qualities in accordance with the provisions of the new common market organization decided on by the Council as part of the reform. In general, the present rules will be maintained.

Since some technical questions still required clarification, the Council instructed the Special Committee on Agriculture to continue its discussions so that the Regulation could be adopted once the European Parliament's Opinion was received.

### IMPORTS OF CONIFER WOOD

On the basis of a compromise, the Council adopted Decisions extending for 4 months (from 1 June 1993 to 30 September 1993) the derogations allowing entry into the Community for certain conifer wood from the United States which has been subject to phytosanitary inspection instead of the heat treatment normally used to combat the pine-wood nematode and its vectors.

### SITUATION OF THE APPLE MARKET

During the meeting, the Council received a Commission proposal concerning the situation of the apple market and decided to adopt it by the written procedure.

OTHER DECISION ON AGRICULTURE

The Council adopted a Decision authorizing the Commission to participate, on behalf of the Community, in the second Ministerial Conference on the Protection of Forests in Europe (Helsinki, 16 and 17 June 1993). This Decision is part of the follow-up to the Rio Conference on the Environment and Development (June 1992).

MISCELLANEOUS DECISIONSFISHERIES

The Council adopted, with the French delegation abstaining, a Regulation opening and providing for the administration of autonomous Community tariff quotas for certain fishery products (1993).

The Regulation provides for suspension of the customs duties applicable to imports of the following products. The periods, rates and Community tariff quotas are set out below.

Description	Quota period	Amount of quota (in tonnes)	Quota duty (%)
Cod and fish of the genus <i>Boreogadus saida</i> , excluding livers, roes, presented fresh, chilled or frozen, for processing	from 1.7.1993 to 31.12.1993	27 500	3,7
Coalfish, excluding livers, roes, presented fresh, chilled or frozen, for processing	from 1.7.1993 to 31.12.1993	17 500	3,7
Cod and fish of the species <i>Boreogadus saida</i> , salted or in brine, but not dried or smoked	from the date of entry into force of the Regulation <sup>(1)</sup> until 31.12.1993	60 000	4,0
Cod and fish of the species <i>Boreogadus saida</i> , dried, unsalted, not smoked	from the date of entry into force of the Regulation <sup>(1)</sup> until 31.12.1993	500	7,0
Fish fillets, salted or in brine, of cod and of fish of the species <i>Boreogadus saida</i>	from the date of entry into force of the Regulation <sup>(1)</sup> until 31.12.1993	3 000	8,0
Fillets of coalfish salted, for processing	from the date of entry into force of the Regulation <sup>(1)</sup> until 31.12.1993	2 000	10,0
Lesser or Greenland halibut, fresh, chilled or frozen, for processing	from 1.7.1993 to 31.12.1993	3 900	4,0

<sup>(1)</sup> Three days after publication in the Official Journal.

The Commission pointed out in a statement that the figures adopted meet only the processing industry's supply needs and that, as a result, the opening of these quotas is subject to compliance with an end-use clause and with the reference prices.

The Commission also stated that it will keep a close watch on market developments and will intervene without delay should it note a deterioration in the situation requiring it to react.

### ECSC

The Council gave its assent, pursuant to Article 55 of the ECSC Treaty, to the draft Commission Decisions on:

- granting financial aid of ECU 58 million for 57 steel research projects and 16 steel pilot/demonstration projects in 1993;
- granting financial aid of ECU 44,9 million for 127 coal research projects in 1993.

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PRESS RELEASE

6705/93 (Presse 83)

1663rd Council Meeting  
**DEVELOPMENT CO-OPERATION**

Brussels, 25 May 1993

President : **Mrs Helle DEGN,**  
Minister for Development Co-operation of  
the Kingdom of Denmark

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

Belgium:

Mr Erik DERYCKE

State Secretary for Co-operation and Development

Denmark:

Mrs Helle DEGN

Minister for Development Co-operation

Germany:

Mr Hans-Peter REPNIK

Parliamentary State Secretary, Federal Ministry of Economic Co-operation

Greece:

Mr Georges PAPASTAMKOS

State Secretary for Foreign Affairs

Spain:

Mr Inocencio ARIAS

State Secretary for International Co-operation and Latin America

France:

Mr Michel ROUSSIN

Minister for Development Co-operation

Ireland:

Mr Tom KITT

Minister of State for European Affairs and Overseas Development Aid

Italy:

Mr Carmelo AZZARA

State Secretary for Foreign Affairs

Luxemburg:

Mr Georges WOHLFART

State Secretary for Foreign Affairs and Co-operation

Netherlands:

Mr Jan PRONK

Minister for Development Co-operation

Portugal:

Mr José Manuel BRIOSA E GALA

State Secretary for Co-operation

United Kingdom:

Baroness CHALKER

Minister for Overseas Development

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Commission:

Mr Manuel MARIN

"DEVELOPMENT CO-OPERATION POLICY IN THE RUN-UP TO 2000"

The Council held an open debate on the follow-up to its declaration of November 1992 on Development Co-operation Policy in the run-up to 2000. This debate covered in particular the strategy of the Community and its Member States regarding the fight against poverty as well as the priorities in the field of co-ordination of development policies of the Community and its Member States, in order to enhance their efficiency.

Fight against poverty

At the end of this debate, the Presidency drew the following conclusions :

The Council had a constructive discussion on development policy up to the year 2000. The discussion confirmed the Council's firm commitment to combatting poverty in the developing countries.

It stressed that measures to combat poverty cannot be taken in the context of development co-operation alone, that greater cohesion in policy vis-à-vis the developing countries and policy co-ordination with the recipient countries and other donors is important and that the dialogue with the governments of the recipient countries concerning distribution policies in those countries must be reinforced.

The Council considered that future discussions could, *inter alia*, focus on :

- channelling development aid to the poorest countries and the poorest groups in the developing countries;
- access by the poorest groups to productive work, the redistribution of income and prosperity as well as the integration of the poor in the development process;
- support for measures to combat poverty taken by the recipient countries themselves, and the possibility of making development aid conditional on such measures.

The Council expressed its intention to adopt at its next meeting operational conclusions concerning a strategy to combat poverty.

### Co-ordination of development policies

As far as co-ordination of development policies is concerned, the Council adopted the following conclusions:

1. In its 18th November 1992 Declaration on aspects of development co-operation policy in the run-up to 2000 the Council requested the Commission to review its past Resolutions and Conclusions with the aim of identifying priority areas for policy co-ordination in the future in relation to all developing countries.
2. The principal objectives of Community and Member States' development policies were reaffirmed in the November Declaration which also stated that the complementarity of Community aid to the policies pursued by the Member States should be ensured by co-ordination mechanisms. The aim at present is to determine in what areas policy co-ordination would contribute to these objectives. The Council regards the process of identifying priority areas as a continuing and dynamic process aimed at adjusting and increasing the effectiveness of its policies and thus meeting the challenges of the nineties.
3. The Council notes the Commission's communication on this subject and, for a large part, shares its analysis. It agrees that the following main criteria should be used to determine priorities for those areas where policy co-ordination is still required:
  - = contribution to the main objectives of Community development policy;
  - = existence of comparative advantage. In this respect the Council recalls that in its November Declaration it expressed its willingness to consider priority areas where policy co-ordination may have a positive impact on the effectiveness of Community and Member States' development assistance;
  - = need to complete or adapt existing policy.
4. The importance of policy co-ordination in relation to measures to combat poverty was stressed at the November 1992 Council. The consideration of this issue will be central in the efforts to establish a strategy to combat poverty and should also be analyzed in relation to the subjects identified in this conclusion. The Council has recently started its discussion on poverty and will consider the matter further at its next meeting.
5. In addition, the Council considers that at this stage and without excluding further reflection on this subject:
  - initially policy co-ordination should be enhanced in the sectors of:
    - = health
    - = food security
    - = education and training
  - in certain fields, such as respect for human rights, family planning and support for structural adjustment, the Council has already provided for effective policy co-ordination and efforts should now primarily be concentrated on implementation;

- in a number of areas (environment, evaluation, role of women, emergency aid) where Community policy has been defined, a consolidation and updating may be required in the light of current or future circumstances and past experience;
  - in other areas which either have not been adequately addressed in the past or become new priority areas for the 1990s, further consideration of the need for enhanced policy co-ordination will be required.
6. The Council invites the Commission to make appropriate proposals, taking into account the above conclusions, to enable it to fulfil the following indicative work programme which is intended to complement the programme agreed in the Declaration on Horizon 2000 of November 18, 1992:

October 1993:

- Poverty
- Health

Spring 1994:

- Food security

Autumn 1994:

- Education and training

The Council will keep the programme of future work under review and evaluate progress achieved at its session in the Autumn of 1994."

#### Operational co-ordination

The Council took note of a presentation by Mr MARIN of a Commission communication on operational co-ordination and requested the Committee of Permanent Representatives to examine it with a view to a discussion at the next Council meeting.

**A SPECIAL INITIATIVE FOR AFRICA - CONCLUSIONS OF THE COUNCIL AND THE REPRESENTATIVES OF THE MEMBER STATES MEETING IN COUNCIL**

- "1. The Council, having had a first exchange of views on the Commission's communication "A Special rehabilitation support programme in developing countries" adopts at this stage the following conclusions.
2. The Council is concerned about the extent and urgency of the rehabilitation needs facing many developing countries, in particular in Sub-Saharan Africa.

It recognizes Africa's close links with the European Community and recalls the substantial development efforts undertaken by the Community and its Member States in this continent and in particular the large rehabilitation programmes, financed by the Community and some Member States, recently decided for some African countries.

3. Against this background, the Council finds it of utmost importance for the Community to move with determination as early as possible in 1993 from emergency assistance to rehabilitation assistance in specific Sub-Saharan African countries, where the situation permits, by developing and implementing special country programmes targeted on the pressing rehabilitation needs of these countries.

Such rehabilitation assistance should be fully co-ordinated with the UN organizations and other donors, implemented where appropriate in close co-operation with NGOs and should bridge the gap between emergency aid and longer term development assistance enabling a return to an adequate level of subsistence. In this context, the Council recognizes the importance of establishing and maintaining stability and security in the countries concerned and the need for assistance in this area.

4. A number of countries affected by man-made or natural disasters, among which are some of the least developed, need fast track assistance such as immediate supply of agricultural and other inputs (e.g. seeds and tools) to restore rural productivity and support rehabilitation of basic infrastructures and social services. Swift action is also necessary to reconstitute the cattle population and food stocks, to ensure replantation and to reintegrate refugees and displaced persons and assist demobilised soldiers.
5. The Council underlines the urgency of this assistance in order to maximize the effectiveness of the initiative and move the situation away from instability and conflict and agrees to respond rapidly to these rehabilitation needs.
6. The Council considers that the main financing source should be a flexible use of EDF funds in accordance with existing procedures. In addition, in view of the urgency of the situation consideration should be given to providing resources supplementary to EDF from relevant and available Community budgetary sources. Furthermore, Member States will consider how best to give support to this initiative through co-ordinated bilateral action.
7. The Council requests the Commission to evaluate urgently the resources needed for rapid implementation. It considers that a sum of at least 100 MECU should be allocated immediately.

8. In certain Sub-Saharan African countries the initiative should begin without further delay. The Council accordingly requests the Commission to start immediately to design fast track rehabilitation programmes along the guidelines set out in these conclusions with a view to rapid implementation initially in countries where the Community is already engaged in rehabilitation programmes and in other Sub-Saharan countries as conditions permit.
9. The Council requests Coreper to pursue its examination of the Commission's communication on the special rehabilitation support programme in developing countries with a view to reaching conclusions at its next Council meeting."

## FUTURE DEVELOPMENT CO-OPERATION WITH SOUTH AFRICA - COUNCIL DECLARATION

"The Council and the representatives of governments of Member States meeting in the Council agree on the following:

### Policy guidelines

The Community and its Member States reaffirm the importance they attach to the process towards a democratic and non-racial South Africa. They are the biggest single donor in this country in particular through the special programme of positive measures established in the framework of EPC in 1985 and modified since then by the Council.

They recall their commitment to the complete abolition of the unacceptable system of apartheid by peaceful means and its replacement by a democratic, united and non-racial society in which all South Africans can participate in peace and harmony, regardless of colour and race. They reaffirm their readiness to continue and strengthen their support for the ongoing peace process in South Africa.

Concerned by the level of violence which still remains one of the most serious threats to democratisation and economic development in South Africa, they renew their call to all parties to sign the National Peace Accord and to participate in the peace structures. The Community and its Member States welcome the resumption of multiparty negotiations and urge all parties who have not yet done so to commit themselves to a speedy and peaceful transition to a democratic, non racial and united South Africa.

They reaffirm that the respect, promotion and safeguarding of human rights and the furtherance of democratic principles are among the cornerstones of European cooperation policy as well as of relations with other countries.

The deepening and normalisation of economic, trade and development relations between the Community and the Member States on one hand and South Africa on the other will have a profound impact on the future prospects of a democratic administration. The Community and its Member States will therefore signal to the negotiating partners in South Africa their desire to intensify their relations as soon as a Transitional Executive Council (TEC) is in place.

Member States welcome the way in which the Commission has implemented the special programme of positive measures since its inception in 1986.

### Framework for action

The Community's programme of assistance should be based on the established development priorities and policies of the Community and in particular in relation to the elements of democratisation, rule of law, human rights, good governance and popular participation.

The programme should remain flexible. Its content and implementation would vary over a period of time taking into account the changing circumstances in South Africa, in particular the pace of democratisation of South African society and, in this context, the future government policies in favour of the poorest sectors of the society and the level and development of the South African economy.

It is considered that the political developments in South Africa require as a first step an assessment of how the special programme could be further refined to contribute more effectively to meeting the basic and immediate needs of the people of South Africa and improving the living standards of the population, in particular the poorest sections of it, with a view to making assistance supportive of the emerging democracy in this country.

### Objectives

In line with the elements set out above under "framework for action", the main objectives of the EC programme would be

- to support peace structures and initiatives;
- to support the transition to a democratic government, including support for voter education and other preparations for elections;
- to support institution and capacity building, notably in the focal sectors mentioned below, and policy formulation, thus promoting consensus on development issues between the parties involved and to strengthen capacity in order to allow the implementation of social programmes as soon as possible;
- while continuing actions of the kind undertaken in the framework of the positive measures, to implement activities of longer-term nature within a number of focal sectors of special importance for the economic and social development of the vulnerable groups of the population.

### Modalities

The implementation of the programme would have to take into account the developments towards the establishment of a democratic administration in South Africa and should

- focus on a limited number of sectors and be programme oriented whilst maintaining flexibility, notably through decentralised management;
- encompass cooperation with and through NGOs (which play a particularly valuable role in civic society) including community-based organisations (CBOs) and, where appropriate, through organs of the interim/transitional arrangements.

Consideration should be given to the future procedures for allocation and implementation of the programme along the lines which apply to other EC development programmes."

## HUMAN RIGHTS, DEMOCRACY AND DEVELOPMENT

The Council agreed to monitor the progress achieved in strengthening practical and operational support for democracy and human rights in developing countries on the basis of the policy already agreed by the Council and the Member States.

It also adopted the following declaration as a basis for the position on human rights, democracy and development to be presented on behalf of the Community and its Member States at the UN World Conference in Vienna in June 1993.

- "1. The Council of the European Community and the representatives of Member States see the United Nations World Conference on Human Rights to be convened in Vienna in June 1993 as an important opportunity to pursue the international dialogue and co-operation on issues relating to human rights, democracy and development.
2. They re-affirm the major policy resolution adopted by the Council and the Member States in November 1991, supplemented by the conclusions of November 1992 on human rights, democracy and development, which remain valid as the basis for their common position on these subjects. They also note the position paper of April 1993 adopted by the European Community and its Member States within the framework of the Preparatory Committee.
3. The Community and its Member States draw particular attention to the universality and indivisibility of human rights and the obligation of all States to respect them. They stress the important role of development assistance in promoting both economic, social and cultural rights as well as civil and political liberties by means of representative democratic government based on respect for human rights.
4. They underline the link between human rights, democracy and development. Human rights and democracy form part of a larger set of requirements, including good governance and restraint in military spending, necessary to achieve equitable, sustainable economic and social development.
5. The Community and its Member States consider that freedom from hunger and absolute poverty as well as the right to adequate shelter, education and health care are areas which need to be addressed with added urgency.
6. The Community and its Member States have noted the progress achieved so far during the preparatory work before the World Conference. They express determination to continue to play a constructive and consensus-building role in the process towards reaching agreement on a substantive and forward-looking Final Document to be agreed at the World Conference.
7. The Community and its Member States are determined to pursue an open and constructive dialogue with other countries as a means of promoting human rights, democracy and development in all parts of the world.

8. On this basis the Community and its Member States will seek to reflect in the outcome of the Conference the positive experiences gained through practical development co-operation in the field of human rights and democracy; i.a. in relation to the implementation of the Council Resolution of November 1991 in a number of developing countries, and in particular in the framework of the Lomé Convention and the San José development co-operation programme.
9. The Community and its Member States also reaffirm in this context their willingness to consider the possibility of increased assistance to developing countries in which substantive positive changes in human rights and democracy have taken place.
10. One of the central objectives pursued by the Community and its Member States is to provide for a strengthening of the positive support for human rights and democracy by providing technical assistance in key areas, such as institution-building within the public sector, strengthening of a pluralistic civil society and the protection of vulnerable groups.
11. However, in the event of grave and persistent human rights violations or serious interruption of democratic processes, the Community and its Member States, in accordance with their Resolution of 1991, will continue to take appropriate action in the light of the circumstances guided by objective and equitable criteria. Measures will be graduated according to the gravity of each case and might, when necessary, include the suspension of co-operation with the State concerned.
12. The importance of the principle of full participation by the people in the democratic and pluralistic processes, as well as of full observance of human rights, political and civil liberties, the rule of law, the subordination of military and security forces to civil authority, separation of powers and the independence and impartiality of the judiciary is confirmed by the experience of development co-operation.
13. This recognition by the European Community and its development partners should be reflected in the Final Document of the World Conference which should provide for a strengthening of development co-operation in areas such as:
  - constitutional processes;
  - the preparation and holding of free elections, the setting up of democratic institutions, and support for those already created;
  - the strengthening of the judiciary, the administration of justice, training of police, crime prevention, and the treatment of offenders;
  - demobilization and peaceful settlement of ethnic and other conflict;
  - promotion of the role of NGO's and other institutions which are necessary for a pluralistic society;
  - promotion of a free press and other media;
  - promotion of a participative co-operation by enhancing decentralization through the involvement i.a. of organizations and movements at grass root level;

- the setting up of national and regional independent human rights organizations and of "ombudsman" institutions;
  - special measures to protect and support the rights of women;
  - strategies for the protection of the rights of indigenous people, taking into account their needs and wishes in development processes;
  - special measures to protect vulnerable groups, including persons belonging to minorities, refugees and displaced persons, children and handicapped.
14. The Community and its Member States will endeavour to increase their financial and technical assistance in these areas.
  15. To sustain the co-operation within such areas the administrative and implementing capacity of the UN Centre for Human Rights as well as the funding for advisory services and technical co-operation provided by the United Nations should be substantially expanded.
  16. The Community and its Member States strongly support the system-wide application of human rights in the United Nations. They therefore suggest that appropriate high level follow-up measures be decided by the United Nations World Conference on Human Rights."

## HUMANITARIAN AND EMERGENCY AID - COUNCIL CONCLUSIONS

1. The Council, taking into account its Resolution of 28 November 1991, welcomes the administrative measures taken by the Commission, with the establishment of the European Community Humanitarian Office (ECHO), in order to enhance the efficiency of the Community's own humanitarian aid and ensure a better co-ordination with other donors and humanitarian organizations. At the same time the Council considers, in view in particular of the fact that the need for humanitarian and emergency aid has greatly increased in recent years, it is necessary to make further progress in this area.
2. In the discussions which have taken place since the November 1992 Council, notably at the Director-Generals' meeting called by ECHO in March, attention has been drawn to the need for openness, dialogue and visibility in the field of emergency aid.
3. The Council recalls its Resolution of November 28, 1991 on the holding of meetings of correspondents to deal with emergency relief operations with a view to strengthening the co-operation and co-ordination between the Community and its Member States. It welcomes the role which such meetings have played in strengthening co-ordination, and believes that these would be further enhanced by advance circulation of documentation, earlier announcement of meetings and clearer agenda. The Council further agrees that meetings between the heads of national emergency units and the Commission should be organized and convened by the Commission at its own initiative or upon request from Member States at least quarterly. These meetings will address both general and specific issues concerning humanitarian and emergency aid. Policy issues which emerge from these meetings may where appropriate be taken up in the Council framework, by the Member States and/or the Commission.
4. Special attention should be given to disaster preparedness and early warning and appropriate interventions so as to limit the effects of catastrophes.
5. The Council has agreed on the definition of emergency aid which appears in Annex. In this context the Council stresses the importance of the link between emergency aid and rehabilitation assistance. It calls on the Commission to reorient its existing programmes in certain cases to allow a smooth transition between emergency aid and longer term development assistance without affecting the overall balance of Community aid.
6. The Council recognizes the central and independent role of NGOs in the implementation of Community emergency aid and the need to allow as broad a participation as possible of NGOs from the different Member States, taking into account the need to ensure efficiency in the implementation of this assistance. It is important for the Community to take advantage of the special expertise and experience of European NGOs, large and small, and to strengthen co-operation and dialogue with them on relevant aspects of policy as well as on individual projects. The Council notes the Commission's intention to pursue, on a step by step basis, the introduction of partnership contracts as a means of strengthening co-operation between it and European NGOs. The objective of such contracts should be to strengthen the co-operation between the Commission and the NGOs and they should not hinder the necessary flexibility in working with them. The Council considers it necessary that procedures in this area should be further developed in consultation with the Member States and in co-operation with NGOs.

7. At the same time, greater advantage should be taken of the possibilities which exist for co-operation with local NGOs and other relevant agencies.
8. The Council underlines the importance of improved transparency in this context as well as improved financial procedures in order to enhance the NGOs' role in Community emergency aid. Particular emphasis should be given to timely and speedy settlement of financial accounts. While the Council expressed its appreciation of steps already taken by the Commission in this regard, it calls for further improvement, including a review of existing reporting and accounting procedures.
9. Recalling its Resolution of 1991, the Council reaffirms the need for close co-ordination with the UN system to increase the effectiveness of emergency aid and to strengthen the international response to emergency situations.
10. The Council requests the Commission to submit to it an annual report on the Community's humanitarian and emergency aid activities.

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ANNEX

#### DEFINITION OF HUMANITARIAN AND EMERGENCY AID

Emergency aid is defined as the provision of humanitarian assistance to those affected by natural and man made disasters, both of a sudden and a longer term nature, such as floods, earthquakes, droughts and armed conflicts, or situations having a similar effect. It includes the provision of urgent assistance such as shelter, emergency feeding and medical treatment, and may in certain cases include short-term rehabilitation (in accordance with existing decision-making procedures), both to ensure the delivery of that urgent assistance and to begin to help restore such communities to an adequate level of self-sufficiency. "

FOLLOW-UP TO THE UNCED

In view of the first substantial meeting of the Commission on Sustainable Development (CSD) to be held in New York from 14-25 June 1993, the Council discussed several aspects of the follow-up to UNCED.

Following the global financial commitment of 3 billion ECUS made in Rio, the Council confirmed that the Community and its Member States would provide an initial tranche of 600 MECU in 1993 for specific projects and programmes in Key Agenda 21 sectors. In addition, the Community and its Member States will on a best efforts basis provide an extra 20% (of 600 MECU) in new and additional resources.

The Council also took note that expert meetings on certain key sectors had been organized by several Member States and the Commission in order to identify initiatives and possible programmes, projects and joint actions and to consider areas for cooperation between Member States and the Commission. The Council welcomed work achieved so far and agreed that this should be continued. Furthermore, the Council took note of information transmitted by the Commission which will form the basis for a factual report to the CSD.

**WOMEN IN DEVELOPMENT - COUNCIL CONCLUSIONS**

- "1. The Council reaffirms the importance that it attaches to ensuring that women in developing countries participate in and benefit from all aspects of development activities and are thereby enabled to play their full role in the development process on more equal terms.
2. At its meeting on 29 May 1990 the Council invited the Commission and the Member States to take practical steps to ensure that activities aimed at promoting the role of women in development are continued and strengthened by setting up the necessary management systems and allocating adequate personnel and other resources.
3. The Council notes the information provided by the Commission on its activities in this field since 1990. It welcomes in particular the effort made to incorporate this aspect in the implementation of the Lomé IV Convention and, in this regard underlines the usefulness of the manual prepared by the Commission and dealing with the methods by which the Community's policy can be incorporated into Lomé IV projects and programmes.

The Council encourages the Commission to pursue and reinforce its present activities along the same lines in its development co-operation with Asian, Latin American and Mediterranean countries.

The Council also notes with satisfaction the staff sensitisation and training programme set up by the Commission and efforts made to raise the awareness of decision-makers in ACP countries.

4. Acknowledging the progress that has been made, the Council urges that an assessment of the impact of these activities be carried out and invites the Commission, taking account of the thematic evaluation carried out in 1988/89, to prepare such an impact assessment with a view to establishing a sound basis for discussion on the direction of future policies on women in development of the Community and its Member States. The impact assessment, which should be completed by the end of 1993, should also take account of the question of staff resource requirements for handling these issues in the Commission.
5. The Council has over recent years adopted a number of conclusions on women in development and it considers that there is now a need to review them with a view to preparing consolidated Community and Member States' policy guidelines on this subject. It intends to adopt a Resolution on such a policy at its meeting in the first half of 1994.

The Council emphasises that policies being discussed as follow-up to its Declaration on "Development Co-operation in the Run-up to 2000", must take full account of their implications for both women and men. The Council especially refers to such issues as poverty, health and AIDS, education, population including family planning, human rights and democratization, urban development and structural adjustment.

6. The Community and its Member States will participate actively and in a concerted way in the preparatory process leading to the Fourth World Conference on Women to be held in Beijing in September 1995 and in the Conference itself. They also support as wide as possible participation by European NGOs in the context of this Conference.

7. The Council welcomes the Commission's offer to convene a meeting of experts on women in development from the Commission and the Member States during the second half of 1993. At its October session the Council may wish to review progress in the follow-up to these conclusions."

### POPULATION POLICY

The Council took note of work undertaken at expert level in the field of population policy since its adoption of a resolution on this subject in November 1992 and requested that this work should be pursued and that the Commission should submit a progress report for its next meeting.

## SITUATION IN CERTAIN AFRICAN COUNTRIES

The Council held an exchange of views on the situation in certain African countries, in the light of which the Presidency drew the following conclusions:

### Sudan

The Council noted with deep concern the serious humanitarian situation throughout the Sudan, where malnutrition, disease and large numbers of displaced persons had followed in the wake of war and drought. The Council found that the situation called for the urgent attention of the international Community and welcomed the appointment by the United Nations Secretary General of a special envoy for Humanitarian Affairs for the Sudan. It decided to send a Troika mission of Development Ministers to Sudan to underline the seriousness with which the Community and its Member States view the humanitarian crisis and the urgent need for all parties to ensure a resolution of the problems. The Council expressed the commitment of the Community and its Member States to support the convening of a United Nations donors conference on the Sudan as soon as possible after cessation of hostilities. At the same time the Council confirmed its readiness to continue the humanitarian efforts of the Community and its Member States in 1993.

### Somalia

The Council welcomed the progress during the last 6 months towards peace and security. The Council confirmed the common policy agreed upon in connection with the Addis Ababa donor conference in March this year and confirmed their participation in the planned donor conference in Nairobi in June. The Council underlined that the Community and its Member States will continue to support the leading role of the UN in the political as well as the assistance efforts. It stressed the importance of including the whole of Somalia in the peace process and recalled that the Community and its Member States see a clear connection between the will of Somali politicians to reconcile and ensure security and the possibilities of supporting rehabilitation programmes. The Council was satisfied that an EC-assessment mission was expected to visit Somalia early June in order to assess in which way the Community and its Member States can support rehabilitation of Somalia.

### Eritrea

The Community and its Member States agree that there is a great need for rapid rehabilitation assistance to Eritrea after 30 years of civil war. The Council expressed the wish that the question of Eritrea's adherence to the Lomé Convention should be settled as soon as possible.

### Rwanda

The Council noted the serious humanitarian situation of the tens of thousands of refugees in Rwanda following the collapse of the cease-fire in February this year. The Council urged the parties concerned to continue the peace negotiations on the basis of the Arusha agreements.

Angola

The Council underlined the importance of bringing the parties back to the negotiation table under the auspices of the UN. The Community and its Member States expressed at the same time their willingness to continue their humanitarian assistance to the distressed population.

Mozambique

The Council underlined the importance of maintaining the pressure on the two parties concerned in order to avoid further delay in the peace process and in particular the need for a close and continuous contact with the Mozambique Government, with RENAMO and with the UN.

UNTYING OF MEMBER STATES' AID AT COMMUNITY LEVEL

The Council briefly discussed untying of Member States' aid at Community level and noted the latest positions of delegations on this subject. The Commission stated that, in the light of the discussion, it would prepare appropriate proposals.

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PRESS RELEASE

6707/93 (Presse 85)

1664th meeting of the Council  
and the Ministers for  
HEALTH  
meeting within the Council

Brussels, 27 May 1993

President: Mr Torben LUND  
Minister for Health of the  
Kingdom of Denmark

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

Belgium:

Ms Magda de GALAN

Minister for Public Health,  
Environment and Social Integration

Denmark:

Mr Torben LUND  
Mr Jørgen VARDER

Minister for Health  
State Secretary for Health

Germany:

Ms Sabine BERGMANN-POHL

Parliamentary State Secretary to the Federal  
Minister for Health

Greece:

Mr Dimitrios SOUFIAS  
Mr Nikos ANASTOPOULOS

Minister for Health  
State Secretary for Health

Spain:

Mr José Antonio GRIÑAN MARTINEZ

Minister for Health and Consumer Affairs

France:

Mr Philippe DOUSTE-BLAZY

Minister with special responsibility for Health

Ireland:

Mr Brendan HOWLIN

Minister for Health

Italy:

Ms Maria Pia GARAVAGLIA

Minister for Health

Luxembourg:

Mr Johny LAHURE

Minister for Health

Netherlands:

Mr H.J. SIMONS

State Secretary for Welfare, Health and Cultural  
Affairs

Portugal:

Mr Arlindo DE CARVALHO

Minister for Health

United Kingdom:

Mr Brian MAWHINNEY

Minister of State for Health

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Commission:

Mr Pádraig FLYNN

Member

**FUTURE ACTION IN THE FIELD OF PUBLIC HEALTH****RESOLUTION  
of the Council and the Ministers for Health,  
meeting within the Council,  
on future action in the field of public health**

THE COUNCIL AND THE MINISTERS FOR HEALTH, meeting within the Council,

Having regard to the Treaties establishing the European Communities;

Having regard to the acts adopted by the Council in the field of public health or which have an impact on public health;

WHEREAS the Treaty on European Union, signed at Maastricht on 7 February 1992, sets out a framework for future co-operation and Community action;

CONSIDERING the conclusions of the Edinburgh European Council on 11 and 12 December 1992, in particular regarding an overall approach to implementation of the principle of subsidiarity and measures to increase the transparency of the Community's decision-making process;

CONSIDERING the Commission staff working paper of 12 October 1992 on public health;

RECALLING the conclusions drawn by the Presidency from the discussions at the meeting of the Council and the Ministers for Health, meeting within the Council, on 13 November 1992 concerning the framework for action in the field of public health;

AFFIRM the need for Community action and co-operation between Member States on public health in collaboration with the Commission;

EMPHASIZE that it would be expedient to have an appropriate procedure for consultation between Member States and the Commission on questions of public health and TAKE NOTE of the Commission's initiatives in this connection;

AGREE that the emphasis in Community action should be placed in particular on prevention with the aim of ensuring a high level of health protection;

POINT OUT that, public health policy as such, except in cases where the Treaties provide otherwise, is the responsibility of the Member States;

AGREE that there is a need for greater continuity and coherence in the Community's work and for the setting of priorities over a number of years;

AGREE that co-operation between successive Presidencies is useful for ensuring continuity and coherence in the Council's work;

**AGREE** to give consideration to the means which will ensure that the necessary weight is given to health policy requirements in the context of other Community policies;

**INVITE** the Commission, in accordance with Article 229 of the EEC Treaty, to ensure closer co-operation with the appropriate bodies of the Council of Europe and the World Health Organization, particularly on the European dimension of the latter's activities;

**CALL UPON** the Commission as soon as possible to submit to the Council, in accordance with the Treaties, proposals for a programme of action in the field of public health, having regard, amongst other things, to the guidelines indicated in the Annex.

### **Annex**

#### **Public health: framework for future co-operation and Community action**

The Council considers that proposals for planning future co-operation and Community action must be based in particular on the following principles:

#### **Objectives**

1. The general objective for future co-operation and Community action in the field of public health will be to ensure, in particular through preventive measures, that inhabitants of the Community have a high level of health protection by:
  - \* adding years to life: increasing life expectancy and reducing the incidence of premature death;
  - \* adding life to years: increasing the number of years that can be lived free of illness, reducing or limiting the negative consequences of illness and handicaps, promoting healthy lifestyles and a healthy physical and social environment, and improving the quality of life in general.

#### **Multiannual planning**

2. In order to achieve greater continuity and coherence in the Council's work, future co-operation and Community action must be planned over a multiannual period. Planning must be flexible and worked out by the Commission in close co-operation with the Member States.
3. A long-term plan and a medium-term work programme should be established.

4. The long-term plan, which could cover a period of some six years, must include an indication of the general objectives, areas of activity, resources and review clauses. This plan should include a mechanism for periodic assessment.
5. The medium-term work programme, drawn up for a period of some three years, will list the various actions and set out their precise aims. Activities will be assessed regularly with a view to deciding on adjustments, if any. The appropriations available and the estimated costs will be shown in the work programme.

#### **Areas of activity**

6. In view of the need to reconcile the objectives of Community action and the necessary resources available to respond to them, the setting of priorities will be crucial in preparing the framework for action in the field of public health.
7. Account will be taken in particular, and where appropriate, of the following general criteria for selecting areas of activity:
  - \* there is a significant health problem and appropriate preventive measures can be taken;
  - \* the aim of the activity cannot be sufficiently achieved by the Member States acting individually and can therefore, by reason of the scale or effects of the activity, be better achieved at Community level, and consequently "Community added value" in relation to national action is involved;
  - \* the activity supplements or promotes health aspects of other Community policies, e.g. completion and smooth operation of the internal market;
  - \* the Community should ensure that these activities are consistent with those of the various international organizations.
8. In deciding whether a health problem is amenable to Community action, use should be made of suitable indicators such as mortality, morbidity, years of life impaired, age, time and space-related variations and costs (including social costs).
9. Any initiatives already decided on at Council level in the field of public health should be continued, subject to suitable assessment and the need to ensure that such initiatives are in line with the objectives and types of action in the plan and work programme. In particular, current programmes concerning particular diseases should be adequately assessed on the basis of the reports to be submitted by the Commission.

10. Improved collection, analysis and distribution of health data as well as an improvement in the quality and comparability of available data is essential for the preparation of future programmes.

#### **Methods of co-operation**

11. It is necessary, in order to support efforts to ensure continuity and coherence in Community efforts, to establish appropriate methods of co-operation taking due account of the expertise available in the Member States.
12. With a view to future action programmes, the Commission should be assisted by a high-level committee of representatives of the Member States.
13. Exchanges of experience will be required to play a considerable role in future co-operation. Particular use should therefore be made of the following methods:
  - the development of networks; the designation by the Member States of centres specializing in selected areas;
  - exchanges of personnel between competent bodies in the Member States. The scope for encouraging specific exchanges should be looked into. The arrangements should be administered by the Commission to ensure a fixed point of contact for individuals and organizations wishing to enter the system.

#### **Health protection as part of the Community's policies in other areas**

14. Some of the most important health-related aspects are dealt with by other Councils, for example in the fields of research, the environment, the safety and health of workers and free movement of goods, services and persons. There is therefore a need to ensure that health-policy considerations are duly taken into account in discussions and decisions in other Community areas both in the Member States and the Community.
15. The organization of future co-operation in the Community must therefore involve setting up mechanisms which can direct the attention of the Ministers for Health to matters of particular importance for health in good time and enable Ministers to bring their influence to bear on such matters.

### **Co-operation with third countries and international organizations**

16. Co-operation should be stepped up between the Community and international organizations which are active in the health field.
17. There is a need for greater co-operation between the Community on the one hand and the Council of Europe and the WHO on the other, particularly on the European dimension of WHO activities. The knowledge and experience of those international organizations as related to that co-operation will be taken into account with a view to rational use of the expertise of organizations and avoidance of unnecessary duplication of work.
18. There is a need also for the Community and the Member States to foster co-operation in the field of public health with third countries. Measures to do this may take the form either of spot activities geared to emergency situations or longer-term co-operation. In many cases they should be carried out in co-operation with other international organizations such as the World Health Organization.

### **IMPLEMENTATION OF AND FOLLOW-UP TO THE "EUROPE AGAINST AIDS" PROGRAMME**

The Council and the Ministers for Health called upon the Commission to:

- take the steps necessary in order that the "Europe against AIDS" programme can continue during 1994;
- submit to the Council in the first half of 1994 a report on the implementation of the 1991-1993 plan of action.

The Council and the Ministers agreed to return to this item at their next meeting.

### **CONTINUATION IN 1994 OF THE 1990 TO 1994 ACTION PLAN IN THE CONTEXT OF THE "EUROPE AGAINST CANCER" PROGRAMME**

The Council and the Ministers for Health, considering the report on the evaluation of the effectiveness of Community action undertaken in the context of the "Europe against Cancer" programme (1987 to 1992) submitted by the Commission, and considering that it is advisable to provide sufficient budget funds for the 1994 financial year in order to maintain

an activity comparable in size and nature to that conducted during previous years, adopted a Decision raising the overall amount of the Community contribution estimated necessary for the duration of the 1990 to 1994 action plan from ECU 50 million to ECU 55 million.

### ANTI-SMOKING CAMPAIGN

The Council and the Ministers discussed various ways of reducing tobacco consumption.

With regard to banning smoking in places open to the public, the Council and the Ministers adopted the following conclusions:

THE COUNCIL AND MINISTERS FOR HEALTH, MEETING WITHIN THE COUNCIL,

NOTE with interest the interim report from the Commission on the response to their Resolution of 18 July 1989 on the banning of smoking in places open to the public <sup>(1)</sup> and in particular the remarks made in the report by the Commission itself;

REITERATE that the Member States are invited to inform the Commission every two years on a common basis of the measures they take in this area;

CONSIDER that a systematic assessment at Community level of the measures taken would make it possible to take full advantage of the experience acquired and to draw appropriate lessons and guidelines for the future;

ENCOURAGE the Commission, in collaboration with the Member States, to include such an assessment in its next report.

With regard to a ban on advertising for tobacco products, the Council instructed the Permanent Representatives Committee to continue its examination of the Commission proposal.

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(1) OJ C 189, 26.7.1989, p. 1.

With regard to the increase in excise duty, the Council and the Ministers did not reach agreement on the draft conclusion submitted by the Presidency.

### HIGH COST OF MEDICINAL PRODUCTS

The Council and the Ministers held an exchange of views on the high cost of medicinal products, on the basis of a note from the Presidency.

They took note of the Commission's intention to study this question in greater depth.

### PERSONAL RECORD RESEARCH

The Council and the Ministers held an exchange of views, on the basis of a Presidency note, on the proposal for a Directive on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

It should be noted that the proposal sets down the principles to be followed in national legislation in order to ensure a uniform level of protection in relation to the processing and exchange of personal data. The aim of the proposal is to secure a high level of protection with regard to the processing of data on individuals. Personal record research is research based on data gathered from personal records. This means that the researcher does not base his data on direct personal contact with the person or object from which the data derive.

During the discussion, it was emphasized that when scrutiny of this Directive is carried forward by the Internal Market Council, account will have to be taken of the balance to be sought between the requirements of data protection and epidemiological research.

**REPORT ASSESSING EUROPEAN DRUGS PREVENTION WEEK**

The Council and the Ministers:

- heard a report by the Commission on European Drugs Prevention Week (16 to 22 November 1992);
  
- agreed for the next European Drugs Prevention Week to be organized during the second half of 1994.

**SELF-SUFFICIENCY IN BLOOD IN THE COMMUNITY**

Commissioner FLYNN submitted a Commission communication on self-sufficiency in blood in the European Community.

**ASSOCIATION AGREEMENTS WITH THE COUNTRIES OF CENTRAL AND EASTERN EUROPE - FREEDOM OF ESTABLISHMENT FOR THE MEDICAL PROFESSIONS**

The Council and the Ministers noted a contribution by the German delegation on the particular problem of the establishment in the Community of doctors from the countries of Central and Eastern Europe.

MISCELLANEOUS DECISIONSFollow-up to German unification- Transitional tariff measures

The Council adopted the Regulation on the introduction of transitional tariff measures for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the Soviet Union and Yugoslavia, applicable until 31 December 1992, in order to take account of German unification.

This Regulation resolves among other things a one-year extension of the measures and certain technical adaptations.

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There was no record of a 1665<sup>th</sup> meeting.