

NCIL OF THE EUROPEAN COMMUNITIES

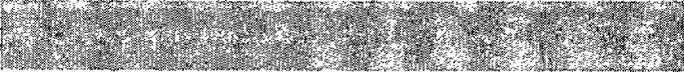
PRESS RELEASES

PRESIDENCY: UNITED KINGDOM

JULY-DECEMBER 1992

Meetings and press releases December 1992

Meeting number	Subject	Date
1626 th	Labour/Social Affairs	3 December 1992
1627 th	Transport	7-8 December 1992
1627 th continued	Transport	21 December 1992
1628 th	General Affairs	7 December 1992
1629 th	Research	9 December 1992
1630 th	Economics/Finance	14 December 1992
1631 st	Agriculture	15-17 December 1992
1632 nd	Telecommunications	15 December 1992
1633 rd	Environment	15-16 December 1992
1634 th	Internal Market	17-18 December 1992
1635 th	Fisheries	19-20 December 1992
1636 th	General Affairs	21 December 1992



COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT



PRESS RELEASE

10519/92 (Presse 231)

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1626th Council meeting
LABOUR AND SOCIAL AFFAIRS
Brussels, 3 December 1992

President: Mrs Gillian SHEPHARD

Minister for Employment
of the United Kingdom

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

Belgium:

Mrs Miet SMET Minister for Employment and Labour

Denmark

Mr Knud E. KIRKEGAARD Minister for Labour
Mr Henrik HASSENKAM State Secretary, Ministry of Labour

Germany:

Mr Horst GÜNTHER Parliamentary State Secretary to the Federal
Minister for Labour and Social Affairs

Greece:

Mr Stafanos SFAKIANAKIS Secretary-General

Spain:

Mr Luis MARTINEZ NOVAL Minister for Labour and Social Security

France:

Mrs Martine AUBRY Minister for Labour, Employment and
Vocational Training
Mr René TEULADE Minister for Social Security and Integration

Ireland:

Mr Kevin BONNER Secretary, Department of Labour

Italy:

Mr Florindo D'AIMMO State Secretary for Employment and
Social Security

Luxembourg:

Mr Jean-Claude JUNCKER Minister for Labour
Mrs Mady DELVAUX-STEHRES State Secretary for Social Security

Netherlands:

Mr Bert DE VRIES Minister for Employment and Social Security

Portugal:

Mr José da SILVA PENEDA Minister for Employment and Social Security

United Kingdom:

Mrs Gillian SHEPHARD Secretary of State for Employment
Mr Michael FORSYTHE Minister of State, Department of Employment

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Commission:

Mrs Vasso PAPANDREOU Member

THE POSTING OF WORKERS IN THE FRAMEWORK OF THE PROVISION OF SERVICES

The Council held a detailed discussion on the basis of a series of questions put by the Presidency in the context of discussions on the proposal for a Directive concerning the posting of workers in the framework of the provision of services.

The Council noted that a large majority of delegations was in favour of the principle of the Directive proposed by the Commission.

The Council's discussions covered certain key questions:

- the practical problems that Member States would have to face in connection with the posting of workers;
- the proposed legal bases, namely Article 57(2) and Article 66 of the EEC Treaty;
- the possibility that Member States might impose conditions on the employment of workers posed to their territory in addition to the list of matters in the Directive;
- the application of collective agreements that do not have an erga omnes effect but which apply generally;
- whether any sectors, occupations or types of posting should be excluded from the Directive (e.g. transport activities);
- whether there should be an initial "threshold period" during which a Member State would be required to apply only certain of the conditions specified in the Directive to workers posted to its territory.

Pending the Opinion of the European Parliament, the Permanent Representatives Committee was instructed to continue discussion on this matter.

OCCUPATIONAL RETIREMENT PENSION SCHEMES AND THEIR IMPLICATIONS FOR WORKERS WHO
MOVE FROM ONE MEMBER STATE TO ANOTHER

The Council discussed a draft Resolution, submitted by the Presidency, on occupational retirement pension schemes and their implications for workers who move from one Member State to another.

Noting that there were still different views as to the scope of the draft Resolution, the Council instructed the Permanent Representatives Committee to continue discussions thereon.

THIRD COMMUNITY ACTION PROGRAMME TO ASSIST DISABLED PEOPLE (HELIOS II)

The President informed the Council of progress on the proposal for a Decision establishing a third Community action programme to assist disabled people (HELIOS II).

The Permanent Representatives Committee was instructed to continue its discussions with a view to the adoption of the Council Decision as soon as possible.

THE NEED TO TACKLE UNEMPLOYMENT - COUNCIL RESOLUTION

The Council agreed on the following Resolution:

"THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

1. Whereas there are currently 16 million unemployed people in the Community (some 10% of the Community's workforce), a total which is more than 400% higher than in the 1960s;
2. Whereas it is necessary that the Community employment situation which has seriously deteriorated be tackled by effective policies on the part of the Member States supported by the Community institutions;
3. Whereas the Commission's 1992 Report "Employment in Europe" states that, despite its creditable record on job growth in the 1980s, the Community is now faced with a very serious and deteriorating situation with regard to unemployment which threatens to become a central problem in the 1990s;
4. Whereas the Commission's Report "Issues for Debate: Employment and the Labour Market in the 1990s" emphasizes inter alia that long-term unemployment persists at high levels, nearly half the total number of unemployed people have been out of work for more than a year; and some 30% of long-term unemployed people have never worked at all;
5. Whereas, in their Joint Opinion of July 1992 concerning "A Renewed Co-operative Growth Strategy for More Employment", both sides of industry, in the framework of the Social Dialogue, called for a non-inflationary, lasting and employment-growth trend leading to a reduction in unemployment and enhancing the competitiveness of enterprises;
6. Whereas the conclusions of the European Council in Birmingham in October 1992 expressed concern at lower growth and increasing unemployment in the Community and called for the sustained implementation of sound policies for the creation of the new and lasting jobs that are needed;
7. Whereas in its Resolution of October 1992 the European Parliament urged the Council to take action to tackle the problem of unemployment.
8. Whereas in addition to achieving environmentally sustainable economic growth it is necessary to seek other policies in order to reduce unemployment;

9. Whereas the conditions and problems encountered in different parts of the community vary considerably and all the parties concerned, including both sides of industry, should be involved in seeking new and differing combinations of policies to respond appropriately to specific circumstances.

HEREBY ADOPTS THIS RESOLUTION:

The Council:

1. EMPHASIZES that:

- (a) high levels of unemployment represent a major waste of talent and resource, and are demoralising and damaging for the individuals concerned;
- (b) the unemployed usually have lower standards of living and income than those in jobs;
- (c) not only is unemployment a grave problem generally, but it is a particularly serious matter for certain regions and areas of the Community, notably the less-favoured regions, and for vulnerable groups in society; combating unemployment in such regions and areas, and among such groups is therefore a vital part of economic and social cohesion within the Community.

2. AGREES the following principles and considerations as the necessary framework for the effective operation of labour market policies:

- (a) the reduction of unemployment depends critically on economic growth which is non-inflationary, lasting, environmentally sustainable and employment-creating, and which is therefore based on productive investment, on improving the competitiveness of enterprises, and on sound conditions of economic demand;
- (b) this demands not only investment, but also changes in working practices that will make it possible to take full advantage of changes in technology and markets, and to enhance the skills of the workforce;
- (c) in addition to achieving economic growth, there is a continuing need to identify and pursue other effective policies in order to achieve the desired reduction in unemployment;
- (d) the task of tackling unemployment lies first and foremost with the Member States, but there is also an important contribution which can be made through discussion and co-ordinated supporting action at the level of the Community;
- (e) greater convergence and economic and social cohesion in the Community and greater stability in currency markets are all needed to increase the prospects for business growth and investment;
- (f) the completion and effective working of the Single Market must be achieved as quickly as possible, and the competitiveness of the Community's enterprises on the world market must be enhanced;

- (g) it is of great importance that both sides of industry at European level as well as within Member States participate closely in the search for solutions to the problems of unemployment and in creation of lasting employment.
3. WELCOMES the initiative of both sides of industry in their Joint Opinion of 3 July 1992 in calling for activity to develop a renewed co-operative growth strategy for more employment.
4. UNDERLINES the importance of achieving growth and improved competitiveness of enterprises, especially by means of:
- (a) prompting enterprises to increase the efficiency and adaptability of their production systems, for example by promoting the speedy introduction and transfer of new technologies, while recognizing also the need to develop human resources and to enrich the contents of jobs;
 - (b) providing accessible information, support and advice for the establishment and continued success of new enterprises, especially small and medium-sized enterprises;
 - (c) avoiding the imposition of rigidities which would hold back the creation and development of employment, while respecting the legitimate rights of employees.
5. STRESSES that effective labour market policies and measures also have a key role to play in reducing unemployment and helping to ensure the creation of lasting, rewarding jobs which provide the right levels of protection for employees; and DRAWS PARTICULAR ATTENTION to the following labour market policies and measures as having had an especially beneficial impact:
- (a) high quality services for those who are looking for jobs and for employers who are looking for new employees, which in turn entail:
 - (i) information which is available to each unemployed person about job and training opportunities and which is clear, timely and readily accessible;
 - (ii) the provision as appropriate, and in a manner tailored to the needs and circumstances of the individual, of job advice, counselling, work experience and/or training, particularly in the case of long-term unemployed people;
 - (iii) ready access for employers to suitable applicants for the jobs which are on offer;
 - (iv) improved labour mobility, and correction of any rigidities and unintended barriers to such mobility where they are demonstrated to exist;
 - (b) training and vocational education which provide those seeking work with the skills needed to secure and to retain jobs, in particular:
 - (i) basic education and training which equips young people with the

knowledge, skills and motivation needed to participate successfully in the labour market;

- (ii) improved levels of standards and skills, embodied in vocational qualifications;
 - (iii) training and vocational education which is adapted to the demand for labour from employers at the local level;
 - (iv) training which enables the individual to respond successfully to changes in technology and the market;
- (c) conditions to foster developments in the labour market likely to favour growth of jobs which provide the right levels of protection for employees, in particular:
- (i) well-organized patterns of work for those who want them, which reflect the needs of enterprises and workers in modern economies;
 - (ii) growth of the service sector, including services of particular benefit to individuals;
 - (iii) job sharing in all its forms and similar voluntary approaches to the structuring of work;
 - (iv) breaking down out-dated stereotypes concerning women, disadvantaged groups and older workers, and taking into account the labour market situation in each Member State, seeking to remove obstacles to work for people who have reached the minimum age at which entitlement to retirement pension begins;
 - (v) structures to assist local growth and development.

6. Accordingly, CALLS ON the Commission:

- (a) to have close regard to the concerns, principles, considerations, and the labour market policies and measures set out in this Resolution, in particular in future editions of the "Employment in Europe" report and other publications and proposals with a bearing on employment;
- (b) to take into account, inter alia, the terms of this Resolution, in particular concerning training and services for the unemployed, when drawing up its proposals for the forthcoming review of the Structural Funds and in particular of the European Social Fund;
- (c) to improve the production and secure wider dissemination and utilization of the information, in particular that collected through the Employment Observatory networks, and of the analyses undertaken in the "Employment in Europe" reports;
- (d) in close collaboration with the Member States, the ILO, OECD and other authoritative bodies, to conduct a continuing, specific examination of the effectiveness of policy responses to the present unemployment problem; and

to present a first report on the findings of the European Parliament, Council and both sides of industry in 1993;

- (e) to pursue its work to improve labour mobility at Community level, in particular through Regulation (EEC) No 2434/92 (EURES) ⁽¹⁾.

7. CALLS ON the Member States:

- (a) to promote dissemination and discussion of the matters addressed by this Resolution within each Member State, notably by way of both sides of industry;
- (b) to pay close regard to the terms of this Resolution in drawing up and operating their own labour market policies and measures.

8. UNDERTAKES:

- (a) to discuss once every six months in relevant fora, including, as appropriate, the Standing Committee on Employment, key aspects of the employment situation in the Community and/or relevant labour market programmes and policies, and to promote dissemination of the conclusions of those discussions;
- (b) to discuss each year the most recent annual report from the Commission on "Employment in Europe" and to propose to the Commission issues to be addressed as part of the following year's report, and to be disseminated more widely;
- (c) to bring this Resolution to the attention of the European Parliament, the Economic and Social Committee and to both sides of industry in the framework of the Social Dialogue, and to seek their comments on the Resolution with a view to informing continued consideration at Community level of the problem of unemployment."

THE ORGANIZATION OF WORKING TIME

The Council noted that the technical questions outstanding at the meeting on 24 June 1992 remained unresolved and decided to continue discussions under the Danish presidency.

FREEDOM OF MOVEMENT FOR WORKERS WITHIN THE COMMUNITY

There was broad support for a compromise suggestion put forward by the Presidency. However, some delegations and the Commission expressed reservations.

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

EUROPEAN AGENCY FOR SAFETY AND HEALTH AT WORK

The Council held a detailed discussion on a series of questions put by the Presidency in the context of work on the proposal for a Regulation establishing a European Agency for Safety and Health at Work.

The discussions centered upon the following questions:

- whether there were perhaps other activities in the area of occupational health and safety which needed to be carried out at Community level;
- the means of satisfying the possible need to increase or improve Community-level activity in this area most effectively, through the creation of an agency, through existing institutions or bodies, through Community programmes, through intergovernmental co-operation or otherwise.

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

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THE EFFECTIVE IMPLEMENTATION AND ENFORCEMENT OF COMMUNITY LEGISLATION IN THE SOCIAL AFFAIRS AREA

The Council agreed on the following conclusions:

"THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and to the Declaration on the implementation of Community law adopted by the Intergovernmental Conference on 7 February 1992 and attached to the Treaty on European Union,

1. Whereas that Declaration stresses that it is essential that each Member State fully and accurately transpose into national law the Community legislation addressed to it, and within the required deadlines, and that measures be taken by the different Member States to ensure that Community law is applied with the same effectiveness and rigour as national law;
2. Whereas recent judgements of the European Court of Justice have established that, subject to certain conditions, individuals who have suffered damage as a result of a Member State's failure to implement Community legislation have a right to compensation from the Member State in question;
3. Whereas the Treaty on European Union will empower the European Court of Justice to impose lump sums or penalty payments on Member States which have not complied with its judgements;
4. Whereas the European Court of Justice has also held that national courts must interpret national legislation transposing Community directives in the light of these directives;
5. Whereas there is already a significant body of Community legislation in the area of social affairs, and this will increase,

EMPHASIZES the following principles:

1. In order to make a reality of Community social legislation for individual citizens, it is essential that arrangements for its implementation are such that it is transposed accurately and on time into national legislation.

The legislation must be also enforced effectively and consistently in all Member States.

2. Under the Treaty, the Commission has the responsibility to ensure that the Member States implement Community legislation fully and on time.

It is for Member States to ensure that the legislation is enforced.

These separate responsibilities must be fully respected.

3. The task is to ensure that these responsibilities are carried out fully, in

a consistent manner and in a spirit of co-operation.

The work of the Committee of Senior Labour Inspectors in the area of health and safety at work provides a helpful example of how progress can be made on these matters.

INVITES THE COMMISSION:

4. To continue to publish systematic information on an annual basis on the state of implementation of Community social legislation, commenting where appropriate on general progress and any difficulties on enforcement identified from the normal reports by Member States on the implementation of this legislation.
5. To continue its arrangements for consultation in advance of proposing new legislation, including consultation with national experts from the Member States and with both sides of industry at Community level.

INVITES THE MEMBER STATES AND THE COMMISSION:

6. To support regular contact between national experts, and between national experts and those in the Commission who are responsible for policy on specific aspects of Community social legislation, to help ensure consistent interpretation and effective enforcement of that legislation.
7. On the basis of close collaboration between national experts from the Member States and the Commission, to establish the exchange of information and a network of relevant officials to assist the achievement of effective enforcement of Community social legislation, to encourage the spread of effective practice throughout the Community, and to address other significant issues which arise out of the application of Community social legislation.
8. To ensure that those concerned with the application of Community law are adequately informed of development as to Community social legislation.
9. To encourage and support continued close co-operation between members of the Committee of Senior Labour Inspectors, in particular with a view to arrive at common principles concerned with health and safety inspection at the workplace and the role of the relevant authorities in each Member State, and with a view to improving the effectiveness of inspection as assessed against those principles.

INVITES THE MEMBER STATES:

10. To provide the necessary information to both sides of industry and to the other relevant interests about proposed Community legislation and, when such legislation is adopted, about arrangements for implementation, enforcement, and the means available to enable those concerned to defend their rights.

UNDERTAKES:

11. To review annually significant matters addressed by these Conclusions, based on the annual information from the Commission referred to in paragraph 4 of these Conclusions.

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12. When considering proposals for new legislation, to pay close regard to ensuring that the amendments adopted by the Council are clearly drafted, that the scope of the legislation is the subject of rigorous analysis, and that the legislation takes account of practical aspects concerning its subsequent effective enforcement.

This consideration should be conducted in such a way that it does not delay the adoption of Community legislation.

13. To consider at regular intervals lessons arising out of the implementation and enforcement of existing legislation, exchanges of information and officials between the Member States and the Commission, and the work of the Committee of Senior Labour Inspectors.
14. To work in partnership with all Community Institutions and Member States to ensure the effective application of social legislation throughout the Community."

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BIOLOGICAL AGENTS

Pending the Opinion of the European Parliament, the Council heard a report from the Chairman on progress in connection with the proposal for a Directive amending Directive 90/679/EEC on the protection of workers from risks related to exposure to biological agents at work.

The Council instructed the Permanent Representatives Committee to pursue the discussions with a view to the adoption of the common position as soon as possible.

OTHER DECISIONS IN THE AREA OF SOCIAL AFFAIRS

Safety and health protection of workers in the surface and underground mineral-extracting industries

The Council adopted the Directive concerning the minimum requirements for improving the safety and health protection of workers in the surface and underground mineral-extracting industries (twelfth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC). It should be noted that the Council adopted the common position on this Directive at its meeting on 24 June 1992 and that the European Parliament delivered its Opinion on second reading, under the co-operation procedure, on 26 October 1992.

The purpose of the Directive is to protect the safety and health of workers in surface and underground mineral-extracting industries, i.e. in all industries carrying out surface or underground extraction, in the strict sense of the word, of minerals, prospecting with a view to such extraction and/or preparation of extracted materials for sale, but not the processing of such extracted materials.

The Directive contains a set of detailed obligations for the employer designed to guarantee the safety and health of workers. One of the employer's tasks is to ensure that a safety and health document, covering the relevant requirements set out in Articles 6, 9 and 10 of framework Directive 89/391/EEC, is prepared, kept up to date and revised in the event of major changes at workplaces.

In addition the Directive contains provisions on information for and consultation of workers, workers' participation and health surveillance.

A technical Annex contains minimum requirements for the surface and for the underground sectors as well as for both together;

Transparency of qualifications - Council Resolution (1)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Whereas, pursuant to Article 3(c) of the Treaty, the abolition, as between Member States, of obstacles to freedom of movement for individual workers who are Community nationals constitutes one of the objectives of the Community; whereas, for nationals of the Member States, this means in particular the possibility of pursuing a profession or occupation, whether in a self-employed or employed capacity, in a Member State other than that in which they acquired their professional or vocational qualifications or experience;

Whereas the Council Resolution of 18 December 1990 (2) on the comparability of vocational training qualifications invited Member States to submit reports on the implementation of Council Decision 85/368/EEC of 16 July 1985 (3) on the comparability of vocational training qualifications between the Member States of the European Community and the results obtained; whereas Member States' reports have now been produced and show that there are doubts about whether the work on comparability provides the kind of clear information about qualifications necessary to promote free movement of labour; whereas this means there is a need to consider new directions for work on transparency of qualifications;

Whereas, by their joint opinion of 3 July 1992 on vocational qualifications and certification, both sides of industry, in the framework of the Social Dialogue, emphasized that the freedom to move from one country to another is in the interests of workers and enterprises and that developing a concerted approach to establish reciprocal information concerned with vocational qualifications and certification in order to give transparency at European level is a high priority; whereas they advocate an evolutionary approach rather than a single solution imposed from above; whereas they are concerned that means must be found for taking into account the relevant skills and knowledge of workers who have acquired these without formal study and certification;

Whereas there is a very substantial degree of diversity in qualification systems in the Community; whereas most job seekers hold qualifications issued by these diverse systems; whereas this can make it difficult for an employer in one Member State to assess the skills and knowledge of an applicant with qualifications from and work experience in another Member State and can place such applicants at a disadvantage;

(1) One delegation agreed to the text subject to confirmation.

(2) OJ No C 109, 24.4.1991, p. 1.

(3) OJ No L 199, 31.7.1985, p. 56.

Whereas future Community work on transparency of qualifications should avoid conflict with national systems and improve the practical effect of Community action to date, should take account of the practical needs expressed by individuals and employers, and should first identify what specific information is needed at the Community level, and provide a focus for the Community's efforts,

HEREBY ADOPTS THIS RESOLUTION:

THE COUNCIL:

1. RECALLS that the Council Resolution of 18 December 1990 on the comparability of vocational qualifications invites the Commission to submit proposals which would enable genuine free movement for workers within the Community to be fulfilled.
2. IS AGREED on the objectives of:
 - (a) enabling individuals who so wish to present their occupational qualifications, education and work experience clearly and effectively to potential employers throughout the Community;
 - (b) helping employers to have easy access to clear descriptions of qualifications and relevant professional experience, in order to establish the relevance of the skills of job applicants from other Member States to jobs on offer;
3. IS AGREED that:
 - (a) in order to meet the practical objectives set out in paragraph 2, it is necessary to define the need for information at Community level as well as the means of its communication;
 - (b) a step by step approach is required, beginning with the identification of the specific information needed at a Community level followed by the design of any infrastructure required to provide it.

The improvement of mutual understanding of, and confidence in, the diverse qualification systems of Member States and the qualifications themselves could make a contribution to the successful attainment of these objectives.
4. CONSIDERS that, in the light of the national assessment reports and the responses by Member States to the Commission's preparatory document on training in the European Community, proposals to further these objectives should:
 - (a) respect the diversity of Member States' own systems of training and qualifications;
 - (b) take full account of and complement existing Community legislation and action;

- (c) take full account of the development of the EURES system in the context of supporting the mobility of individuals;
 - (d) add value to the efforts of individuals, their representatives and employers, be cost-effective and minimize additional administrative burdens and costs both within Member States and at the Community level;
 - (e) begin by focusing on the needs of individuals who wish to be mobile within the Community, and the occupations for which those individuals are qualified, while being capable of extension to all occupations;
 - (f) take into account all the relevant skills and knowledge of workers, acquired through qualifications or experience;
 - (g) take into account the need to protect data about individuals in accordance with national practices and Community legislation;
 - (h) be subject to voluntary participation by individuals and employers;
 - (i) work through existing bodies and authorities in Member States with responsibility for qualifications and their accreditation wherever possible and encourage direct communication between the relevant bodies;
 - (j) respect national practice, including arrangements agreed between the social partners, individuals and employers;
 - (k) be limited to the exchange of relevant information, rather than its verification.
5. CALLS ON the Commission to formulate its proposals, taking into account the contents of this Resolution, according to the following priorities:
- (a) the identification, in co-operation with Member States and the social partners, of any information about qualifications and experience needed at the Community level to meet the objectives set out in paragraph 2.

Such steps could explore ways of clarifying the different terminology used about qualifications in Member States to assist effective communication;

- (b) the evaluation, in co-operation with Member States and the social partners, of possible means of helping individuals and employers to communicate the information needed.

In particular, to consider the acceptability, feasibility and added value of making available to individuals, on request, a summary of individual achievement (which might be called an "individual portfolio"), giving a brief account of achievements and experience gained in the course of education, training and throughout working life.

Without prejudice to the outcome of further evaluation of these ideas, feasibility studies should cover both the sources of information and the means of conveying it at Community level, for example:

- (i) a common format of headings for that information. This could be provided as appropriate by the individual and by competent bodies nominated by Member States;

- (ii) the nomination by Member States of bodies competent to:

support the provision of such a summary and provide any necessary information on the qualifications of their respective countries;

communicate with equivalent bodies in other Member States to exchange such information in accordance with individual and employer needs;

- (c) encouragement for initiatives undertaken by Member States to exchange relevant information and expertise about qualification systems and the qualifications themselves to contribute to the objectives set out in paragraph 2.

6. The proposals should also review and define the particular contribution the European Centre for the Development of Vocational Training could make to the objectives set out in paragraph 2, in the light of its expertise.

MISCELLANEOUS DECISIONSPrices for the 1993 fishing year

The Council adopted Regulations fixing for 1993 the guide prices for the fishery products listed in Annex I(A), (D) and (E) (fresh products) and in Annex II (frozen products) to Regulation No 3687/91 and the producer price for tuna intended for the canning industry.

The 1993 prices and the variation in comparison with the 1992 prices are as follows:

1. ECU/tonne guide prices for fresh products (1)

		<u>% change in comparison with 1992</u>
1. Herrings		
- from 1.1. to 31.7. and from 1.10. to 31.12.1993	256	0
- from 1.8. to 30.9.1993	182	- 16
2. Sardines		
(a) Atlantic		
- Member States other than Spain and Portugal	465	- 1
- Spain, Portugal	424	- 1 (2)
(b) Mediterranean	453	- 1
3. Picked dogfish	886	+ 1
4. Catshanks	742	- 2
5. Redfish	941	+ 2
6. Cod	1329	+ 1
7. Coalfish	679	+ 2
8. Haddock	976	+ 1
9. Whiting	822	0

(1) The guide price for fresh products serves to determine the Community withdrawal price and, for the species referred to in Annex I(E), the Community selling price.

(2) After implementation of the price alignment mechanism provided for in the Act of Accession of Spain and Portugal.

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10. Ling	984	+ 3
11. Mackerel (<i>Scomber scombrus</i>)	261	0
12. Spanish mackerel (<i>Scomber japonicus</i>)	319	- 1
13. Anchovies	969	+ 1
14. Plaice		
- from 1.1. to 30.4.1993	812	+ 2
- from 1.5. to 31.12.1993	1118	+ 3
15. Hake	3165	+ 3
16. Megrin	1980	+ 3
17. Ray's bream	1541	- 1
18. Monkfish		
- with head	2202	+ 2
- headless	4573	- 10
19. Shrimps	1685	0
20. Edible crab	1482	0
21. Norway lobster		
- whole	4392	0
- tails	6962	- 10

B. ECU/tonne guide prices for frozen products (3)

1. Sardines	388	0
2. Sea bream	1348	- 1
3. Squid (<i>Loligo patagonica</i>)	881	- 5
4. Squid (<i>Todarodes</i>)	806	0
5. Squid (<i>Illex argentinus</i>)	808	0
6. Cuttlefish	1606	- 2
7. Octopus	1427	0

C. ECU/tonne producer price for tuna (4)

Tuna (Albacore)	1070
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(3) The guide prices for frozen products serve in particular to determine whether private storage aid is granted in certain circumstances.

(4) The Community production price for tuna serves in particular to determine whether an allowance is granted to producer organizations in certain circumstances.

Agriculture

The Council adopted the Regulation amending Regulation No 2420/92 of 18 August 1992 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. The purpose of the Regulation is to extend until 31 March 1993 the temporary suspension of customs duties for the aforementioned products.

The Council adopted the Decision authorizing the Commission to open negotiations concerning the adaptation of voluntary restraint agreements with certain third countries in the sheepmeat and goatmeat sector. The aim is to extend for one year, until 31 December 1993, the adaptations to the agreements in question, which expire on 31 December 1992.

Industry

Further to the agreements reached at the Industry Council on 24 November 1992 (see Press Release No 10091/92 Presse 219) the Council formally adopted Resolutions on:

- administrative simplification for enterprises, especially SMEs;
- the relationship between industrial competitiveness and environmental protection.





COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT



PRESS RELEASE

10524/92 (Presse 236)

1627th Council meeting

- TRANSPORT -

Brussels, 7 and 8 December 1992

President: Mr John MacGREGOR,

Secretary of State for Transport
of the United Kingdom

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 Kaj IKAST Minister for Transport
Mrs Anne Birgitte LUNDHOLT Minister for Industry and Energy

Germany:

Mr Günter KRAUSE Federal Minister for Transport

Greece:

Mr Theodoros ANAGNOSTOPOULOS Minister for Transport
Mr Alexandros PAPADOGONAS Minister for Merchant Shipping

Spain:

Mr José BORRELL Minister for Transport

France:

Mr Jean-Louis BIANCO Minister for Transport
Mr Charles JOSSELIN State Secretary for Maritime Affairs

Ireland:

Mrs Maire GEOGHEGAN-QUINN Minister for Tourism, Transport and
Communications

Italy:

Mr Giancarlo TESINI Minister for Transport

Luxembourg:

Mr Robert GOEBBELS Minister for Transport

Netherlands:

Mrs Hanja MAIJ-WEGGEN Minister for Transport and Public
Works

Portugal:

Mr Jorge ANTAS State Secretary for Transport
Mr Eduardo de AZEVEDO SOARES Minister for Maritime Affairs

United Kingdom:

Mr John MacGREGOR Secretary of State for Transport
The Earl of CAITHNESS Minister of State, Department of
Transport

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For the Commission:

Mr Karel VAN MIERT Member

AIR TRANSPORT

RELATIONS WITH THIRD COUNTRIES IN THE FIELD OF AIR TRANSPORT

The Council held a preliminary exchange of views on the recent Commission communication concerning the Community's relations with third countries in the field of air transport.

The Commission proposed a pragmatic approach to Community negotiations with third countries which would enable Member States to continue negotiating bilateral agreements in the context of a Community procedure whenever possible and to conduct negotiations with third countries at Community level whenever this proved necessary.

The Council instructed the Permanent Representatives Committee to examine the communication with a view to preparing the Council's discussion at a forthcoming meeting.

ALLOCATION OF SLOTS AT COMMUNITY AIRPORTS

The Council reached agreement on the Regulation on the allocation of slots at Community airports.

The Regulation establishes a code of conduct guaranteeing the transparent, efficient and non-discriminatory allocation of slots against a background of mounting difficulties in respect of airport capacity.

The Community system is based on the optional guide to scheduling introduced by IATA. It is linked to the application of the Treaty competition rules, in particular with regard to the exemptions by category in respect of slot allocation and planning of aircraft movements within an airport, due to enter into force on 1 January 1993, under the third liberalization package for air transport.

Transparency of information is an essential element in the new code of conduct aimed at establishing an objective procedure for slot allocation.

The Regulation defines co-ordinated and fully co-ordinated airports and lays down the duties of the co-ordinator who may, in particular, be made responsible for allocating slots. The Regulation enables a Member State to designate any airport as a co-ordinated airport.

In order to avoid situations where, through a lack of sufficient slots, the advantages of air transport liberalization are shared out unequally and competition is subject to distortion, the Regulation lays down in particular the conditions of access for new entrants ⁽¹⁾ to the market.

In addition, the text recommends better utilization of existing slots based on the "use it or lose it" rules, backed up by efficient control and a revision clause.

In some cases, the Regulation allows special provision to be made for the maintenance of slots for regional air services.

(1) The definition of a new entrant contains the following points:

- "new entrant" means an air carrier requesting slots at an airport on any day and holding or having been allocated less than four slots at that airport or, in the case of an air carrier requesting slots for a non-stop service between two Community airports where at most two other air carriers operate a direct service between those airports and/or airport systems on that day, holding or having been allocated less than four slots at that airport on that day for that service;
- an air carrier holding more than 3% of the total slots available on the day in question at a particular airport or holding more than 2% of the total slots available on that day within the airport system of which that airport is a part, shall not be considered a new entrant to that airport;
- slots allocated to new entrants operating a service between two Community airports may not, for two seasons, be exchanged between air carriers or transferred by an air carrier from one route to another;
- "direct air service" means service between two airports including stopovers with the same aircraft and same flight number.

With regard to external relations, the Council thinks that third countries should grant Community transporters equivalent treatment.

The text makes provision for free exchange of slots and for safeguard mechanisms where there is a clear imbalance between air carriers.

The entry into force of the Regulation is set at one month following its publication in the Official Journal.

Formal adoption of the Regulation will take place shortly, after finalization of the texts.

AIR TRAFFIC CONTROL

Following a discussion on the issue of air traffic control in the Community, the Council drew the following conclusions :

"The Council

- notes the importance of the development of an effective Air Traffic Management system for the future of civil aviation in Europe, and the role the European Communities should play;
- recalls the important work undertaken by ECAC and Eurocontrol in the field of Air Traffic Management and the conclusions of ECAC Ministers adopted in April 1990 and March 1992 which are relevant to it;
- emphasizes the importance of further co-operation in this field so that Commission activities contribute to the development of the work of Eurocontrol and ECAC;
- notes with satisfaction those areas in which the Commission has already been co-operating with Eurocontrol and ECAC in taking work forward;
- notes the Commission's proposal for a Council Directive on the definition and use of compatible technical and operating specifications for the procurement of air traffic management equipment and systems;
- agrees that this proposal should be discussed further by the Council with a view to adoption as soon as possible, with the aim of achieving the effective enactment in Community law of specifications and standards developed by Eurocontrol;
- recognizes that the EURET programme forms part of the 2nd Framework Programme and that there will be a gap between the end of the 2nd Framework Programme and the start of the 4th Framework Programme;

- invites and encourages the Commission to explore the possibility, including the appropriate budgetary provision, of ensuring the continuation of the EURET programme and in particular its ATM component in the period to the start-up of the 4th Framework Programme;
- invites the Commission, in making provisions for Research Development to do so, to support the development of the future ATM system for Europe, in close co-operation with ECAC and Eurocontrol."

STATE AID TO TRANSPORT

The Council held a policy debate on the issue of state aid to transport in the context of the single market for transport.

At the close of the discussion the President suggested that the debate be continued at a forthcoming Council meeting.

INLAND TRANSPORT

TAXATION OF ROAD TRANSPORT

The Council held a further discussion on harmonizing the taxation of road transport on the basis of the revised proposal for a Directive on the charging of transport infrastructure costs to heavy goods vehicles and of a draft Presidency agreement.

The discussion will continue during December 1992.

GOODS CABOTAGE (ROAD HAULAGE)

The Council discussed in detail the proposal for a Regulation on the liberalization of goods cabotage by road, in the context of the completion of the internal market.

The discussion, which enabled delegations to clarify their positions, will continue on 21 December 1992 with a view to reaching agreement by the end of the year.

AGREEMENTS BETWEEN THE COMMUNITY AND CERTAIN THIRD COUNTRIES ON INLAND WATERWAY TRANSPORT

The Council reached agreement on the Recommendation for a Decision on the opening of negotiations between the Community and certain third countries on inland waterway transport and on the negotiating brief given to the Commission.

In accordance with that Decision, the Commission is authorized to negotiate with certain third countries ⁽²⁾ on behalf of the Community agreements concerning the rules applicable to the carriage of freight and passengers by inland waterway between the Community and third States.

EEC/SLOVENIA TRANSIT AGREEMENT

The Council took note of the progress of the negotiations under way between the Commission and the Republic of Slovenia on a transit agreement.

ACTION PROGRAMME IN THE FIELD OF TRANSPORT INFRASTRUCTURE

The Council confirmed the approach it had adopted on 26 October 1992 (see press release 9413/92 Presse 186) on a draft Regulation extending beyond 31 December 1992 the action programme in the field of transport infrastructure (Regulation No 3359/90). The Council decided to consult the European Parliament again on the draft given that substantive amendments had been made to the Commission's initial proposal.

(2) Poland and the Contracting States to the Danube Convention (Hungary, Czechoslovakia, Romania, Bulgaria, the former USSR, the former Yugoslavia and Austria).

The draft Regulation makes provision for the extension of the text currently in force - with certain amendments to the aims and infrastructure projects - for a transitional 2-year period (1993-1994), pending subsequent more comprehensive measures in the field of trans-European networks to be taken within the framework of the Treaty on European Union.

COMBINED TRANSPORT

As the European Parliament and the Economic and Social Committee had delivered their Opinions, the Council adopted

- the Regulation extending the current system of aid for investment in combined transport (Regulation 1107/70) until 31 December 1995.

The new Regulation also renews aid for the cost of operating combined transport lines transiting through the territory of a third country, restricting it, however, to services transiting through Austria, Switzerland and the States of the former Yugoslavia.

It also makes provision for extending the scope of the current system by granting aid for transport rolling stock which is particularly suitable for combined transport and is used exclusively for that purpose;

- the Directive extending the scope of Directive 75/130, concerning the establishment of common rules for certain types of carriage of goods between Member States, to include combined transport, part of which involves maritime transport.

SHIPPING

TRANSPORT BY SEA OF DANGEROUS OR POLLUTING GOODS (3)

The Council reached agreement on a draft Directive concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods.

The text will also apply to tankers, for which requirements will from now on be more stringent than those laid down in Directive 79/116 concerning the entry and exit of that type of vessel to and from Community ports.

The main purpose of the Directive is initially to ensure that the authorities designated by the Member States are informed of the presence of dangerous or polluting goods on board vessels sailing from or bound for Community ports. This should enable the authorities to take all the measures necessary to deal with the dangerous or polluting goods concerned, as regards both accommodating the vessel and standing by to intervene in case of any incident.

In addition, the Commission is due to submit to the Council by the end of 1993 new proposals for establishing a more comprehensive reporting system for the Community. The proposals could also cover vessels transiting along the coasts of the Member States, and include electronic data interchange systems between vessels and shore-based installations.

The requirements resulting from the Directive will enter into force 24 months after its formal adoption.

The Council instructed the Permanent Representatives Committee to finalize the text with a view to the early formal adoption of the Directive, if necessary after further consultation of the European Parliament.

(3) At the start of proceedings, the members of the Council expressed solidarity with the Spanish delegation in respect of the recent ecological disaster caused by the accident involving a petrol tanker off the coast of Galicia.

POSITIVE MEASURES IN FAVOUR OF THE COMMUNITY FLEET

The Council held a discussion on improving the operating conditions of Community shipping, in order to discourage flagging out.

The discussion made it possible to give the Commission guidelines for the continuation of its work, in particular with regard to the financial and social aspects of the proposal on the EUROS register.

The Council took note of the Commission's intention to submit to it shortly its views on the matter, in particular in the light of the discussion which had taken place.

EXTERNAL RELATIONS IN THE FIELD OF SHIPPING

The Council had a debate on the issue of the Community's external relations in the field of shipping.

At the close of the discussion, the Council encouraged the Commission in its intention to convene a high-level meeting in the near future in order to help to draw up :

- a document defining the strategy to be adopted;
- proposals on the various practical provisions concerning the organization of work in respect of the various situations which might arise - e.g. negotiations conducted entirely at Community level, bilateral discussions with third countries conducted by the Commission, bilateral discussions/negotiations conducted by the Member States, technical co-operation agreements, and the question of co-ordination and representation within multilateral bodies.

In the meantime, the Council considers that there should be a systematic exchange of information between the Commission and the Member States on relations with third countries, and consultations between the Member States and the Commission concerning specific negotiations.

MARITIME CABOTAGE

Following further consultation of the European Parliament, the Council, by a qualified majority, adopted the Regulation applying the principle of freedom to provide services to maritime transport within Member States (maritime cabotage).

The text adopted corresponds to that on which substantive agreement was reached at the Transport Council on 22 and 23 June 1992 (see press release 7281/92 Presse 123).

The Regulation is due to enter into force on 1 January 1993, to coincide with the completion of the internal market.

MISCELLANEOUS DECISIONS

Appointment

On a proposal from the Governments of the Member States and following consultation with the Commission, the Council appointed Mr Josly PIETTE as a member of the Economic and Social Committee, in place of Mr Robert d'HONDT, who died, for the remainder of the latter's term of office, that is until 20 September 1994.

PRESS RELEASE

11213/92 (Presse 258)

1627th Council meeting (continued)

- TRANSPORT -

Brussels, 21 December 1992

President: Mr John MacGREGOR,

Secretary of State for Transport
of the United Kingdom

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 Kaj IKAST Minister for Transport

Germany:

Mr Günter KRAUSE Federal Minister for Transport

Greece:

Mr STEFANAKOS State Secretary for Transport

Spain:

Mr Manuel PANADERO Secretary-General for Transport

France:

Mr Jean-Louis BIANCO Minister for Transport

Ireland:

Mr Eamonn RYAN Deputy Permanent Representative

Italy:

Mr Giancarlo TESINI Minister for Transport

Luxembourg:

Mr Jim CLOOS Deputy Permanent Representative

Netherlands:

Mrs Hanja MAIJ-WEGGEN Minister for Transport and Public
Works

Portugal:

Mr Jorge ANTAS State Secretary for Transport

United Kingdom:

Mr John MacGREGOR Secretary of State for Transport

The Earl of CAITHNESS Minister of State, Department of
Transport

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For the Commission:

Mr Karel VAN MIERT Member

Members of the Council expressed sympathy with the delegations concerned by today's air crash in Faro, Portugal, and offered their condolences to the families of the victims.

LIBERALIZATION OF ROAD HAULAGE CABOTAGE

The Council was unable to reach agreement at this meeting and agreed to resume its discussions on the liberalization of road haulage cabotage at a future meeting.

It noted that the legal effects of Council Regulation (EEC) No 4059/89 would be maintained by the Member States subject to the principle of non-discrimination and Article 76 of the Treaty.

It was understood that the Commission:

- would continue to assign cabotage authorizations to the Member States under the quota as applied during the second half of 1992;
- stood by its proposal for a Council Regulation laying down the definitive system under which non-resident carriers may operate road haulage services within a Member State.

TAXATION OF ROAD TRANSPORT

The Council concluded that it was not possible to reach agreement on this matter at today's meeting and agreed to resume its discussions at a meeting in the near future.

PRESS RELEASE

10523/92 (Presse 235)

1628th Council meeting

- GENERAL AFFAIRS -

- POLITICAL CO-OPERATION -

Brussels, 7 December 1992

President: Mr Douglas HURD,
Secretary of State
for Foreign and Commonwealth
Affairs of the United Kingdom

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
Mr André BOURGEOIS	Minister for Small and Medium-Sized Businesses and Agriculture

Denmark:

Mr Uffe Ellemann-JENSEN	Minister for Foreign Affairs
Mr Laurits TOERNAES	Minister for Agriculture
Mr Jørgen ØSTRØM MØLLER	State Secretary for Foreign Affairs

Germany:

Mr Klaus KINKEL	Federal Minister for Foreign Affairs
Mr Jürgen W. MÖLLEMANN	Federal Minister for Economic Affairs
Mr Ignaz KIECHLE	Federal Minister for Food, Agriculture and Forestry
Mrs Ursula SEILER-ALBRING	Minister of State, Foreign Affairs
Mr Walter KITTEL	State Secretary, Federal Ministry of Food, Agriculture and Forestry

Greece:

Mr Michel PAPACONSTANTINO	Minister for Foreign Affairs
Mr Christos KOSKINAS	Minister for Agriculture
Mr Georges PAPASTAMKOS	State Secretary for Foreign Affairs

Spain:

Mr Claudio ARANZADI	Minister for Industry and Energy
Mr Pedro SOLBES MIRA	Minister for Agriculture
Mr Miguel Angel FEITO HERNANDEZ	State Secretary for Trade
Mr Carlos WESTENDORP	State Secretary for Relations with the European Communities

France:

Mr Roland DUMAS	Ministre d'Etat, Minister for Foreign Affairs
Mrs Elisabeth GUIGOU	Minister for European Affairs
Mr Jean-Pierre SOISSON	Minister for Agriculture and Rural Development
Mr Dominique STRAUSS-KAHN	Minister for Industry and Foreign Trade

Ireland:

Mr David ANDREWS	Minister for Foreign Affairs
Mr Pádraig FLYNN	Minister for Industry and Commerce
Mr Joe WALSH	Minister for Agriculture and Food
Mr Tom KITT	Minister of State at the Department of the Taoiseach with special responsibility for Arts and Culture, Women's Affairs and European Affairs

Italy:

Mr Emilio COLOMBO
Mr Giovanni FONTANA

Minister for Foreign Affairs
Minister for Agriculture

Luxembourg:

Mr Jacques POOS
Mr René STEICHEN

Minister for Foreign Affairs
Minister for Agriculture and
Viticulture

Netherlands:

Mr Hans VAN DEN BROEK
Mr Piet BUKMAN

Minister for Foreign Affairs
Minister for Agriculture, Nature
Conservation and Fisheries

Mrs Y.C.T. VAN ROOY
Mr Piet DANKERT

Minister for Foreign Trade
State Secretary for Foreign Affairs

Portugal:

Mr José Manuel DURAO BARROSO
Mr Arlindo CUNHA
Mr Vitor MARTINS

Minister for Foreign Affairs
Minister for Agriculture
State Secretary for European
Integration

Mr Antonio SOUSA

State Secretary for Foreign Trade

United Kingdom:

Mr Douglas HURD

Secretary of State for Foreign and
Commonwealth Affairs

Mr Tristan GAREL-JONES

Minister of State, Foreign and
Commonwealth Office

Mr David CURRY

Minister of State, Ministry of
Agriculture, Fisheries and Food

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Commission:

Mr Jacques DELORS
Mr F.H.J.J. ANDRIESSEN
Mr Ray MAC SHARRY
Mr Peter SCHMIDHUBER
Mr Abel MATUTES

President
Vice-President
Member
Member
Member

PREPARATION FOR THE EUROPEAN COUNCIL

The Council noted the details given by the Presidency concerning the programme of work of the European Council in Edinburgh on 11 and 12 December.

The European Council's discussions will focus mainly on the following issues: progress of ratification of the Maastricht Treaty and the question of Denmark, subsidiarity and transparency, the economic situation, the Delors II package, enlargement and political co-operation topics (including former Yugoslavia).

The session will begin with a meeting with the President of the European Parliament at which, for the first time, an exchange of views will be held on the main subjects to be discussed by the European Council.

IMMIGRATION POLICY AND FREE MOVEMENT OF PERSONS

With a view to the Edinburgh European Council's discussions on immigration, the Council drew up a draft text on the principles governing the external aspects of migration policy.

The Council also arrived at a consensus on outline conclusions in the field of the free movement of persons, to be submitted to the Edinburgh European Council.

DELORS II PACKAGE

The Council, continuing its discussions held during the conclave of 27 November on the Delors Package, devoted particular attention at this meeting to the financing of the Community's internal policies and its administrative expenditure, in the light of the Presidency's latest suggestions and President DELORS' recent letter evaluating the impact of those suggestions.

At the close of the discussion, the Presidency stated that, when drawing up a revised overall compromise proposal, it would also give thought to the positions expressed by the delegations today.

The new draft overall compromise will be submitted as soon as possible with a view to the discussions at the Edinburgh European Council.

ENLARGEMENT: EFTA COUNTRIES

(a) Norway's application for accession

Having received Norway's application for accession to the European Communities, the Council decided to implement the procedures laid down by the Treaties. The Commission is therefore asked to draw up its opinion.

(b) General negotiation framework - conclusions

In the light of the conclusions of the Lisbon European Council and discussions held since, the Council reviewed the progress of preparations for the enlargement negotiations concerning the EFTA countries seeking membership of the European Union. In so doing, it was able to draw on a report from the Permanent Representatives Committee concentrating on the preparation of the "Union's general negotiation framework", which it duly noted.

The Council confirmed the favourable reception given at its meetings on 5 and 6 October and 9 November 1992 to the Commission's positive overall assessment of the applications for accession made by Austria, Sweden and Finland. It congratulated the Commission on the considerable amount of work done within a very short time and noted that the Commission intended subsequently to submit its opinion on the application by Switzerland and its opinion on the application by Norway.

The Council also noted that, in accordance with the request made by the Lisbon European Council to the Institutions, the essential elements of the "Union's general negotiation framework" had been identified. Here the Council took particular note of the three documents drawn up for this purpose, of which:

- the first contains key components for the eventual drawing up of the general statement to be made at the opening of the negotiations ⁽¹⁾;

(1) These key components, with particular reference to the description of the Treaty on European Union, will be supplemented and developed in greater detail by the complete draft of the general statement for the opening of negotiations, which will be examined by the Permanent Representatives Committee in due course. That draft will also incorporate the Union's approach concerning the CFSP and the field of Justice and Home Affairs, on which work is in progress.

- the second lays down the procedures to be followed in preparing and determining the Union's negotiating position and allocates negotiating responsibilities between the Presidency and the Commission;
- the third sets out the arrangements to be proposed to the applicant countries regarding the procedure for and organization of the negotiations.

The Council pointed out that the Lisbon European Council had agreed that the official negotiations would begin as soon as the Treaty on European Union had been ratified and an agreement had been reached on the Delors II package.

EUROPEAN ECONOMIC AREA - COUNCIL CONCLUSIONS

The Council notes, and fully respects, the result of the Swiss EEA referendum.

It noted that the EEA Agreement included arrangements for considering the situation, in the event of a party failing to ratify.

Without Switzerland, the Agreement will require modifications, which will have to be satisfactorily agreed.

Subject to that agreement, the Council expressed the hope that the EEA would be rapidly set up.

It asked the Commission to have early contacts with EFTA Member States on the timing of the next steps and to report to the Foreign Affairs Council on 21 December 1992.

GATT - COUNCIL CONCLUSIONS

The Council heard a report from the Commission on the latest developments on the Uruguay Round, covering inter alia an analysis of the compatibility with CAP reform of the outcome of the negotiations with the United States, including on oilseeds. In the light of points made, and questions put by delegations, it concluded that the analysis should be actively pursued in the appropriate fora, including the Agriculture Council, and due account taken of those discussions in the Geneva process.

The Council reaffirmed the great importance of non-agriculture sectors for success in the Uruguay Round. The Council considered that substantial results in these sectors were essential for the conclusion of a global and balanced agreement. Development in Geneva of the technical aspects of the agriculture dossier would have to take due account of the concrete results achieved in the other sectors.

The Council noted that examination of the overall outcome of the GATT negotiations would be necessary in due course.

TRADE POLICY

The Council held a wide-ranging exchange of views on the Commission's proposals concerning, on the one hand, the revision of the Community's decision-making procedures for instruments of commercial defence and, and on the other hand, common rules to apply from 1 January 1993 to imports from third countries with market economies and State-trading countries.

The Council referred these proposals back to COREPER for further work and agreed to place this item on its agenda again at its meeting on 21 December 1992.

The Presidency appealed to delegations and the Commission to display the degree of flexibility necessary in order to make decisive progress in future work.

STEEL - US ANTI-DUMPING AND COUNTERVAILING ACTIONS -
COUNCIL CONCLUSIONS

The Council, recalling and reaffirming its conclusions on 6 October concerning the numerous anti-dumping and countervailing actions filed in the US against steel imports, notes with grave concern the US Government decision of 30 November to impose provisional countervailing duties on certain flat steel products from the European Community and elsewhere. For some Community exporters, this has resulted in very high countervailing margins.

The Council is deeply concerned by the effect that the closure of a large segment of the US market to a significant volume of steel trade would have on the Community steel industry, which is already severely hit by crisis. The Council once more strongly urges the US Government to join its main steel trading partners in working to establish a multilateral steel arrangement that is both fair and liberal.

Given the political importance of the issue, the Council invites the Commission to take up the steel issue at political level with the US Government in order to obtain the withdrawal of the anti-dumping and countervailing actions and in the meanwhile to analyse as rapidly as possible the compatibility of the US approach with the GATT subsidies code.

NUCLEAR SAFETY IN CENTRAL AND EASTERN EUROPE
AND IN THE FORMER SOVIET UNION - COUNCIL CONCLUSIONS

1. The Council recalled the conclusions on nuclear safety adopted at the European Council in Lisbon and reaffirmed its commitment to help improve nuclear safety throughout Central and Eastern Europe and the former Soviet Union. In this context, the Council welcomed the work of the G-24 and the leading role of the Community in this area.

2. The Council emphasized the importance of urgent and concrete action to improve the safety of nuclear power plants since it falls below operational safety levels in practice in the Community.
3. The Council stressed the need for continuing efforts to be made under the Community's PHARE and TACIS programmes to assess the safety needs of reactors of Soviet design, to help to take specific remedial actions most urgently needed and to create or strengthen regulatory regimes in the countries concerned.
4. The Council underlined the urgency of implementing additional specific measures of practical assistance to nuclear plant operators in the region within the agreed PHARE and TACIS programmes. These measures should address the need both for operational safety improvements and for near-term technical improvements which have been identified as priorities.
5. The Council recalled the multilateral programme of action adopted by the G-24 and welcomed by the recipient countries, which should ensure the necessary co-ordination and greater efficiency in all bilateral and multilateral initiatives. It called on members of the G-24 and international organizations to ensure that their specific actions were consistent with the programme of work endorsed in the framework of the G-24.
6. The Council encouraged the Commission to continue its efforts towards the establishment of a multilateral fund and invited the Commission to be ready to contribute to that fund whenever created, in accordance with the conclusions of the Lisbon European Council. It urged other partners also to contribute significantly to this fund.
7. The Council welcomed the Commission's intention to adopt a closely co-ordinated approach to its nuclear safety activities under PHARE and TACIS. It also urged the Commission to hold regular meetings of experts from the Member States to assist, at a technical level, the Commission and the respective management committees in the preparation and implementation of these programmes.

POLITICAL CO-OPERATION

- SOMALIA

The Ministers discussed the situation in Somalia. They welcomed the adoption of the United Nations Security Council Resolution. They adopted the annexed statement.

- FORMER YUGOSLAVIA

The Ministers discussed the situation in Yugoslavia with a view to the forthcoming European Council in Edinburgh.

The Ministers heard Ambassador O'NEILL's report on relations between the Community and its Member States and the former Yugoslav Republic of Macedonia, which was requested by the Presidency, and held a discussion on the subject.

- DEVELOPMENT OF COMMON FOREIGN AND SECURITY POLICY

The Ministers approved a report on joint measures and development of CFSP in the field of security.

OTHER DECISIONS

Iraq

The Council adopted a Regulation prohibiting the honouring of Iraqi claims with regard to contracts and transactions affected by United Nations Security Council Resolution 661 (1990) and related Resolutions.

Relations with Central and Eastern European countries

The Council adopted decisions concerning the conclusion of agreements in the form of exchanges of letters concerning the extension after 31 December 1992 of the interim agreements with Hungary, Poland and Czechoslovakia.

The Council also adopted decisions concerning the conclusion of agreements in the form of exchanges of letters amending agreements on transit with Hungary and Czechoslovakia.

Making the Single Market work

Following the agreement in principle reached at the Internal Market Council meeting on 10 November 1992, the Council formally adopted the Resolution on making the Single Market work (see press release 9760/92 Presse 197).

Award of public works contracts

The Council adopted the common position on a proposal for a Directive amending Directive 71/305/EEC concerning the co-ordination of procedures for the award of public works contracts. The proposed Directive aims at making certain technical amendments to Directive 71/305/EEC concerning notices, statistical reporting and the nomenclature (NACE) referred to in the Annexes to Directive 71/305/EEC.

Customs union

The Council adopted a Regulation on the definition of the concept of originating products applicable to certain mineral products and to certain products of the chemical or allied industries within the framework of preferential tariff arrangements granted by the EEC to third countries.

Fisheries

The Council adopted a Regulation on the conclusion of the Protocol establishing, for the period from 1 January 1992 to 31 December 1993, the fishing rights and financial compensation provided for in the agreement between the European Economic Community and the Republic of Guinea.

Under that Protocol, applied provisionally since the beginning of 1992, the following Community vessels may fish off the Guinean coast for a period of two years: trawlers up to 12 000 grt a month, annual average, 24 freezer tuna seiners, 8 pole-and-line tuna vessels and 5 surface longliners.

Financial compensation is set at ECU 6 700 000 for the period in question.

The Council also adopted a Regulation opening and providing for the administration of Community tariff quotas and ceilings and establishing statistical surveillance for certain fish and fishery products originating in the Faroe Islands, from 1 January to 31 December 1993.

The duty-free quota volume is 5 600 tonnes of live fish, 2 400 tonnes of prepared or preserved fish and 2 000 tonnes of crustaceans, molluscs and other aquatic invertebrates.

The reference tariff ceilings relate to 66 850 tonnes of fish.

Under the existing trade agreement between the Community, of the one part, and Denmark and the Faroe Islands, of the other part, the Faroe Islands may export all fishery products to the Community duty-free and without being subject to ceilings, apart from certain sensitive products covered by this Regulation.

The logo for the European Political Cooperation (EPC) consists of the letters 'E', 'P', and 'C' in a bold, sans-serif font, arranged horizontally. The letters are white and set against a dark, textured rectangular background.

ANNEX

EUROPEAN POLITICAL COOPERATION

PRESS RELEASE

P. 113/92

Brussels, 7 December 1992

DECLARATION ON SOMALIA

The humanitarian crisis in Somalia continues to cause the gravest concern. The increasing looting of aid supplies and obstruction to their distribution cannot be accepted.

The Community and its member States fully support the adoption on 3 December of UNSCR 794, which constitutes an important development in international law, since it authorises the UN Secretary General and member States to cooperate to provide for a multinational force to establish a secure environment for the delivery of emergency and relief supplies. They welcome the humanitarian efforts made by the Community and its member States and the contributions of a number of member States to the force as a European initiative. The swift deployment of the force is vital to the success of the efforts of NGOs and international agencies to bring food to the starving in conditions of security. They attach particular importance to ensuring the safety of the personnel involved in the relief effort.

The Community and its member States reaffirm their full support for existing UN operations and the efforts by Ambassador Kittani. They hope that the implementation of UNSCR 794 will encourage national reconciliation that will lead to a lasting political settlement.

PRESS RELEASE

10788/92 (Presse 240)

1629th Council meeting

- RESEARCH -

Brussels, 9 December 1992

President: Mr William WALDEGRAVE

Chancellor of the Duchy of Lancaster
with responsibility for Science

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

Belgium:

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

Denmark:

Mr Bertel HAARDER Minister for Education and Research

Germany:

Mr Jochen GRÜNHAGE Deputy Permanent Representative

Greece:

Mr Georgeos PENELIS Secretary-General, Ministry of
Research

Spain:

Mr Elias FERERES State Secretary for the Universities
and Research

France:

Mr Hubert CURIEN Minister for Research and Space

Ireland:

Mr Michael AHERN Minister of State at the Department of
Industry and Commerce with special
responsibility for Science and
Technology

Italy:

Mr Alessandro FONTANA Minister for Scientific and
Technological Research

Luxembourg:

Mr Jim CLOOS Deputy Permanent Representative

Netherlands:

Mr Jo RITZEN Minister for Education and Science

Portugal:

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

United Kingdom:

Mr William WALDEGRAVE Chancellor of the Duchy of Lancaster
with responsibility for Science
Mr Robert JACKSON Parliamentary Secretary, Ministry of
Science and Technology

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Commission:

Mr Filippo Maria PANDOLFI Vice-President

THIRD FRAMEWORK PROGRAMME OF COMMUNITY ACTIVITIES IN THE FIELD OF
RTD (1990-1994)

The Council held a very detailed discussion on the supplementary financing to be provided for under the Third Framework Programme of Community activities in the field of research and technological development (1990-1994).

It was noted that, at its meeting on 12 October 1992, the Council had:

- agreed that some financial supplement could be appropriate subject to the definition of the financial perspectives for 1993-1997;
- noted the need to reflect as far as possible the existing proportional balance between activities established within the Framework Programme.

At the end of the discussion the President drew the following conclusions:

"The Presidency:

Recognises the desirability of the Council agreeing supplementary funding for the Third Framework Programme in the interests of maintaining continuity of research activities until the end of 1994;

Recognises the Council's wish to take a decision on this question before the end of 1992;

Notes the Opinion given by the European Parliament, particularly on the possible distribution of any supplementary funding;

Notes that, until the fourth Framework Programme comes into operation, the Commission intends to continue expenditure on promotion, support and monitoring activities ("APAS");

Considers that:

- early agreement by the Council on a figure for supplementary funding is most likely to be achieved within the range 750 to 900 MECU; and
- such a figure should be distributed on a proportional basis, with two Energy programmes, Fusion and Non-Nuclear Energy, receiving a more than proportional increase (the precise amounts depending on need and the overall figure agreed);
- undertakes to make the necessary arrangements to enable the Council to reach a common orientation before the end of the year."

FOURTH FRAMEWORK PROGRAMME OF COMMUNITY ACTIVITIES IN THE FIELD OF
RTD (1994-1998)

The Council held a policy debate on the Commission staff paper on the 4th Framework Programme (FP) on Community activities in the field of RTD (1994-1998).

Discussions centred on the structure and scope of the FP, implementing mechanisms and the management of the FP.

Pending the formal proposal from the Commission, discussions on the 4th Framework Programme will continue under the Danish Presidency.

THE EUROPEAN COMMUNITY AND SPACE

The Council noted the Commission's presentation of a communication entitled "The European Community and space; challenges, opportunities and new actions".

The communication is both an update and an extension of the Commission's first communication of July 1988 with a view to defining the principles of Community involvement in the European space effort.

INTERNATIONAL ASSOCIATION FOR PROMOTING SCIENTIFIC CO-OPERATION IN
THE INDEPENDENT STATES OF THE FORMER SOVIET UNION

The Council took note of the Commission's progress report on the International Association for promoting scientific co-operation in the independent States of the former Soviet Union.

MISCELLANEOUS DECISIONS

Internal market - Cultural goods

Further to an agreement in principle reached at the Council meeting on the Internal Market on 10 November 1992, the Council adopted:

- the Regulation on the export of cultural goods;
- the common position on the Directive on the return of cultural objects unlawfully removed from the territory of a Member State.

(See press release No 9760/92 (Presse 197).)

It should be stressed that the Regulation is due to enter into force on the third day following the publication in the Official Journal of the Directive, which will not be finally adopted until the co-operation procedure with the European Parliament has been completed.

PRESS RELEASE

10792/92 (Presse 244)

1630th Council meeting

ECONOMIC AND FINANCIAL QUESTIONS

Brussels, 14 December 1992

President: Mr Norman LAMONT

Chancellor of the Exchequer
of the United Kingdom

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

Belgium:

Mr Philippe MAYSTADT Minister for Finance

Denmark:

Mr Thor PEDERSEN Minister for Economic Affairs

Germany

Mr Christoph ZEITLER State Secretary for Finance

Greece:

Mr Stefano MANOS Minister for Economic Affairs
Mr Michail GALELIANOS State Secretary for Finance

Spain:

Mr Antonio ZABALZA State Secretary for Finance

France:

Mr François SCHEER Ambassador, Permanent Representative

Ireland:

Mr Pádraic MACKERNAN Ambassador, Permanent Representative

Italy:

Mr Giovanni GORIA Minister for Finance

Luxembourg:

Mr Jean-Claude JUNCKER Minister for Finance

Netherlands

Mr B.R. BOT Ambassador, Permanent Representative

Portugal:

Mr José BRAZ State Secretary for the Treasury

United Kingdom:

Mr Norman LAMONT Chancellor of the Exchequer
Sir John COPE Paymaster General

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Commission:

Mr Henning CHRISTOPHERSEN Vice-President
Mrs Christiane SCHRIVENER Member

The following also attended:

Mr Jean-Claude TRICHET Chairman of the Monetary Committee

FOLLOW-UP TO THE CONCLUSIONS OF THE EDINBURGH EUROPEAN COUNCIL

The Council discussed ways of ensuring rapid and efficient implementation of the European Council's declaration on promoting economic recovery in Europe.

It agreed to examine the matter in greater detail at its meeting on 18 January 1993 on the basis of a communication from the Commission and the Monetary Committee, and in particular to discuss the economic measures to be taken on a concerted basis by the Member States and the implementation of a new, temporary lending facility of ECU 5 thousand million within the EIB and of a European Investment Fund with a capital of ECU 2 thousand million.

LIBERALIZATION OF CAPITAL MOVEMENTS IN GREECE

Reacting favourably to a proposal from the Commission, the Council agreed to authorize the Hellenic Republic to defer certain capital movements beyond 31 December 1992.

Under the Commission proposal, Greece could maintain restrictions on the following capital movements until 30 June 1994:

- operations in current and deposit accounts with financial institutions:
 - = operations of a duration of less than one year carried out by residents with foreign financial institutions;
- financial loans and credits of a duration of less than one year;
- personal capital movements
 - = loans of a duration of less than one year;
- physical import and export of financial assets:
 - = means of payment.

Mr TRICHET, who told the meeting of the Monetary Committee's favourable opinion, stated that the Committee's examination had shown that the economic situation in Greece was moving along the right lines.

ABOLITION OF FISCAL FRONTIERS

VAT

The Council adopted an amendment to Directive 77/388/EEC involving, with a view to the abolition of fiscal frontiers on 1 January 1993, some simplifications and fine-tuning of the common VAT system and in particular defining the transitional measures needed between the provisions currently in force and those that will enter into force on 1 January 1993.

Excise duty

The Council adopted an amendment to Directive 92/12/EEC on the general arrangements for products subject to excise duty entailing, along similar lines to the VAT Directive mentioned above, additions to the excise duty arrangements adopted at the beginning of 1992 and relating in particular to the definition of the fiscal territory of the Member States, certain special schemes and the simplification of certain administrative procedures.

VAT arrangements applicable to second-hand goods, works of art and collector's items

Continuing its work on the VAT arrangements to be applied to second-hand goods, works of art, collector's items and antiques, the Council discussed the issues still outstanding, in particular the various options as regards the fiscal treatment of imported works of art and second-hand jewellery.

The Council instructed the Permanent Representatives Committee to continue discussions on the issue with a view to a solution in the near future.

ROAD TRANSPORT TAXATION

The Council took note of progress on the draft conclusions on road transport taxation following the meeting of the Transport Council on 7 and 8 December 1992.

It proposed possibly to return to the issue after the Transport Council meeting on 21 December 1992.

TRAVELLERS' ALLOWANCES

The Council reached broad agreement on increasing the level of travellers' allowances - currently ECU 45 - to ECU 175 for travellers coming from third countries and to ECU 90 for tax-free purchases made in the course of intra-Community travel (duty free shops). For travellers returning to Spain from the Canary Islands, Ceuta or Melilla, an allowance of ECU 600 is to be granted for a transitional period.

One delegation reserved its position.

CONTROL OF TAX-FREE SALES - COUNCIL CONCLUSIONS

The Council recalls its view, expressed at the time of adoption of Directives 91/680 and 92/12, that effective measures are needed at Community level for the proper control of tax-free sales in the Community and the agreement that guidelines would be necessary.

The Council wishes to emphasize the importance it places on ensuring that adequate control systems exist in all Member States to ensure fair and equal treatment for passengers and businesses alike, while also respecting the need to protect the economies of each Member State.

The Council expects each Member State to take all necessary measures to correct any failure of controls which is reported to it as leading to evasion, avoidance or abuse.

The Council considers it essential that each Member State should take appropriate measures to ensure that travellers are notified at duty-free and tax-free outlets of the relevant quantitative and value limits to be applied.

The Council agrees that in establishing the necessary minimum levels of control Member States will respect the principles set out in the Annex to these conclusions.

The Council invites the Commission to review the operation of Member States' controls, in particular in relation to the effective prevention of multiple and repeat sales, in the light of practical experience. The Council urges the Commission to report to the Council as soon as possible on the operation of these controls and, if necessary, to propose any appropriate measure for adoption at the earliest possible date and in any event not later than 31 December 1993.

TAX ON CO₂ EMISSIONS AND ENERGY - COUNCIL CONCLUSIONS

1. The Council recalls the conclusions of the joint Energy/Environment Councils of 29 October 1990 and 13 December 1991 on the subject of CO₂ emissions and strategy. The Council also notes the commitments undertaken by the Community and Member States on controlling CO₂ emissions in the Climate Change Convention. The Council further notes the importance of pursuing "no regrets" measures and measures to achieve these commitments which are cost-effective.
2. The Council recalls its conclusions of 13 and 16 December 1991 which recognized the need for a strategy at Community level based on a wide-ranging package of Community and national measures, and that fiscal instruments were likely to be needed to complement national and Community measures to reduce CO₂ emissions and to improve energy efficiency. It notes that the Commission has since submitted a proposal for a Council Directive introducing a tax on carbon dioxide emissions and energy. But a decision on whether, and if so under what circumstances, such a tax should be introduced throughout the Community requires analysis of its impact, notably on energy consumption, economic activity and competitiveness. The Council recalls its invitation to the Economic Policy Committee to update its report on the economic effects of the Community strategy to limit CO₂ emissions and to improve energy efficiency in the light of the Commission's proposal, and invites it to take particular account of these issues.
3. The Council notes the useful work done by the ad hoc Working Party on the Commission's proposal, and calls on the Working Party to continue its work on the basis of papers presented by the Commission and the Member States. Without prejudice to its future decisions on the adoption of the proposed Directive, the Council invites the ad hoc Working Party, taking due account of the conclusions of the Edinburgh Council of December 1992 on the principle of subsidiarity, to examine in particular the following important outstanding issues:
 - the appropriate degree of harmonization of any tax;
 - the appropriate level of the minimum rate;
 - whether the minimum rate should be applied on top of existing excise duties on mineral oils or in addition to the minimum rates laid down in Community legislation;
 - the appropriate balance between the carbon and energy elements in the proposed tax;
 - the appropriate method of taxing electricity;
 - whether it is appropriate to lay down at Community level an obligation on Member States to ensure tax neutrality and conditions for the use of the revenues from the proposed tax which would accrue to Member States;
 - to what extent negative effects of the tax on competitiveness can be offset by the proposed system of exemptions;
 - whether, and if so how, the implementation of the proposed tax should be conditional on action taken by countries outside the Community, particularly other OECD countries;

- reduction in the tax burden by means of measures to increase the incentive effect;
- the necessary conditions to ensure that the tax does not lead to distortions between the fiscal systems of the Member States and does not prejudice the process of Community fiscal harmonization.

MISCELLANEOUS DECISIONS

Export credits

The Council adopted a Decision extending the Decision of 4 April 1978 on the application of certain guidelines in the field of officially supported export credits.

Relations with Switzerland

The Council approved, as regards the Community, the draft Decision of the EEC-Switzerland Joint Committee amending the Agreement between the EEC and Switzerland and some other Agreements concluded in that context between the EEC and Switzerland consequent on the implementation of the Harmonized Commodity Description and Coding System.

Relations with Macao

The Council adopted a Decision concerning the conclusion of a Trade and Co-operation Agreement between the EEC and Macao, which was signed in Brussels on 15 June 1992 (see press release 7113/92 Presse 110).

This Agreement should enter into force on 1 January 1993, after both parties have notified each other of completion of the ratification procedures within the next few days.

Textiles

The Council adopted:

- a Decision authorizing the Commission to open negotiations with a view to the conclusion of an additional textiles Protocol with Bulgaria and Romania on the quantitative arrangements applicable to trade in textiles products with those countries;
- a Regulation opening and providing for the administration of a Community tariff quota for certain hand-made products (1993);
- a Regulation opening and providing for the administration of Community tariff quotas for certain hand-woven fabrics, pile and chenille (1993).

Australia: Agreement on wine

The Council adopted a Decision authorizing the Commission to open negotiations with Australia with a view to the conclusion of an Agreement on trade in wine with the aim of facilitating and promoting trade in wine between the EEC and Australia.

Anti-dumping

The Council adopted a Regulation imposing a definitive anti-dumping duty of 32% of the net, free-at-Community-frontier price on imports of ferrosilicon originating in Poland and Egypt (containing 10-96% silicon by weight) and authorizing the definitive collection of amounts secured by way of the provisional duty. However, the duty will not apply to products manufactured by the following companies:

- Egyptian Ferroalloys Company, Cairo;
- Huta Laziska Ferroalloys Plant, Laziska-Gorne.

Internal market

The Council adopted:

- a common position on the Directive to facilitate the free movement of doctors and the mutual recognition of their diplomas, certificates and other evidence of formal qualifications (consolidated version). The main purpose of the Directive is to consolidate existing Directives in the fields of:
 - = the mutual recognition of diplomas, certificates and other evidence of formal qualifications in medicine, comprising measures to facilitate the effective exercise of the right of establishment and freedom to provide services;
 - = co-ordination of provisions laid down by law, regulation or administrative action in respect of activities of doctors;
 - = specific training in general medical practice;
- further to the common position adopted on 23 July 1992 and completion of the co-operation procedure with the European Parliament, a Directive on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances.

Customs union

The Council adopted Regulations temporarily suspending the autonomous Common Customs Tariff duties on:

- a number of products for the construction, maintenance and repair of aircraft;
- a number of industrial products (chemical and allied sectors);
- a number of industrial products (microelectronics and related sectors);
- a number of agricultural products;
- imports of certain fishery products into the Canary Islands.

ANNEX

Guidelines agreed between the Member States for the control of
tax-free sales in the Community

1. Introduction

The provisions of Council Directives 91/680/EEC and 92/12/EEC authorize, respectively, the continuation of VAT and excise duty-free sales to intra-Community travellers subject to certain conditions until 30 June 1999.

A basic principle of the Community legislation which has to be respected is that individual vendors shall not sell goods VAT- and excise duty-free in excess of the amounts provided for in the Directives in question to individual travellers. In the absence of the possibility for Member States to control such sales at the arrival of travellers in each Member State by virtue of the removal of controls at frontiers, the Member States must ensure that VAT and duty-free vendors respect the Community rules relating to the limits applied to such sales.

The provisions relating specifically to excise duties refer to those products which are subject to harmonization at Community level and to perfumes and toilet waters.

To achieve this objective the control system must encompass the following elements.

These elements are based on the need for vendors themselves to control their sales to individual purchasers and on the need for the authorities to control sales made by vendors.

2. Vendor control

- (a) Each individual vendor is only allowed to sell to each individual intra-Community traveller goods up to the maximum value (or amount) permitted by the Directives in question. Sales above these thresholds will be liable to VAT and/or excise duties.

To ensure respect of this principle the Member State will introduce a system whereby sales by vendors to individual purchasers may not exceed these limits.

- (b) In addition, a global accounting may be undertaken for each individual tax and duty-free sales outlet.
- (c) The Member States will ensure that each vendor keeps accounts and records in a manner that allows the authorities of that Member State to examine and verify the type and quantity of sales by each vendor. This must allow the authorities both to ensure that the sales limits have not been exceeded in individual cases and that the vendors furnish the information necessary to allow the global accounting referred to in (b) above.

2.1 Sales at airports and on board aircraft

For products liable to excise duties, Member States will, if appropriate, provide for vendors to demonstrate that they have

made a sale to an individual traveller on a boarding card or equivalent document issued to each traveller.

2.2 Sales on board ferries

In relation to VAT- and duty-free sales on ferries between Member States, the Member States concerned will enter into bilateral arrangements to ensure adequate control on ferry routes between them. These bilateral arrangements will, in particular, provide for measures to ensure that sales to individual passengers do not exceed the value or quantitative limits set out in the two Directives.

For that purpose the Member States will, if appropriate, provide for use of the ticket system of the ferry operator or some other procedure to ensure respect of the limits.

3. Application of the guidelines

These elements of the guidelines represent a minimum which Member States will respect in the control of the VAT- and duty-free sales limits provided for in Article 28k(5) of Council Directive 91/680/EEC and Article 28(3) of Council Directive 92/12/EEC.

In addition to the control measures applied by the Member States to ensure the proper control of VAT- and duty-free sales the Member States will, where appropriate, have recourse to the Community provisions on administrative co-operation and mutual assistance.

PRESS RELEASE

10793/92 (Presse 245)

1631st Council meeting

AGRICULTURE

Brussels, 14, 15, 16 and 17 December 1992

President: Mr John GUMMER
Minister for Agriculture,
Fisheries and Food of
the United Kingdom

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 Laurits TOERNAES Minister for Agriculture

Mr Nils BERNSTEIN State Secretary for Agriculture

Germany:

Mr Ignaz KIECHLE Federal Minister for Food, Agriculture and Forestry

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

Greece:

Mr Christos KOSKINAS Minister for Agriculture

Spain:

Mr Pedro SOLBES MIRA Minister for Agriculture

France:

Mr Jean-Pierre SOISSON Minister for Agriculture

Ireland:

Mr Joe WALSH Minister for Agriculture and Food

Italy:

Mr Giovanni FONTANA Minister for Agriculture

Luxembourg:

Mrs 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

Mr David CURRY Minister of State, Ministry of Agriculture, Fisheries and Food

Commission:

Mr Ray MAC SHARRY Member

AGRICULTURAL QUESTIONS: OVERALL COMPROMISE

After lengthy discussions the Council reached overall agreement on the basis of a Presidency compromise package which the Commission endorsed in the final stage of the proceedings.

The agreement covers numerous measures concerning completion of the agricultural internal market as well as consolidation of the CAP reform agreed on 30 June 1992 and certain international commitments which had to be honoured by the Community.

Two delegations adopted positions subject to confirmation and will state their definitive views at the earliest possible opportunity.

The details of the agreement are described below.

1. The Council unanimously approved:

- the proposal for a Regulation concerning United Kingdom imports of New Zealand butter in 1993;
- the Decision on the granting of special aid for the distillation of certain wines in France.

2. Pending the Opinion of the European Parliament, it also unanimously adopted a favourable policy stance on:

- the proposal for a Regulation repealing or adapting transitional measures applicable to agricultural products pursuant to the Act of Accession of Spain.
In the case of Portugal, the transitional measures will not be repealed or adapted, and the transitional arrangements provided for in the Act of Accession will continue to apply;
- the proposal for a Regulation extending the period during which the Commission may adopt measures enabling the arrangements existing in Spain and Portugal to be progressively adjusted to

the rules of the common organizations of the markets.

3. The Council approved by a qualified majority:

- the proposal for a Regulation adapting the agrimonetary system to completion of the single market;
- the proposals for Regulations extending the voluntary restraint arrangements for trade in mutton, lamb and goatmeat;
- the proposal for a Regulation consolidating and simplifying the milk quota scheme;
- the proposal for a Regulation amending the basic Regulation on beef and veal (suckler-cow premium, deseasonalization, arrangements for the new German Länder);
- the proposal for a Regulation laying down the new agricultural conversion rates for the peseta and the lira (as from 22 December 1992);
- the main features of the external aspects of the future arrangements for bananas:
 - (a) opening of a 2 million tonne reduced-duty (ECU 100/tonne) tariff quota subject to increase in the light of the market situation. Imports in excess of the quota will be subject to a duty of ECU 850/tonne;
 - (b) duty-free imports from ACP States will be allowed up to the traditional level reflecting their highest sendings in any one year up to and including 1990. These exports may be increased under certain conditions. For ACP non-traditional quantities, the ECU 100/tonne duty will be reduced;
 - (c) introduction of a scheme to distribute licences giving

access to the reduced-duty tariff quota and ensuring compliance with obligations towards Community and ACP producers;

(d) provisional measures to ensure transition to the definitive arrangements to be adopted before 1 March 1993 in order to permit their full implementation no later than 1 July 1993.

4. Pending the European Parliament's Opinion, the Council also adopted by a qualified majority a favourable policy stance on

- the proposal for a Regulation concerning 1992 Spanish imports of maize and sorghum;
- the proposal for a Regulation amending the basic Regulation on fruit and vegetables (repeal of national quantitative restrictions).

5. The Council agreed on a number of statements concerning:

(a) Durum wheat

The Council welcomed the fact that the Commission intended shortly to propose a Regulation which would:

= allow the use of the reference period 1992/1993 in Spain (subject to an overall maximum of 550 000 hectares);

= for Portugal, allow the use of the reference year 1990/1991 for areas sown to durum as indicated by the General Agricultural Survey carried out in 1989 (so as to allow a total of 30 000 hectares);

= add to the traditional zones in France the following areas:

Department of Ardeche	600 hectares
Department of Drome	2 300 hectares
Department of Midi-Pyrenees	60 455 hectares.

(b) Socio-cultural aid in Germany

The Council agreed to extend this aid for three years.

(c) Virginia tobacco

The Council requested the Commission to re-examine the distribution of quotas attributed to the various varieties of tobacco in Greece with a view to taking better account of the way the production of Virginia had developed on the basis of investments decided before 30 December 1991 and to report its conclusions as soon as possible.

(d) Portuguese agriculture

The Council approved the intention of the Commission to present early proposals in relation to the conversion to extensive livestock production of up to 200 000 hectares of arable lands formally collectivized in Portugal, to be stocked at not above 0,5 lu per hectare.

(e) Pigmeat

The Council noted that the Commission would follow price developments in the pigmeat market with close attention and would take counter-cyclical action as soon as this was appropriate.

(f) Small slaughterhouses

The Directive concerning temporary derogations in the veterinary sector has been amplified to take account of the specific problems facing small slaughterhouses (see page 13, point 5, below).

(g) Sheepmeat

The Council requested the Commission to present a proposal which would ensure that, as originally envisaged when the

reform of the common regime for sheepmeat was decided in 1989, 1992 should, for the purposes of the calculation of the ewe premium in Ireland and Northern Ireland be treated as the last year of transition towards a common premium. The proposal should also provide a special one-off increase in the rural world premium, taking the premium for 1992 only to ECU 7, applicable in the less-favoured areas in all Member States.

(h) Potatoes

The Council invited the SCA to take forward the Commission's proposal on potatoes, including the addition of provisions for marketing standards, and refer it to the Council for decision as soon as the European Parliament's Opinion had been given.

(i) Italian milk quotas

The Council adopted the following conclusion by a qualified majority:

"The Council notes the efforts now being made by Italy to resolve the problem of compliance with the milk quota system and thereby to reduce its production by 1,57 million tonnes. The Council agrees to consider, subject to the receipt of proof of the satisfactory application of the system, including in relation to direct sales, an increase in the Italian global wholesale quantity of 0,9 million tonnes; it also agrees to provide Community finance for the purchase of part of the excess quantity which now exists (see details in the table below). The modalities would be the same as those envisaged in the cases of Greece and Spain, except that the date for the transmission of the report should, in the case of Italy, be 30 January 1993 and the period during which the buy-up scheme might take place would be set at three years so that it was completed by 1 April 1995."

Hence a final decision on this dossier will be taken by the Council in the light of all relevant factors, including particularly a Commission report on the application of milk quotas in Italy as provided for above.

	<u>Million tonnes</u>
I. Excess to be removed	2,47
II. Of which to be removed without compensation in accordance with Italian law	0,84
III. Net excess	1,63
IV. Increase in wholesale quota	0,90
V. Amount to be bought up	0,73
VI. Amount to be purchased with Community contribution (25% of V)	0,20

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GATT

- Uruguay Round - agriculture

On the basis of an introductory statement by the Commission, the Council held an in-depth debate on the progress of the Uruguay Round negotiations and its potential implications for the common agricultural policy.

At the close of the debate the President, referring to the Edinburgh European Council's conclusions on GATT, noted as follows:

"The Council reaffirms its intention to continue an analysis in appropriate fora of the compatibility with the CAP of the results of the negotiations, including in particular in the Agriculture Council and its committees. It will take the results of these deliberations into account when judging the final global package and, in the event of a positive decision, will draw the appropriate conclusions."

Some delegations entered reservations on the last two lines of this conclusion.

VETERINARY MATTERS

The Council adopted on schedule a package of measures completing the introduction of the conditions fixed by the White Paper for veterinary and zootechnical harmonization in order to enable veterinary checks at frontiers between Member States to be abolished as from 1 January 1993.

1. Fresh poultrymeat

The purpose of the text adopted is to update the text of Directive 71/118/EEC in order to take account of experience gained not only in the field of health inspection and slaughterhouse structure, but also in respect of developments in consumers' habits regarding products hitherto produced under national derogating provisions. The principal amendments to the existing text are aimed at:

- = stepping up pre-slaughter health checks on holdings of origin in order to monitor breeding conditions for poultry;
- = abolishing the health certificate for intra-Community trade, except where necessary to guarantee compliance with animal health requirements and for Community products destined for Greece following transit through a third country;
- = including in the Directive own checks requirements for those in charge of slaughterhouses, and the conditions for approval of establishments (including small establishments) and Community inspection as adopted in the text concerning fresh meat (91/497/EEC);
- = spelling out inspection rules for partly eviscerated poultry ("effilé") and New York dressed poultry in order to ensure the free movement of such meat;

= fixing the conditions for placing on the market poultrymeat imported from third countries which will have to satisfy the minimum requirements laid down for intra-Community trade which appear on the list of third countries presenting no animal health risk and on that of establishments for which the veterinary services of the third countries concerned can guarantee compliance with Community health requirements.

2. Zoonoses

The text establishes a general framework to serve in general to ensure collection of information on the real situation in the Member States as regards the main zoonoses (salmonella, trichinosis, listeriosis, etc.) with a view to appropriate action at Community level to control zoonoses presenting a risk to consumer health.

As a first step, the Council acknowledged the need for immediate action at Community level to introduce measures aimed at sanitizing poultry farms contaminated by salmonellosis with the help of Community funding.

3. Products not yet harmonized (Catch-all Directive)

Directive 92/65/EEC adopted on 13 July 1992 laid down animal health rules designed to prevent the spread of diseases transmissible to animals.

The text adopted by the Council is aimed at imposing Community veterinary rules on all products subject to veterinary checks in the Member States but not yet covered by a specific directive.

It reproduces the principle adopted in Directive 92/65/EEC, to the effect that all the products concerned may move, or be imported, freely except where for a given product the Directive's

annexes prescribe specific requirements regarding diseases transmissible to human beings and also to animals.

4. Animal diseases

The Directive adopted introduces general Community measures for the control of certain animal diseases not yet covered by common control rules (e.g. rinderpest, bluetongue, vesicular stomatitis, etc.) and specific measures relating to swine vesicular disease, which is currently giving rise to serious animal health risks for the Community.

The measures proposed are designed to eradicate or prevent the propagation of these diseases, the outbreak or spreading of which may adversely affect the functioning of the internal market, by taking immediate and effective action once the presence of such a disease has been confirmed, notably by organizing a thorough epidemiological inquiry, immediate slaughter of infected animals, cleaning and disinfecting contaminated holdings, and establishing a protection zone and a surveillance zone with a view to careful control of movements of animals, products or any other substances liable to spread the infection.

In order to implement the control measures provided for in this Directive Community financial aid is allocated as part of expenditure in the veterinary sector.

5. Temporary derogations

The purpose of the text adopted is to take account, for a limited transitional period, of certain difficulties encountered by Member States in ensuring compliance, as at 1 January 1993, with the chiefly structural requirements imposed by the texts adopted over the last two years in accordance with the White Paper.

Moreover, regarding small slaughterhouses, the Council agreed that the throughput provisions of Article 13(1) first subparagraph of Directive 64/433/EEC should apply to the slaughterhouses mentioned in Article 4(A) until 31 December 1994. Correspondingly, for cutting plants, the figure in Article 4(2) first subparagraph of that Directive shall be five tonnes per week for the same period.

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The Council noted that, following adoption of the measures forming part of this package along with the agreements already reached, notably on the application of measures for the free circulation of animal products and live animals under Directives 89/662/EEC and 90/425/EEC respectively, the Single Market had been completed in the veterinary and zootechnical sectors within the deadlines provided for in the White Paper.

The Council requested the Commission to take all the necessary action to put in place the detailed implementing measures in those areas where the Council had delegated competence to the Commission and to respond, with any necessary proposals, to any difficulties that may arise in the implementation of the Single Market measures.

Furthermore, the Council stressed the need for continuing and constructive liaison between the services of the Member States and of the Commission to ensure the smooth operation of the Single Market.

To achieve this, it underlined the importance of continuing to seek coherence and transparency in Community veterinary legislation and to work for its scientific and technical realization, recalling, to this end, the importance of the partnership to ensure the confidence of the citizens of Europe in the Single Market.

The Council welcomed the realization of the Single Market and the suppression of border controls in the veterinary and zootechnical sectors and, in particular, thanked the Commission, the Chief Veterinary Officers and the Council Secretariat for their contribution over recent years to the achievement of this objective.

PLANT HEALTH

The Council noted that, on 14 December 1992, the Commission had forwarded to it a proposal for a 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.

The purpose of the proposal is to set a precise date for implementation of Directive 77/93/EEC, and it thus establishes the legal security needed for national administrations and operators who will shortly be called upon to act in a Community area without internal frontiers.

The Council reached a favourable position on that text and agreed to continue with the procedure for its adoption as soon as the European Parliament, which had been consulted, had delivered its Opinion.

It calls upon Member States and the Commission to seek, on the basis of maintenance of the status quo in the context of the removal of controls at internal frontiers, agreement on which was reached during the preparatory discussions conducted by the various Council Working Parties, appropriate arrangements to obviate any difficulty which may arise during the transitional period ending on 31 May 1993.

FURTHER DECISIONS CONCERNING AGRICULTURE

The Council adopted:

- the Directive amending Directive 88/657/EEC laying down the requirements for the production of, and trade in, minced meat, meat in pieces of less than 100 grams and meat preparations.

The purpose of this amendment is to defer the date on which intra-Community trade rules are extended to meat produced for the national market, so that the Commission proposal can be further examined whilst the derogating rules for meat reserved for the national market are maintained;

- the Decision laying down methods for the analysis and testing of heat-treated milk for direct human consumption; the aim is to establish the standards prescribed by Directive 85/397/EEC on health and animal-health problems affecting intra-Community trade in milk;
- the Decision on the conclusion of the Protocol of Amendment to the European Convention for the protection of animals kept for farming purposes; the Protocol concerned was drawn up to take account of scientific and technical progress in livestock rearing;
- the Decision amending Decision 85/360/EEC on the restructuring of the system of agricultural surveys in Greece. The Decision extends by 3 years - until 1996 - the period for carrying out the programme for restructuring the system in Greece, so as to achieve the objectives defined by the Council in 1985.

The Council further adopted:

- the Regulation setting for the 1992/1993 marketing year the percentage referred to in Article 3(1)a, second subparagraph, of Regulation No 426/86 in connection with the premium granted for products processed from tomatoes. The figure involved here is the percentage of the quantities of tomatoes covered by contracts concluded with producers' associations. The percentage has been set at the same level as for the previous year, i.e. at 80%;
- the Regulation amending Regulation No 2990/82 on the sale of butter at reduced prices to persons receiving social assistance. The aim is to extend the reduced-price selling arrangements by 2 years, until 31 December 1994. The aid amounts to ECU 140/100 kg.

DECISION CONCERNING FISHERIES

The Council adopted the Decision authorizing the Commission to negotiate a new fisheries agreement with Canada with a view to normalizing fisheries relations between the two Parties. The previous fisheries agreement between the Community and Canada, which is no longer in force, was concluded in 1981.

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

10795/92 (Presse 247)

1632nd Council meeting

- Telecommunications -

Brussels, 15 December 1992

President: Mr Timothy SAINSBURY

Minister of State,
Department of Trade and
Industry of the
United Kingdom

15.XII.92

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 Torben RECHENDORFF Minister for Communications
Mr Helge ISRAELSEN State Secretary for Ecclesiastical Affairs
and Communications

Germany

Mr Jochen GRÜNHAGE Deputy Permanent Representative

Greece

Mr Jean CORANTIS Deputy Permanent Representative

Spain

Mrs José BORRELL Minister for Communications

France

Mr Emile ZUCCARELLI Minister for Posts and Telecommunications

Ireland

Mr Bernard McDONAGH Secretary-General, Department of Tourism,
Transport and Communications

Italy

Mr Giorgio CASOLI State Secretary for 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 Timothy SAINSBURY Minister of State, Department of Trade and
Industry

Mr Edward LEIGH

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

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Commission

Mr Filippo Maria PANDOLFI Vice-President
Mr Jean DONDELINGER Member

HIGH-DEFINITION TELEVISION

The Council continued its discussions on the proposal for a Decision on an action plan for the introduction of advanced television services in Europe. Substantial difficulties remained for one delegation regarding adoption of the action plan as it stands. The Presidency proposed a compromise text based essentially on the following points:

- a certain amount would be devoted in 1993 to promoting the development of high-definition television services;
- the Commission would be asked to carry out a study in collaboration with the Member States on the prospects for the introduction of digital technologies, to be submitted to the Council not later than April 1993;
- the proposal for a Decision on the action plan would then be re-examined by the Council in the light of the aforementioned study.

The other eleven delegations and the Commission did not support the Presidency's compromise text, and in a joint statement they

- announced that they were prepared to adopt the action plan as amended during the Council's discussions, with a budget allocation of ECU 500 million for a period of 5 years;
- called on the United Kingdom delegation to endorse their point of view before final adoption of the 1993 budget;
- expressed the hope that the consensus reached by eleven delegations would be taken into consideration by the General Affairs Council on 21 December 1992 as a follow-up to the Edinburgh European Council.

PRESS RELEASE

10796/92 (Presse 248)

1633rd Council meeting

- ENVIRONMENT -

Brussels, 15 and 16 ^{December} ~~May~~ 1992

President: Michael HOWARD,

Secretary of State for the
Environment

PRESS RELEASE

10796/92 (Presse 248)

COR 1(en)

433

C O R R I G E N D U M

1633rd Council meeting

- ENVIRONMENT -

President: Michael HOWARD,

Secretary of State for the
Environment

This meeting was held on
15 and 16 December 1992.

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

Belgium:

Mrs Laurette ONKELINX Minister for the Environment

Denmark:

Mr Per Stig MØLLER Minister for the Environment
Mr Leo BJØRNESKOV State Secretary for the Environment

Germany:

Mr Klaus TOEPFER Minister for the Environment

Greece:

Mr Achilleas KARAMANLIS Minister for the Environment,
Regional Planning and Public Works

Spain:

Mr José BORRELL Minister for Public Works and
Transport
Mr Vicente ALBERO State Secretary for the Environment

France:

Mrs Ségolène ROYAL Minister for the Environment

Ireland:

Mr Eamonn RYAN Deputy Permanent Representative

Italy:

Mr Carlo RIPA DI MEANA Minister for the Environment

Luxembourg:

Mr Alex BODRY Minister for the Environment

Netherlands:

Mr J.G.M. ALDERS Minister for Housing, Planning and
the Environment

Portugal:

Mr Carlos BORREGO Minister for the Environment and
Natural Resources

United Kingdom:

Mr Michael HOWARD Secretary of State for the
Environment
Mr David MACLEAN Minister for the Environment and
Countryside

Commission:

Mr Karel VAN MIERT Member

WASTE FROM THE TITANIUM DIOXIDE INDUSTRY

On completion of the co-operation procedure with the European Parliament, the Council adopted by a qualified majority the Directive on procedures for harmonizing the programmes for the reduction and eventual elimination of pollution caused by waste from the titanium dioxide industry.

The purpose of this Directive is to fill the temporary legal void created by the judgment delivered by the Court of Justice of 11 June 1991 whereby Directive 89/428/EEC is annulled on grounds of infringement of an essential procedural requirement, in particular lack of a proper legal basis.

The new Directive, which is based on Article 100a of the Treaty, retains the technical provisions (prohibition of dumping and discharges, limit values) of the annulled Directive so as to ensure continuity in implementing the environmental protection objectives as adopted by the Council in this area in 1989.

Since the implementation timetable laid down in the annulled Directive 89/428/EEC has been largely overrun, new target dates have been set.

COMMUNITY ECO-AUDIT SCHEME

Pending the Opinion of the European Parliament, the Council discussed in detail the proposal for a Regulation allowing voluntary participation by companies in the industrial sector in a Community Eco-management and audit scheme (Eco-audit).

The discussion showed that eleven delegations were favourably disposed towards the proposal. The German delegation upheld a general scrutiny reservation.

The objective of the scheme is to promote continuous improvements in the environmental performance of industrial activities by:

- the establishment and implementation of environmental policies, programmes and management systems by companies, in relation to their sites;
- the systematic, objective and periodic evaluation of the performance of such elements;
- the provision of information on environmental performance to the public in the form of "environmental statements".

According to the text, in order for a site to be registered in the scheme the company must:

- adopt a company environmental policy, in accordance with certain relevant requirements which must include commitments aimed at the continuous improvement of environmental performance;
- conduct an environmental review of the site and introduce, in the light of the results of that review, an environmental programme for the site and an environmental management system applicable to all activities at the site;
- carry out, or cause to be carried out environmental audits at the sites concerned, in accordance with certain criteria and in compliance with certain requirements concerning the accreditation of the environmental verifiers;
- set objectives at the highest appropriate management level, aimed at the continuous improvement of environmental performance in the light of the findings of the audit, and appropriately revise the environmental programme to enable the set objectives to be achieved at the site;
- prepare an environmental statement specific to each site audited;
- have the environmental policy, programme, management system, review or audit procedure and environmental statement or

statements examined to verify that they meet the relevant requirements of this Regulation and that the environmental statements are validated by the competent authorities;

- forward the validated environmental statement to the competent body of the Member State where the site is located and disseminate it as appropriate to the public in that State after registration of the site in question.

Each year the Commission shall publish in the Official Journal of the European Communities a list of all the registered sites in the Community.

Member States may promote companies' participation in the Eco-management and audit scheme, in particular the participation of small and medium-sized enterprises. The Commission would present appropriate proposals to Council aiming at greater participation in the scheme by small and medium-sized enterprises, in particular by providing information, training and structural and technical support concerning the audit and verification procedures.

Furthermore, during the review to take place not more than five years after the entry into force of this Regulation, the Commission would propose to the Council any appropriate amendments, particularly concerning the scope of the scheme.

The Council instructed the Permanent Representatives Committee to finalize the text once the German delegation has withdrawn its reservation, having due regard to the Opinion of the European Parliament.

AIR POLLUTION BY EMISSIONS FROM MOTOR VEHICLES

The Council adopted by a qualified majority a common position on the substance of the Directive to tighten up limits on pollutant emissions from light commercial vehicles (1).

Under Directive 91/441/EEC these vehicles currently benefit from transitional requirements less stringent than those applied to passenger cars.

The purpose of the new Directive, within the framework of the completion of the internal market and of environmental protection, is thus to make the emission standards applicable to this category as stringent as those now in force for passenger cars.

In this connection, the common position provides for the introduction of the following limit values for pollutant emissions (carbon monoxide, hydrocarbons, nitrogen oxides and particulates):

- class II (1 250 to 1 700 kg)
CO : 5,17 g/km
HC + NOX : 1,4 g/km
PT : 0,19 g/km
- class III (mass 1 700 kg)
CO : 6,9 g/km
HC + NOX : 1,7 g/km
PT : 0,25 g/km

These new standards will be applicable

- from 1 October 1993 to new vehicle type approvals;
- from 1 October 1994 to all new vehicles (first putting into circulation).

(1) Vehicles in Category M1 (vehicles for transporting a maximum of 9 people including the driver) and N1 (vehicles for transporting goods and weighing less than 3,5 tonnes).

Furthermore, the Council will lay down more stringent limit values by 31 December 1994 on the basis of a Commission proposal to be submitted by 31 December.

To establish compliance with the limit values, the common position provides for using the new complete European driving cycle for the vehicles concerned, as laid down in Directive 91/441/EEC subject to certain conditions.

The Council instructed the Permanent Representatives Committee to finalize the text with a view to formal adoption of the common position in the near future.

PHASING-OUT OF SUBSTANCES THAT DEplete THE OZONE LAYER

The Council reached a political agreement ⁽²⁾ on speeding up the phasing-out of certain substances which deplete the ozone layer, with particular reference to the outcome of the meeting of the Parties to the Montreal Protocol in Copenhagen in November.

The new Community objectives for phasing out substances covered by Community legislation on the subject as compared to the timetable agreed in Copenhagen (in brackets) are as follows :

- Chlorofluorocarbons (CFCs) and other full halogenated CFCs
 - = 85% cut by 1.1.1994 (75% cut by 1.1.1994)
 - = 100% cut by 1.1.1995 (100% cut by 1.1.1996) ⁽³⁾
- Halons
 - = 100% cut by 1.1.1994 (100% cut by 1.1.1994)

(2) The French delegation agreed "ad referendum".

(3) Greece is being granted an exemption authorizing 100% cut in CFCs by 1.1.1996 in consideration of the specific conditions of its industry.

- Carbon tetrachloride
 - = 85% cut by 1.1.1994 (85% cut by 1.1.1995)
 - = 100% cut by 1.1.1995 (100% cut by 1.1.1996)

- 1,1,1 Trichloroethane
 - = 50% cut by 1.1.1994 (50% cut by 1.1.1994)
 - = 100% cut by 1.1.1996 (100% cut by 1.1.1996).

The formal adoption of the Regulation introducing these amendments into Regulation No 594/91 in order to speed up the phasing-out of substances that deplete the ozone layer will take place as soon as possible once the texts have been finalized.

Furthermore, the Council adopted the following conclusions concerning the limits on new substances incorporated into the Montreal Protocol at the Copenhagen meeting:

The Council:

welcomes the outcome of the Fourth meeting of the Parties to the Montreal Protocol on substances that deplete the ozone layer, held in Copenhagen from 23 to 25 November 1992;

requests the Commission to bring forward a proposal for simultaneous ratification of the amendment to the Protocol adopted at that meeting by the Community and all the Member States, to take place by 30 September 1993 at the latest;

takes note that the Commission intend to submit as soon as possible, and preferably not later than 28 February 1993, proposals to implement the Montreal Protocol Amendment in respect of HCFCs, HBFCs and methyl bromide;

recognizes the need for urgent work to be done regarding the identification of essential uses of substances;

recognizes the need for urgent action within all Member States to facilitate the rapid reduction and elimination of emissions of ozone-depleting substances including effective measures to minimize leakage and encourage the greatest possible degree of recovery and recycling of such substances.

PROGRAMME OF ACTION IN RELATION TO THE ENVIRONMENT

Following the submission by the Commission last March of a Community programme of policy and action in relation to the environment and sustainable development, the Council adopted a Resolution on this subject.

The programme, which is intended to take over from the 4th programme which expires at the end of 1992, provides an overall framework for specific Community action. It takes a new approach to environmental problems based on the idea of sustainable development; this approach involves not only the authorities but also all economic operators and, primarily, citizens themselves in implementing the concept of shared responsibility.

RESOLUTION OF THE COUNCIL OF THE EUROPEAN COMMUNITIES
AND THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

on a Community programme of policy and action
in relation to the environment
and sustainable development

THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE REPRESENTATIVES OF
THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing the European Coal and Steel
Community,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to the draft from the Commission,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee,

Whereas the Treaty establishing the European Economic Community, as amended by the Single European Act, explicitly provides for the development and implementation of a Community policy on the environment; and whereas the Treaty on European Union signed at Maastricht on 7 February 1992 has as a principle objective the promotion of sustainable growth respecting the environment, and specifies the objectives and guiding principles of that policy and the factors which must be taken into account in its preparation;

Whereas the Declaration of the Heads of State and Government, meeting in Council on 26 June 1990, calls inter alia for a further action programme for the environment to be elaborated on the basis of the principles of sustainable development, preventive and precautionary action, and shared responsibility;

Whereas the Community and its Member States have acquired considerable experience in the development and implementation of environmental policy and legislation and have thereby enhanced protection of the environment;

Whereas the United Nations Conference on Environment and Development (UNCED) meeting in Rio de Janeiro, 3-14 June 1992, adopted the Rio Declaration and Agenda 21 which are aimed at achieving sustainable patterns of development worldwide as well as a Declaration of Forest Principles; whereas important Conventions on Climate Change and biodiversity were opened for signature and were signed by the Community and its Member States, and whereas the Community and its Member States also subscribed to Agenda 21 and the said Declarations;

Whereas at the European Council meeting in Lisbon on 27 June 1992 the Community and its Member States committed themselves to the rapid implementation of the principal measures agreed at UNCED;

Whereas the European Council meetings in Lisbon on 27 June 1992 and in Birmingham on 16 October 1992 invited the Commission and the Council to undertake work relating to the implementation of the principle of subsidiarity and the European Council meeting in Edinburgh on 11-12 December 1992 approved principles, guidelines and procedures for its practical application; and whereas in conformity with the principle of subsidiarity, some aspects of the policy and specific actions embodied in the Programme "Towards Sustainability" fall to be carried out at levels other than those involving the competences of the European Communities;

Whereas the strategy advanced in the Programme relies on the satisfactory integration of environment and other relevant policies;

ACKNOWLEDGE that the Programme "Towards Sustainability" presented by the Commission has been designed to reflect the objectives and principles of sustainable development, preventive and precautionary action and shared responsibility set out in the Declaration of the Heads of State and the Government of the Community meeting in Council on 26 June 1990 and in the Treaty on European Union signed at Maastricht on 7 February 1992;

CONSIDER that insofar as it provides a comprehensive framework as well as a strategic approach to sustainable development the Programme constitutes an appropriate point of departure for the implementation of Agenda 21 by the Community and the Member States;

NOTE that many current forms of activity and development are not environmentally sustainable and ENDORSE, accordingly, the general objective of progressively orientating human activity and development towards sustainable forms;

AGREE that the achievement of sustainable development calls for significant changes in current patterns of development, production, consumption and behaviour;

DECLARE that such changes imply a sharing of responsibility at global, Community, regional, national, local and even personal levels;

ACKNOWLEDGE that the Programme when implemented will take into account the diversity of the various regions of the Community, and will be consistent with the objectives of strengthening economic and social cohesion, and will aim at a high level of protection of the environment;

NOTE that the Conclusions of the European Council(s) at Birmingham on 16 October 1992 (and Edinburgh on 11-12 December 1992) will guide the Community's work in relation to the principle of subsidiarity;

CALL on the Commission to ensure that all proposals it makes relating to the environment fully reflect that principle, and UNDERTAKE to consider those proposals on a case-by-case basis to ensure consistency with the principle;

ACKNOWLEDGE that, pursuant to the principle of subsidiarity and the concept of shared responsibility, some aspects of the policy and specific actions indicated in the Programme fall to be implemented at levels other than that of the Community;

NOTE that the application of the principle of subsidiarity will not lead to a step backwards in Community policy or hinder its effective development in the future; NOTE however that the policy will be made more effective if actions are taken at the appropriate level;

Insofar as environment and development within the European Communities are concerned:

NOTE the Report on the State of the Environment which the Commission has published in conjunction with the Programme; note the generally positive impact the previous action programmes have made on certain environmental problems; note that the end of the time-frame of the

current action programme on the environment coincides with the completion of the Internal Market; and note that, during the Fifth Programme, the environmental dimension of the Internal Market should be reinforced;

CONSIDER, however, that the current measures do not appear to be sufficient to meet the increased pressures on the environment likely to arise in consequence of current and anticipated trends in economic and social activity within the Community and developments in neighbouring regions, especially Central and Eastern Europe and at a wider international level;

AGREE that more progressive, coherent and better co-ordinated policies and strategies for the environment and development involving all levels of society are called for;

ADVOCATE in order inter alia to reduce wasteful consumption of natural resources and to prevent pollution, the elaboration of the concept of life-cycle management of products and processes, particularly in relation to waste management, the use of clean or cleaner technology and the substitution of certain hazardous processes and substances with less hazardous processes and substances in the most cost-effective way;

ENDORSE the strategy of giving increased and appropriate attention to certain key sectors in a co-ordinated and comprehensive manner including through a strengthening of dialogue with the main actors in the sectors identified in the Programme;

ACKNOWLEDGE the need for consideration of a comprehensive Community strategy and action plan for nature conservation and protection, especially in relation to biodiversity and forests;

REAFFIRM the crucial importance of ensuring that environmental concerns are taken fully into account from the outset in the development of other policies and in the implementation of those policies, and the need for appropriate mechanisms within the Member States, the Council and the Commission to help achieve this integration, upon which the strategy advanced in the Programme relies;

INVITE the Commission to consider developing initiatives to this end, including examination of the possibilities for the following areas, and to report on its conclusions in due course:

- new mechanisms within the Commission to increase co-operation between policy areas in the development of proposed legislation including organizational aspects,
- the incorporation, in regular progress reports on the implementation of the Programme and of Agenda 21, of specific assessments, sector by sector, of the contribution of other policy areas to the achievement of environmental objectives,
- the inclusion in new legislative proposals of a section dealing with the likely implications for the environment,
- the environmental dimension in the granting of Community funds;

UNDERTAKE to consider at the national level, and at the level of the Council in its various formations, the introduction of comparable measures to achieve the same aims;

RECOGNIZE that the involvement of all levels of society in a spirit of shared responsibility requires a deepening and broadening of the range of instruments to complement normative legislation including, where appropriate,

- market-based and other economic instruments,
- research and development, information, education and training,
- financial support mechanisms,
- voluntary schemes;

NOTE the objectives, targets, actions and time-frames indicated in the Programme; and consider that these constitute a useful start in moving towards sustainable development;

ACKNOWLEDGE the Programme's contribution to efforts to fulfil the objective specified in the Treaty that the Community's environmental policy should take account of the potential benefits and costs of action or lack of action; and INVITE the Commission to develop appropriate proposals in the light of such further study as may be necessary;

NOTE that sustainability of activity and development will not be attained within the life-span of this Programme and, consequently, that further, still more progressive, measures will probably be necessary beyond the year 2000 in order to hand on the environment to the next generation in a fit state to maintain public health and social and economic welfare at a high level;

NOTE, also, that while many of the measures and actions are set within a time-frame which extends to 2000, and even beyond, it is intended to undertake a review of the Programme before the end of 1995; in the meantime invite the Environmental Policy Review Group proposed in the Programme, once it be established, to keep the implementation of the Programme under review on the basis of regular reports from the Commission summarizing progress under the Programme; as part of the review process consideration should be given to the relationship between trade and the environment;

CALL on the Commission in its reviews of the Programme to give special attention to any necessary revision of objectives and priorities, after adequate consultation, especially with the Member States;

CONSIDER that in order to ensure that Community measures on the environment are more effectively implemented, co-operation procedures between the Commission and the Member States should be further improved;

EMPHASIZE the importance of effective implementation and enforcement of Community legislation in all Member States; STRESS that due regard should be given both at the stage when legislation is proposed and when it is adopted to the quality of the drafting of the legislation, in particular in terms of the practicability of

implementing and enforcing it; and undertake to discuss in Council the Commission's annual report on the state of implementation and enforcement of Community legislation in the Member States;

NOTE that, while Member States are responsible for the implementation and enforcement of measures agreed by the Council, the Commission will continue to be the appropriate body for the monitoring of that implementation and enforcement; and CALL on the Commission to consider bringing forward proposals for helping to improve the functioning of enforcement agencies within the Member States and encouraging the spread of best practice;

STRESS the urgency of the European Environment Agency beginning work as soon as possible;

NOTE the proposal in the Programme for the establishment of a Consultative Forum and an Environmental Policy Review Group and a network of enforcement agencies from the Member States; and WELCOME the principle of wider and more systematic consultation with interested bodies;

Insofar as environment and development at the wider international level are concerned,

ASSERT that the Community and the Member States will contribute positively to the implementation of effective strategies to deal with such problems as climate change, deforestation, desertification, depletion of the ozone layer and loss of biodiversity and to fulfil as early as possible the commitments to which they have agreed upon ratification of relevant international Conventions;

UNDERTAKE to play a positive role in the formulation of programmes of sustainable development including in the developing countries and in the countries of Central and Eastern Europe within the framework of the Community's co-operation and association agreements;

NOTE that many of the internal Community measures in the Programme are designed to reduce wasteful consumption of resources and, thereby, will contribute to greater efficiency in resource management at the wider international level;

REAFFIRM their commitment to implement the eight point plan for follow-up to UNCED agreed at the Lisbon European Council. Tasks for the Community and its Member States which need to be addressed include:

- to establish the basis for ratification of the Climate Change and Biodiversity Conventions with the aim of ratification by the end of 1993, and to prepare the relevant national strategies by the same time;
- to integrate the Rio Declaration, Agenda 21 and Statement of Forest Principles into appropriate policies of the Community and its Member States as soon as possible;
- to work to review, under the aegis of the SDC, the implementation of the forest principles; and to work towards the preparation of a possible Forest Convention;
- to participate positively in negotiations on a future Desertification Convention;
- to fulfil the commitments to strengthen assistance to developing countries in the field of sustainable development and to increase funding for Agenda 21 by identifying financial support to be given to developing countries including significant new and additional resources;

in this regard, to put into concrete form the ECU 3 billion commitment which the European Community and its Member States made in Rio as an initial contribution to the prompt and effective implementation of Agenda 21 with priority being given to technology transfer, institutional capacity building, and poverty reduction;

- to work for the restructuring and replenishment of the Global Environment Facility so that it can become the permanent financial mechanism for relevant new global environmental Conventions, in particular the Climate Change and Biodiversity Conventions;
- to continue to give consideration to an Earth increment to IDA for environment purposes;

NOTE that the implementation of the Programme will make a major contribution to the follow-up to Agenda 21 by the European Community and its Member States;

STRESS the need to promote the participation of NGOs and other major groups in the follow-up to UNCED at the national and SDC levels;

STRESS the importance of establishing the SDC and the need for full participation of the Community in the work of the SDC in line with the conclusions agreed by the Council on 23 November 1992 and
NOTE that the Community and the Member States will submit regular progress reports on the implementation of Agenda 21 to the SDC;

and, in the light of the foregoing,

SUBSCRIBE to the necessity for a programme of policy and action in relation to the environment designed to achieve a sustainable development path;

APPROVE the general approach and strategy of the Programme "Towards Sustainability" presented by the Commission;

INVITE the Commission to come forward with appropriate proposals to give effect to the Programme insofar as it pertains to action at Community level;

UNDERTAKE to decide on proposals submitted by the Commission as expeditiously as possible taking account of the relevant indicative objectives, targets and time-frames set out in the Programme which will be discussed in the context of those proposals;

CALL on all Community Institutions, Member States, enterprises and citizens to accept their relative responsibilities to protect the environment for this and future generations and to play their full part in implementing this Programme.

CLIMATE CHANGE - PRESIDENCY CONCLUSIONS

1. Recalling the conclusions of the Joint Energy/Environment Council meeting on 29 October 1990 and the commitment made by heads of Government meeting in Lisbon in June 1992 to the ratification of the Climate Change Convention, the Council agrees that Member States and the Community should proceed with all urgency so as to ensure that ratification by all of them will take place at the very latest by the end of 1993. In this context the Council welcomes the presentation of the Commission's proposal for ratification by the Community.

2. To facilitate the ratification of the Climate Change Convention the Council agrees that all Member States should submit national programmes to limit CO₂ emissions to the Commission as soon as possible and at the latest by the end of March 1993. They should ensure, whether or not they have already submitted programmes, that their programmes are in such a form as will indicate the expected CO₂ emission level for the year 2000. The Council recalls that the submission of national programmes to the Commission by April 1992 was called for by the conclusions of the Joint Environment/Energy Council on 13 December 1991.

3. The Council invites the Commission to prepare as quickly as possible a report on whether Member States' programmes will allow them to meet jointly the Convention CO₂ commitment in the context of the 1990 conclusions, so that the Council can note the way in which the twelve programmes provide a sufficient basis for meeting that commitment. Following this the Council should seek to agree a report setting out the way in which the CO₂ commitment in the Convention would be met jointly, which should be sent to the Secretariat of the Convention at the same time as ratification.

4. The Council further agrees to seek to reach agreement on the proposal for a monitoring mechanism as soon as possible.

5. The Council expresses its support for the conclusions of Ecofin Ministers on the Commission's carbon/energy tax proposal and urges that discussions on that proposal should continue actively in the light of those conclusions.

IMPLEMENTATION AND ENFORCEMENT OF COMMUNITY ENVIRONMENTAL
LEGISLATION - COUNCIL CONCLUSIONS

"The Council,

REAFFIRMS the importance it attaches to the consistent and effective application of EC environmental legislation throughout the Community;

NOTES in this regard the Commission's paper to the Council on monitoring the application of Community law, and welcomes the Commission's undertaking to produce reports to the Council annually in the future;

DECLARES its intention that these reports should be used as a basis for an annual discussion in the Council on the subject of the implementation and enforcement of existing Community legislation;

CALLS upon the Commission to work with the Member States on a collaborative and informal basis to identify and overcome problems in this area;

WELCOMES the establishment of the informal network of environment enforcement authorities from the Member States as a mechanism for collaboration between enforcement practitioners, NOTES the conclusions reached at its first meeting at Chester on 3 to 6 November 1992 and INVITES the Commission to provide the network with appropriate assistance."

PACKAGING AND PACKAGING WASTE

The Council held an initial policy debate on the proposal for a Directive on packaging and packaging waste.

The purpose of the proposal is to harmonize national provisions on packaging waste and to put into practice the broad principles of the Community strategy for waste management. It comes in response to the Council Resolution of 7 May 1990 calling upon the Commission to submit as soon as possible specific proposals concerning packaging waste.

The debate enabled delegations to consider the key aspects of the proposal, i.e.:

- the balance between harmonization and environmental protection
- quantified targets
- return and management systems
- shared responsibilities and voluntary agreements
- essential requirements for packaging.

At the end of its discussion the Council instructed the Permanent Representatives Committee to continue examining the proposal, particularly in the light of the opinions of the advisory bodies, with a view to reaching agreement as soon as possible.

POSSESSION OF AND TRADE IN SPECIES OF WILD FAUNA AND FLORA

The Council took note of the progress report on the proposal for a Regulation laying down provisions with regard to the possession of and trade in specimens of species of wild fauna and flora.

The Permanent Representatives Committee was instructed to continue examining the proposal in the light in particular of the Opinion of the European Parliament which is still awaited.

RATIFICATION OF THE BASEL CONVENTION

After discussing the political and legal aspects of ratification by the Community of the Basel Convention (Control of Transboundary Movements of Hazardous Wastes and their Disposal), the Council agreed to the following:

1. The Council stresses that formal adoption of the waste shipment Regulation is a matter of urgency. The Council agreed here that the European Parliament should again be urgently requested to deliver an early Opinion so that the Council could adopt the Regulation as soon as possible.
2. The Council agrees that the instrument of approval of the Convention on behalf of the Community will not be deposited with the Secretary-General of the UN until the Council, acting unanimously, has decided a date for such deposit.

3. The Council instructs the Permanent Representatives Committee urgently to study all aspects of the question with a view to enabling the Council rapidly to decide the earliest appropriate date for the deposit of the instrument of approval by the Community.

Moreover, the Representatives of those Member States which have not yet ratified the Convention, meeting in the Council, declare that they will take the measures necessary to permit as far as possible the deposit no later than the date decided by the Council under paragraph 1 above of the instruments of ratification approval or acceptance of the Convention by the Member States.

EUROPEAN ENVIRONMENT AGENCY - PRESIDENCY CONCLUSIONS

Following an exchange of views, the Presidency drew the following conclusions:

"The Council, recalling the Presidency's conclusions drawn up at its meeting of 20 October 1992, notes the agreement reached at the European Council meeting in Edinburgh on the seats of Community institutions and looks forward to an early decision on the location of new Community bodies and agencies at a forthcoming European Council.

In the meantime certain preparatory activities could be set in hand to help ensure the effective functioning of the European Environment Agency as soon as a decision on its seat is taken.

While the Council acknowledges the contribution which has hitherto been made by the Commission Task Force for the Agency, these measures are no longer sufficient to cope with diverging developments in data collection initiatives and information systems in the Member States that could hamper the future functioning of the Agency.

It accordingly notes the Commission's intention to set in hand interim arrangements to:

- maintain and up-date the CORINE information system;
- establish as soon as possible an informal high-level group of national representatives to:
 - = discuss the future work programme and priorities of the Agency, taking account of the priorities identified in the Fifth Environment Action Programme,
 - = consider the structure of the national networks and topic centres in the light of the work programme and priorities envisaged,
 - = draw up proposed work programmes for topic centres and initiate the procedures for selecting topic centres for priority areas;

- strengthen co-operation between Member States in order to:
 - = ensure a consistent development of initiatives relevant to the work of the Agency,
 - = set up a catalogue of data sources and projects,
 - = establish a prototype computerized network.

It stresses that these arrangements are of an interim nature only and urges the European Council to reach a rapid decision on the seat of the European Environment Agency."

OTHER DECISIONS

Fisheries

The Council adopted Regulations:

- reducing (1 200 instead of 1 380 tonnes) the 1992 TAC for sole in zone IIIa and IIIb, c, d (EEC zone) (fifth amendment to Regulation No 3882/91);
- reducing Swedish catch possibilities for cod in the Community fishing zone by 900 tonnes in 1992 (amendment to Regulation No 3885/91);
- reducing from 1 500 to 1 050 tonnes the share of the cod quota allocated to the Community for 1992 in Swedish waters of the Baltic Sea which has to be caught in the former "white zone" (amendment to Regulation No 3886/91).

1993 BUDGETARY PROCEDURE

Further to the instructions of the European Council, the President of the Council agreed with representatives of the European Parliament on a number of elements making for successful completion of the 1993 budgetary procedure.

The Council endorsed these elements at this meeting. The European Parliament will be informed of this before it begins on the second reading.

PRESS RELEASE

11080/92 (Presse 252)

1634th Council meeting

- INTERNAL MARKET -

Brussels, 17 and 18 December 1992

President: **Mr Richard NEEDHAM**

Minister of State
Department of Trade
and Industry of the
United Kingdom

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:

Mrs Anne Birgitte LUNDHOLT
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:

Mrs Elizabeth GUIGOU

Minister for European Affairs

Ireland:

Mr Bertie AHERN

Minister for Finance

Italy:

Mr Raffaele COSTA

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 Richard NEEDHAM

Minister of State, Department of Trade and Industry

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Commission:

Mrs Christiane SCRIVENER
Mr Karel VAN MIERT

Member
Member

FUTURE SYSTEM FOR THE FREE MOVEMENT OF MEDICINAL PRODUCTS IN THE COMMUNITY

The Council adopted common positions on

- the amendments to Directives 65/65/EEC, 75/318/EEC and 75/319/EEC on the approximation of the provisions laid down by law, regulation or administrative action relating to medicinal products;
- the repealing of Directive 87/22/EEC on the approximation of national measures relating to the placing on the market of high-technology medicinal products, particularly those derived from biotechnology;
- the amendment of Directives 81/851/EEC and 81/852/EEC on the harmonization of the laws of the Member States in respect of veterinary medicinal products.

The Council also gave its political agreement to the Regulation laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products.

This legislative package is aimed at ensuring that there is a genuine single market in medicinal products, and it supplements the technical harmonization in the pharmaceuticals sector begun in 1965 and completed at the beginning of this year with the adoption of the Directives on the rational use of medicinal products for human use.

The main features of this new system for the free movement of medicinal products are summarized below:

- It establishes a new centralized procedure leading to a Community authorization directly valid in all the Member States for the most innovative medicinal products. The Community is, moreover, responsible for monitoring medicinal products authorized under this procedure and for the technical updating of the authorizations.

The centralized procedure is compulsory for biotechnological and veterinary medicinal products intended to increase productivity and is optional for other innovative medicinal products.

- The decentralized procedure, which is based on the principle of mutual recognition of national authorizations and which enables marketing authorizations issued by one Member State to be extended to other Member States, has been reinforced.

The decentralized procedure is based on experience acquired using the multi-State Community procedure set up in this sector in 1983, and will enable a firm which has obtained an authorization in one Member State to apply for one or more Member States to accept that authorization, with binding arbitration at Community level in the event of non-acceptance by one of the Member States concerned.

After a period of three years during which the decentralized procedure would remain optional, this procedure will become compulsory whenever a request for authorization concerns more than one Member State, in order to ensure that decisions are uniform throughout the internal market.

- A European Agency for the Evaluation of Medicinal Products supplying appropriate logistical support for the proper functioning of these two procedures is established. The new Agency will encompass in particular the present Committee for Proprietary Medicinal Products and the Committee for Veterinary Medicinal Products, which will be at the head of its scientific structures.
- Co-operation and, where appropriate, co-ordination procedures regarding pharmacovigilance (monitoring of the side effects of medicinal products) have been introduced.

It should be pointed out that, following discussions at recent meetings of the Internal Market Council, the legal basis envisaged for the Regulation is Article 235 of the EEC Treaty, and the European Parliament will be consulted anew on this subject. The common positions will be sent to the European Parliament for a second reading, in the normal framework of the co-operation procedure.

The seat of the future Agency will be decided later.

EXPLOSIVES FOR CIVIL USES

The Council adopted the common position on the Directive on the harmonization of the provisions relating to the placing on the market and supervision of explosives for civil uses. The purpose of the Directive is to lay down both the conditions necessary for the supervision of such explosives, particularly at the stages of manufacture and placing on the market - to which end the Directive follows in particular the provisions of the 1985 Resolution on the new approach to standards - and the conditions under which explosives may be transferred within the Community.

Regarding transfer, the Directive provides for the establishment of a system making transfers within the Community subject to the possession of a specific authorization. Annex I to the Directive contains a list of essential safety requirements which explosives covered by the Directive must satisfy.

It should be noted that, as it will not be possible for the Directive to enter into force by 1 January 1993, the Council has agreed to a statement establishing a procedure for co-operation among the Member States which will involve exchange of the information necessary to supervise transfers of explosives after 1 January 1993.

MEDICAL DEVICES

The Council gave its political agreement to the adoption of a common position on the proposal for a Directive relating to medical devices.

This proposal, which was submitted in connection with the white paper on completion of the internal market, is intended to harmonize, following the "new approach" procedure, the conditions for placing medical devices on the market and putting them into service, in order to ensure the safety and health protection of patients and users.

Devices must comply with the essential requirements in Annex I to the Directive and follow the classification system laid down in Annex 9 for certification of conformity with the provisions of the Directive.

The Permanent Representatives Committee was instructed to finalize the texts with a view to formal adoption of the common position without further debate at a forthcoming Council meeting.

COPYRIGHT AND NEIGHBOURING RIGHTS APPLICABLE TO SATELLITE BROADCASTING AND CABLE
RETRANSMISSION

The Council held a detailed discussion on the few problems which must be resolved before a common position on the Directive on the co-ordination of certain rules concerning copyright and neighbouring rights applicable to satellite broadcasting and cable retransmission can be adopted.

The purpose of the proposal is to supplement the Directive on television without frontiers (EEC/89/552) by Community provisions on copyright, making a distinction between the fields of satellite broadcasting and cable retransmission and limiting its objective to the harmonization necessary for the exercise of cross-border activities.

With regard to satellite broadcasting, the proposal makes broadcasting subject to authorization by the rightholder and stipulates that the authorization must be obtained in the country of origin of the broadcast. It also provides that the level of protection for performers, phonogram producers and broadcasting organizations is that provided for by Directive 92/100/EEC of 19 November 1992 on rental right and lending right and on certain rights related to copyright in the field of intellectual property.

Cable retransmission rights must be negotiated exclusively through the intermediary of collecting societies representing the different categories of rightholders, with the exception of broadcasting organizations.

In the light of the points made during its discussion, particularly in connection with co-production contracts and cable retransmission rights, the Council instructed the Permanent Representatives Committee to seek appropriate solutions to the questions outstanding with a view to the adoption of a common position at its next meeting.

COMMUNITY TRADE MARK

Following a very detailed discussion, which concerned the rules governing the languages of the Office, the Council, having failed to reach a consensus, instructed the Permanent Representatives Committee to continue examining this problem.

LEGAL PROTECTION OF BIOTECHNOLOGICAL INVENTIONS

Pending receipt of the re-examined proposal which the Commission is to submit in the light of the amendments proposed by the European Parliament, the Council took note of a progress report from the Presidency on the discussions on the proposal for a Directive on the legal protection of biotechnological inventions.

The purpose of the proposal is to protect biotechnological inventions and to foster the innovatory potential and competitiveness of Community science and industry in this field. It makes it compulsory for Member States to ensure that their legislation on patents is in accordance with the provisions of the Directive, which establishes the possibility of patenting living matter, determines the extent of the protection of patented biotechnological inventions, deals with licences to market plants and the deposit of, access to and redeposit of micro-organisms and other self-reproducing matter.

CHECKS ON THE CONFORMITY OF PRODUCTS IMPORTED FROM THIRD COUNTRIES

The Council held a policy debate on the proposal for a Regulation on checks on the conformity of goods imported from third countries with the rules applicable in the field of product safety.

The essential purpose of this proposal is, with a view to the abolition of internal frontiers on 1 January 1993, to set up a legal instrument strengthening customs regulations so that a customs authority may intervene at an external frontier before the release for free circulation of a product imported from a third country where that product may be dangerous or not in conformity with existing Community or national rules. The customs administration would therefore act on behalf of all the Member States and the products in question would be able to move freely throughout the Community once they had crossed the external frontier.

After its debate, which concentrated mainly on the scope and legal basis of the Regulation, the Council agreed that discussions on this dossier should be resumed as soon as possible with the aim of adoption at the Internal Market Council meeting in February 1993.

ABOLITION OF BORDER CHECKS AND COMPLETION OF THE INTERNAL MARKET

Informally over lunch, the Council took note of two oral communications by the Commission on progress on, respectively, the abolition of checks at intra-Community borders and the completion of the internal market.

FOODSTUFFS - ADDITIVES AND SWEETENERS

Pending receipt of the Opinions of the European Parliament and the Economic and Social Committee on the proposal amending the framework Directive on additives (89/107/EEC), the Council held a policy debate on that proposal and on the proposal on sweeteners in foodstuffs. The proposal on sweeteners is a specific Directive pursuant to the comprehensive Directive 89/107/EEC on additives.

These proposals were submitted by the Commission following the European Parliament's rejection, in May 1992, of the common position on the Directive on sweeteners. In these circumstances, the proposal to amend the framework Directive provides for a procedure enabling derogations to be accorded from the general rules on additives in order to protect the national production of certain traditional foodstuffs, without prejudice to the principles of the single market, in particular the free movement of goods and freedom of establishment.

DUAL-USE GOODS AND TECHNOLOGIES

The Council took note of a Presidency report on progress on the proposal for a Regulation on the control of exports of certain dual-use goods and technologies and of certain nuclear products and technologies.

It also examined a draft statement dealing essentially with the type of controls to be carried out on these goods from 1 January 1993 pending the formal adoption of the Regulation.

Formal adoption of that statement was referred to the General Affairs Council scheduled for 21 December 1992.

LABELLING OF FOOTWEAR

The Council held a policy debate on the proposal for a Directive on the labelling of the materials used in the main components of footwear for sale to the final consumer.

The purpose of the proposal is to ensure the free movement of footwear and to provide the consumer with reliable information by means of a system of labelling of the materials used in the main components of such footwear.

The debate centred on the advisability of a Directive in this field, and on the principles on which the Directive should be based. Following the debate, during which most delegations were able to give their support to the idea of such a Directive, the Commission confirmed, as announced at the Edinburgh summit, that it would be reconsidering the approach to be adopted.

FRUITS AND FRUIT JUICES

The Council adopted the Regulation opening and providing for the administration of Community tariff quotas for certain fruits and fruit juices.

OTHER DECISIONS IN THE INTERNAL MARKET FIELD

Machinery

The Council adopted the common position regarding amendment of Directive 89/392/EEC (as amended by Directive 91/368/EEC) on the approximation of the laws of the Member States relating to machinery.

The purpose of this Directive is both to amend certain provisions of Directives 89/392/EEC (fixed machinery) and 91/368/EEC (mobile machinery and lifting equipment) and to supplement these two Directives with additional requirements for equipment, other than lifts, intended for raising or moving persons. More specifically, it lays down essential additional safety and health requirements for these kinds of machines.

Controls carried out in the field of road and inland-waterway transport

The Council adopted the Regulation on Community controls in the field of road and inland-waterway transport.

This Regulation forms part of the measures which must be implemented for completion of the internal market; in substance, it provides that controls carried out by the Member States concerning means of road and inland-waterway transport registered or put into circulation in a third country will no longer be performed as controls at the internal borders of the Community, but as normal controls carried out throughout Community territory.

Statistical units for the observation and analysis of the production system in the European Community

The Council adopted the common position on the Regulation on the statistical units for the observation and analysis of the production system in the Community.

This regulation establishes a list of statistical units relating to the production system, the criteria used, definitions of the units and explanatory notes. Its purpose, in the context of the internal market is to establish the statistical norms necessary to identify units, and the collection, transmission and publication of national and Community statistics in order to make reliable and comparable information available to enterprises, financial institutions, governments and all other operators in the internal market.

Customs agents

The Council adopted the Regulation on measures to adapt the profession of customs agent to the internal market.

This Regulation contains measures supplementing those taken by the Member States to facilitate the adaptation of the profession of customs agent to the internal market. In particular, the Community action is designed to supplement the measures taken under the Structural Funds by:

- providing assistance for the areas notified by each Member State to the Commission as being the hardest hit by the abolition of customs formalities;

- promoting the conversion and/or restructuring of weakened but viable enterprises to save the maximum number of jobs.

Braking of two or three-wheel motor vehicles

Following the adoption on 18 June 1992 of the framework Directive 92/61/EEC laying down the administrative details of type-approval of two or three-wheel motor vehicles and component type-approval, the Council adopted the common position on the individual implementing Directive on the braking of such vehicles. The framework Directive drew up a list of the components and characteristics of these vehicles which must be the subject of individual Directives laying down the technical requirements applicable to them.

External projections forward of the cab's rear panel of motor vehicles of category N

Following the common position adopted at its meeting on 18 June 1992 and the completion of the co-operation procedure with the European Parliament, the Council adopted the Directive relating to external projections forward of the cab's rear panel of motor vehicles of category N.

The purpose of this Directive is, by means of technical provisions, to ensure that goods vehicles do not have sharp external projections, in order to reduce the severity of injuries sustained by a person coming into contact with the external surface of the vehicle in the event of an accident.

Extraction solvents

Following the common position adopted at its meeting on 29 June 1992 and the completion of the co-operation procedure with the European Parliament, the Council formally adopted the amendment to Directive 88/344/EEC on the approximation of the laws of the Member States relating to extraction solvents used in the production of foodstuffs and food ingredients.

The purpose of this amendment, provided for in Article 2 of Directive 88/344/EEC, is both to regulate certain substances hitherto governed by national legislation and to revise the existing provisions, in particular Annex II to the 1988 Directive.

The Community legislation in this field is generally intended to harmonize national legislation on extraction solvents in order to facilitate the free movement of foodstuffs, while ensuring health protection.

Hygiene of foodstuffs

The Council adopted the common position on the Directive on the hygiene of foodstuffs.

The purpose of the Directive is to supplement Directive 89/397/EEC on the official control of foodstuffs by laying down general rules aimed at improving the level of food hygiene in the Community at all stages of production and sale to the final consumer, and to verify that these rules are observed by operators.

MISCELLANEOUS DECISIONS

Telecommunications

Following the agreement in principle reached at the Telecommunications Council on 19 November 1992, the Council formally adopted the Resolution on the assessment for 1992 of the situation in the telecommunications sector - towards cost orientation and the adjustment of pricing structures and telecommunications tariffs in the Community (see Press Release 10085/92).

Customs union

The Council adopted the Regulation opening and providing for the administration of Community tariff quotas for certain agricultural and industrial products (first series 1993).

Consumer protection - cosmetic products

Following the agreement reached at the Consumer Protection Council on 3 November 1992 and after finalization of the texts, the Council adopted the common position on the Directive amending for the sixth time Directive 76/768/EEC on the approximation of the laws of the Member States relating to cosmetic products.

The amendment is designed to improve and harmonize information for consumers and supervisory authorities on cosmetic products marketed in the Community and thereby to eliminate the last remaining risks of barriers to the free movement of such products in the single market. It also deals with the banning of animal experiments in the cosmetics industry.

Fisheries

As the European Parliament had delivered its Opinion on 20 November 1992, the Council adopted the Regulation on the common organization of the market in fishery products, which had been the subject of political agreement at the Fisheries Council on 19 October 1992 (see Press Release 9041/92 Press 178).

PRESS RELEASE

11171/92 (Presse 255)

1635th Council meeting

- FISHERIES -

Brussels, 19 and 20 December 1992

President: Mr John GUMMER, Minister
for Agriculture, Fisheries
and Food of the
United Kingdom

REVISION OF THE COMMON FISHERIES POLICY

The Council adopted, by a qualified majority, a Regulation establishing a new Community system for fisheries and aquaculture, the purpose of which is to revise the current Common Fisheries Policy (CFP). The framework as revised by this basic Regulation will be filled out, in due course, by a series of implementing Regulations.

This new legal instrument, the basic aim of which is to safeguard the long-term development of the fisheries sector, will, from 1 January 1993, replace basic Regulation No 170/83 ten years after its entry into force.

The CFP as revised will henceforward cover exploitation activities involving living aquatic resources, and aquaculture, as well as the processing and marketing of fishery and aquaculture products where practised on the territory of Member States or in Community fishing waters, or by Community fishing vessels, without prejudice however to arrangements applicable by virtue of Fisheries Agreements with third countries or within the framework of international organizations.

In view of reductions in a number of stocks in Community and non-Community waters, the Regulation aims inter alia to introduce a suitable framework for the conservation and protection of fisheries resources.

The general objective is responsible and sustainable exploitation of those resources under appropriate economic and social conditions for the sector, taking account of its implications for the marine ecosystem and in particular taking account of the needs of both producers and consumers.

With this aim in view, the text provides for regulation of access to, and management and monitoring of exploitation activities, as well as the requisite means and procedures for effective implementation.

Firstly, the new Regulation carries forward the "acquis communautaires" of the CFP as regards, in particular:

- the arrangements for reserved access within the 12-mile band;
- the arrangements laid down for the "Shetland box";
- the principle of relative stability in the allocation of fishing possibilities with limited exploitation rates;
- the laying down by the Council of the conditions of access to waters and resources in the light of the available biological, socio-economic and technical analyses.

Secondly, it provides for:

- the introduction by 1 January 1995 at the latest, of a Community system of fishing licences, administered by the Member States and applicable to all Community fishing vessels operating in Community fishing waters, in the waters of third countries or on the high seas, except for any derogations which may be laid down;
- the Council to adopt a Community control system for the entire sector;
- the Council to set, on a multiannual basis and for the first time not later than 1 January 1994, the objectives and detailed rules for restructuring the Community fisheries sector with a view to achieving a balance on a sustainable basis between resources and their exploitation, taking account of possible economic and social consequences and of the specific characteristics of the various fishing regions;
- the Council to lay down resource management objectives, if necessary in a multiannual framework and on the basis of several species;
- the Council to determine, in the light of management objectives and strategies, exploitation rates for certain resources in terms of total admissible catches and/or total admissible fishing effort, and their allocation, in the form of quotas or in terms of fishing effort, to the various Member States, where appropriate on a multiannual basis.

In order to facilitate the implementation of the new legal framework, provision has been made for close co-operation between the Member States and the Commission within a sector management committee.

The Council will re-examine the CFP before 31 December 2002 at the latest, on the basis of a report from the Commission on the fisheries situation in the Community and the state of the resources and their expected development.

TACs AND QUOTAS FOR 1993

After detailed discussions, the Council adopted a Regulation fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1993 and certain conditions under which they may be fished. These totals are set out in the ANNEX.

As regards fisheries conditions, the Council took note in particular of the following Commission statement:

"RESTRICTIONS ON DAYS AT SEA BY FISHING VESSELS

The total allowable catches for 1993 for cod and haddock in the West of Scotland and the North Sea, and for cod in the Skagerrak and Kattegat agreed by the Council imply reductions in fishing mortality rates on these stocks and hence imply corresponding reductions in fishing effort.

To achieve this, the Commission proposed measures to restrict days at sea by vessels of Member States which exploit these stocks. Potentially, the Commission's proposals would affect the vessels of all such Member States and, in particular, because of their large share of certain of the stocks in question, those of the United Kingdom.

The Commission notes that the United Kingdom authorities are introducing national legislation enabling them to restrict the number of days at sea for their fishing vessels. In this light, and because it is vessels in the United Kingdom which would have been most affected by the Commission's proposal for limitation of days at sea, the Commission accepts withdrawal of the relevant proposal.

The Commission assumes that Member States will take all steps, including effective control of fishing effort, to ensure that agreed TACs and national quotas are not exceeded in 1993.

If exemptions from national measures to restrict fishing effort are granted to fishing vessels prepared to deploy more selective trawls, Danish seines or similar towed gears, the minimum mesh size of such gears should be 120 mm.

During 1993, the Commission will evaluate the effect of national measures relating to control of fishing effort and, in particular, restrictions on days at sea. The Commission will report on the conclusions of this investigation to Member States before 1 May 1993."

ANNUAL FISHERIES ARRANGEMENTS RESULTING FROM THE ACT OF ACCESSION OF SPAIN AND PORTUGAL

The Council adopted three Regulations fixing for 1993 measures for the conservation and management of fishery resources applicable to:

- vessels of the original ten Member States in Portuguese waters (110 French vessels for an unlimited quantity of albacore tuna between 2 June and 28 July and an unlimited number of other vessels for unlimited quantities of tropical tuna and other tunas);
- vessels of the original ten Member States in Spanish waters (in particular French vessels for certain specific fisheries);
- Portuguese vessels in waters of the original ten Member States (7, 10 and an unlimited number of vessels, to fish 3 000 tonnes of blue whiting, 3 000 tonnes of horse mackerel and an unlimited quantity of thunnidae, respectively).

These Regulations were drawn up in accordance with the provisions laid down in the Act of Accession and are identical to the corresponding Regulations adopted by the Council in December 1991.

NORWAY

The Council adopted Regulations:

- laying down, for 1993, certain quotas between Member States for vessels fishing in the Norwegian Exclusive Economic Zone and the fishing zone around Jan Mayen;
- laying down, for 1993, certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway.

SWEDEN

The Council adopted Regulations:

- laying down, for 1993, certain quotas between Member States for vessels fishing in Swedish waters;
- laying down, for 1993, certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden.

GREENLAND

The Council adopted a Regulation allocating, for 1993, Community catch quotas in Greenland waters.

FAROE ISLANDS

The Council adopted Regulations:

- laying down, for 1993, certain quotas between Member States for vessels fishing in Faroese waters;

- laying down, for 1993, certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands.

ORGANIZATION OF FISHERIES IN THE NORTH WEST ATLANTIC (NAFO)

The Council adopted a Regulation laying down quotas for the NAFO Regulatory Area for 1993.

The quotas were set as follows:

<u>SPECIES</u>	<u>ZONE</u>	<u>TOTAL</u> (tonnes)
Cod	NAFO 2J + 3KL	0
Cod	NAFO 3M	6 465
Cod	NAFO 3NO	3 762
Atlantic redfish	NAFO 3M	4 650
Atlantic redfish	NAFO 3LN	476
American plaice	NAFO 3M	350
American plaice	NAFO 3LNO	133
Yellow tail flounder	NAFO 3LNO	140
Witch flounder	NAFO 3NO	0
Capelin	NAFO 3NO	0
Squid	NAFO subzones 3 + 4	for the record.

GUIANA

The Council adopted a Regulation laying down for 1993 measures for the conservation and management of fishery resources applicable to vessels of certain non-member countries in the 200-nautical-mile zone off the coast of the French department of Guiana.

STRUCTURAL POLICY IN THE FISHERIES SECTOR

The Council adopted a Regulation amending for the third time Regulation No 4028/86 on Community measures to improve and adapt structures in the fisheries and aquaculture sector.

The amendment is designed to supplement the range of options available to the Member States in seeking a balance between fleet capacity and available resources, by introducing the concept of fishing effort into the Regulation.

Member States will therefore henceforward be allowed to resort to measures to limit fishing effort, geared to the specific situation of stocks and the fleets concerned in order to achieve the objectives of their Multi-Annual Guidance Programmes (MGPs).

PILOT OBSERVER SCHEME IN THE NAFO AREA

The Council adopted a Regulation establishing a pilot observer scheme applicable to Community fishing vessels operating in the Regulatory Area of the North West Atlantic Fisheries Organization (NAFO).

This programme, lasting 18 months from 1 January 1993 and involving an overall estimated cost of ECU 360 000 for the Community, was decided on at NAFO's 14th annual meeting in September 1992.

1993 TARIFF QUOTAS AND SUSPENSIONS

Having adopted, on 23 November 1992, Regulations concerning tariff quotas and suspensions for certain fishery products for 1993 (see press release 10089/92 Presse 217), the Council noted the Commission's intention of submitting proposals as soon as possible for opening additional quotas in order to ensure supplies to the Community market on competitive terms for the processing industry

pending implementation of the agreements concluded in the context of the European Economic Area (EEA).

EEC/MOROCCO FISHERIES AGREEMENT

The European Parliament having delivered its Opinion, the Council adopted the Regulation concerning the conclusion of the Agreement on relations in the fisheries sector between the Community and Morocco initialled in Brussels on 15 May 1992.

The Agreement is of major importance for the Community, and is the forerunner of a new economic, political and social partnership between the Community and Morocco.

It will last for four years from 1 May 1992 and generally maintains the level of fishing options granted to the Community.

It provides for the strengthening of conservation measures (henceforth applicable to all fleets present in Moroccan waters) and adjustment of the preferential trade arrangements for canned sardines.

The Agreement also provides for Community support for the development of Moroccan scientific research as well as other specific measures in the fisheries sector.

Community financial compensation is at an annual average of ECU 102,1 million to be paid from the Community budget.

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ANNEX

1993 TACs BY STOCK AND BY AREA
AND COMMUNITY SHARES

SPECIES	AREA	TAC	EEC SHARE in 1993 (tonnes)
Herring	IIIa	p.m.	p.m.
Herring	IIIbcd(1)	125 200	106 600
Herring	IIa(1), IVab	380 000	250 850
Herring	IVc, VIId	50 000 (*)	50 000
Herring	Vb(1), VIaN VIb	62 000	55 140
Herring	VIaS, VIIBC	28 000 (*)	28 000
Herring	VIa Clyde	1 000 (*)	1 000
Herring	VIIa	7 000 (*)	7 000
Herring	VIIef	1 000 (*)	1 000
Herring	VIIghjk	21 000 (*)	21 000
Sprat	IIIa	p.m. (*)	p.m.
Sprat	IIIbcd(1)	55 600	48 600
Sprat	IIa(1), IV(1)	83 000 (*)	67 680
Sprat	VIIde	12 000 (*)	12 000
Anchovy	VIII	30 000 (*)	30 000
Anchovy	IX, X, CECAF(1)	12 000 (*)	12 000

SPECIES	AREA	TAC	EEC SHARE in 1993 (tonnes)
Salmon	IIIbcd(1)	131 950 (*)	130 950
Capelin	I Ib	0 (*)	0
Cod	I, I Ib	17 300	17 300
Cod	IIIa Skagerrak	p.m.	p.m.
Cod	IIIa Kattegat	4 160	4 160
Cod	IIIbcd(1)	14 400	13 600
Cod	IIa(1), IV	100 700	91 970
Cod	Vb(1), VI, XII, XIV	14 000	14 000
Cod	VIIa	11 000	11 000
Cod	VIIb-k, VIII, IX CECAF(1)	17 500 (*)	17 500
Haddock	IIIa, IIIbcd(1)	p.m. (*)	p.m.
Haddock	IIa(1), IV	133 000	99 500
Haddock	Vb(1), VI, XII, XIV	17 600	17 600
Haddock	VII, VIII, IX, X CECAF(1)	6 000 (*)	6 000
Saithe	IIa(1), IIIa IIIbcd(1), IV	93 000	47 600
Saithe	Vb(1), VI, XII, XIV	14 000	14 000
Saithe	VII, VIII, IX, X CECAF(1)	14 000 (*)	14 000

SPECIES	AREA	TAC	BEC SHARE in 1993 (tonnes)
Pollack	Vb(1), VI, XII, XIV	1 100 (*)	1 100
Pollack	VII	14 000 (*)	14 000
Pollack	VIIIab	2 600 (*)	2 600
Pollack	VIIIc	800 (*)	800
Pollack	VIIId	50 (*)	50
Pollack	VIIIe	100 (*)	100
Pollack	IX, X, CECAF (1)	450 (*)	450
Norway pout	IIa(1), IIIa, IV(1)	220 000 (*)	191 000
Blue whiting	IIa(1), IV(1)	90 000 (*)	50 000
Blue whiting	Vb(1), VI, VII	340 000 (*)	113 000
Blue whiting	VIIIabd	26 500 (*)	26 500
Blue whiting	VIIIe	1 000 (*)	1 000
Blue whiting	VIIIc, IX, X, CECAF (1)	55 000 (*)	55 000
Whiting	IIIa	p.m. (*)	p.m.
Whiting	IIa(1), IV	120 000	66 180
Whiting	Vb(1), VI, XII, XIV	8 700	8 700
Whiting	VIIa	8 500	8 500
Whiting	VIIb-k	22 000 (*)	22 000
Whiting	VIII	5 000 (*)	5 000
Whiting	IX, X, CECAF (1)	2 640 (*)	2 640
Hake	IIIa, IIIbcd(1)	2 000 (*)	2 000

SPECIES	AREA	TAC	BEC SHARE in 1993 (tonnes)
Hake	IIa(1), IV(1)	2 510 (*)	2 510
Hake	Vb(1), VI, VII, XII, XIV	40 200 (*)	40 200
Hake	VIIIabde	26 800 (*)	26 800
Hake	VIIIc, IX, X CECAF(1)	12 000	12 000
Jack & horse mackerel	IIa(1), IV(1)	60 000 (*)	55 000
Jack & horse mackerel	Vb(1), VI, VII VIIIabde, XII, XIV	250 000 (*)	242 250
Jack & horse mackerel	VIIIc, IX	73 000 (*)	73 000
Mackerel	IIa(1), IIIa IIIbcd(1), IV	83 150	24 700
Mackerel	II, Vb(1), VI, VII, VIIIabde, XII, XIV	461 050	436 360
Mackerel	VIIIc, IX, X, CECAF(1)	36 570 (*)	36 570
European plaice	IIIa Skagerrak	p.m. (*)	p.m.
European plaice	IIIa Kattegat	2 800	2 520
European plaice	IIIbcd(1)	3 000 (*)	3 000
European plaice	IIa(1), IV	175 000	168 800
European plaice	Vb(1), VI, XII, XIV	2 400 (*)	2 400
European plaice	VIIa	2 800	2 800

SPECIES	AREA	TAC	BEC SHARE in 1993 (tonnes)
European plaice	VIIbc	250 (*)	250
European plaice	VIIde	8 500	8 500
European plaice	VIIIfg	1 400	1 400
European plaice	VIIhjk	1 350 (*)	1 350
European plaice	VIII, IX, X CECAF (1)	700 (*)	700
Sole	IIIa, IIIbcd (1)	1 600 (*)	1 600
Sole	II, IV	32 000	32 000
Sole	Vb (1), VI, XII, XIV	155 (*)	155
Sole	VIIa	1 000	1 000
Sole	VIIbc	75 (*)	75
Sole	VIIId	3 200	3 200
Sole	VIIe	900	900
Sole	VIIIfg	1 100	1 100
Sole	VIIhjk	720 (*)	720
Sole	VIIIab	5 700	5 700
Sole	VIIIcde, IX, X, CECAF (1)	2 000 (*)	2 000
Megrims	Vb (1), VI, XII, XIV	4 840 (*)	4 840
Megrims	VII	19 000 (*)	19 000
Megrims	VIIIabde	2 460	2 460
Megrims	VIIIc, IX, X, CECAF (1)	8 000 (*)	8 000

SPECIES	AREA	TAC	EEC SHARE in 1993 (tonnes)
Anglerfish	Vb(1), VI, XII, XIV	8 600 (*)	8 600
Anglerfish	VII	19 240	19 240
Anglerfish	VIIIabde	5 760	5 760
Anglerfish	VIIIe	100 (*)	100
Anglerfish	VIIIc, IX, X, CECAF (1)	13 000 (*)	13 000
Shrimps	Fr. Guiana	4 108	4 000
N. deepwater prawn	IIIa Skagerrak	p.m.	p.m.
Norway lobster	IIIa, IIIbcd(1)	3 500 (*)	3 500
Norway lobster	IIa(1), IV(1)	12 000 (*)	12 000
Norway lobster	Vb(1), VI	12 000 (*)	12 000
Norway lobster	VII	20 000 (*)	20 000
Norway lobster	VIIIab	6 800 (*)	6 800
Norway lobster	VIIIc	1 000 (*)	1 000
Norway lobster	VIIIde	50 (*)	50
Norway lobster	IX, X, CECAF (1)	2 500 (*)	2 500

(*) Precautionary TAC

(1) EC area

OTHER DECISIONS

Customs Union

The Council adopted Regulations:

- opening and providing for the administration of Community tariff quotas for certain agricultural and industrial products (2nd series 1993);
- opening and providing for the administration of Community tariff quotas bound in GATT for certain agricultural and industrial products.

It adopted a Regulation amending Regulations No 3905/92 and No 914/92 opening and providing for the administration of Community tariff quotas for certain industrial products (1992).

Agriculture

The Council adopted estimates concerning:

- young male bovine animals weighing 300 kg or less and intended for fattening for the period 1 January to 31 December 1993 (198 000 head);
 - beef and veal intended for the processing industry for the period 1 January to 31 December 1993 (zero).
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PRESS RELEASE

11173/92 (Presse 257)

1636th Council meeting
- GENERAL AFFAIRS -
- POLITICAL CO-OPERATION -

Brussels, 21 December 1992

President: Mr Douglas HURD,
Secretary of State for Foreign and
Commonwealth Affairs, United Kingdom

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

Belgium:

Mr Willy CLAES
Mr Robert URBAIN

Minister for Foreign Affairs
Minister for Foreign Trade and
European Affairs

Denmark:

Mr Uffe ELLEMANN-JENSEN
Mr Jorgen ØSTRØM MØLLER

Minister for Foreign Affairs
State Secretary for Foreign
Affairs

Germany:

Mr Klaus KINKEL

Federal Minister for Foreign
Affairs
Minister of State, Foreign
Affairs

Mrs Ursula SEILER-ALBRING

Greece:

Mr Michel PAPACONSTANTINO
Mr Georges PAPASTAMKOS

Minister for Foreign Affairs
State Secretary for Foreign
Affairs

Spain:

Mr Miguel Angel FEITO HERNANDEZ
Mr Carlos WESTENDORP

State Secretary for Trade
State Secretary for Relations
with the European Communities

France:

Mr Roland DUMAS

Ministre d'Etat, Minister for
Foreign Affairs
Minister for Industry and
Foreign Trade

Mr Dominique STRAUSS-KAHN

Ireland:

Mr Tom KITT

Minister of State at the
Department of the Taoiseach
with special responsibility
for Arts and Culture, Women's
Affairs and European Affairs

Italy:

Mr Emilio COLOMBO

Minister for Foreign Affairs

Luxembourg:

Mr Jacques POOS

Minister for Foreign Affairs

Netherlands:

Mr Hans VAN DEN BROEK
Mr Piet DANKERT

Minister for Foreign Affairs
State Secretary for Foreign
Affairs

Portugal:

Mr Vitor MARTINS

State Secretary for European
Integration

United Kingdom:

Mr Douglas HURD

Secretary of State for Foreign
and Commonwealth Affairs
Minister of State, Foreign and
Commonwealth Office
Minister of State, Department
of Trade and Industry

Mr Tristan GAREL-JONES

Mr Tim SAINSBURY

- + -

Commission:

Mr Jacques DELORS
Mr F.H.J.J. ANDRIESEN
Mr Filippo Maria PANDOLFI
Mr Jean DONDELINGER
Mr Abel MATUTES JUAN

President
Vice-President
Vice-President
Member
Member

FOLLOW-UP TO THE EUROPEAN COUNCIL IN EDINBURGH

The Council was presented with a document established by the Presidency after consulting the future Danish Presidency and the Commission on the follow-up to the European Council in Edinburgh. The Council took note of the provisional work programme contained in the Presidency note, of which the main elements are as follows:

PART A

1. Subsidiarity

The European Council agreed to the overall approach set out in Annex 1 to Part A of the conclusions and invited the Council to seek an interinstitutional agreement with the European Parliament and the Commission.

The Presidency has indicated to the European Parliament and to the Commission the willingness of the Council to enter into negotiations on such an agreement. Negotiations will start early next year. The Council will base its position on the overall approach.

The overall approach agreed by the European Council will furthermore guide the work of the Council in the period until entry into force of the Maastricht Treaty and after that date become an integral part of the examination in the Council of any Community measure.

2. Openness and transparency

The European Council adopted a number of specific measures set out in Annex 3 to Part A. These measures will apply from now on (in practice from the beginning of the Danish Presidency).

The Danish Presidency intends holding the first open debate of work programmes in the General Affairs Council on 1-2 February.

3. Accession of new Member States to the Union

The European Council agreed that enlargement negotiations would start with Austria, Sweden and Finland at the beginning of 1993. The Danish Presidency proposes that a joint ministerial opening session with the 3 countries be held in connection with the General Affairs Council on 1 and 2 February 1993. Before the opening, COREPER will ensure the finalization of the work concerning the general negotiations framework and in particular draft the general declaration which will be made at the ministerial session that opens the negotiations.

The Commission intends to submit its opinion on Norway in March and negotiations will start with Norway immediately after.

With regard to Switzerland the Commission will proceed in preparing its opinion and take into account the views of the Swiss authorities following the 6 December referendum.

4. Promoting economic recovery in Europe

At the ECO/FIN Council on 14 December Ministers agreed that speed was essential with regard to the implementation of the conclusions of the European Council. With that in mind, the ECO/FIN Council will have a first debate on substance relating both to national measures and to Community measures at its meeting on 18 January. Work will be carried forward by the Board of Directors of the EIB and the Commission with a view to presenting the necessary legal text on the investment fund in the January ECO/FIN Council. The new lending facility will be submitted to the Governors of the EIB in January, with a view to a rapid decision.

The European Council's conclusions also called for further international co-operation to promote growth with countries outside the Communities. In this context, the conclusions of the European Council will form the basis for Member States' positions in the upcoming meeting of the Interim Committee in the IMF. A meeting with the Finance Ministers of the EFTA countries is

planned early in the new year. The Commission will enter into contact with the EBRD with a view to ensuring the necessary co-ordination with infra-structure projects in Central European countries - in particular in the field of trans-European networks.

5. Size of the European Parliament

The European Council agreed on a change in the composition of the European Parliament. Given the importance of this question in the context of the 1994 direct elections to the European Parliament and the need for national ratification, the procedure to change the 1976 act will be launched early next year.

6. Seats of the Institutions

The formal decision adopted on the occasion of the European Council and the declarations made will be published in the Official Journal ("C" series).

PART B

Denmark and the Treaty on European Union

The European Council's conclusions, the decision, and the attached declarations will be published in the Official Journal ("C" series).

PART C

Future financing of the Community

1. Interinstitutional Agreement

The European Council agreed that a new IIA should be negotiated with the European Parliament. In agreement with the European Parliament, negotiations will be pursued at the beginning of 1993.

2. Revision of the Decision concerning budgetary discipline (88/377/EEC)

The Decision needs to be modified to cover:

- budgetary discipline applicable to all expenditure other than EAGGF Guarantee expenditure;
- a number of points on agricultural budgetary discipline;
- operation of the reserves for emergency aid and loan guarantees;

A Commission proposal will be presented early in the new year.

3. Regulation setting up a Loan Guarantee Fund

The Regulation should incorporate the mechanism set out in Annex 5 to Part C of the conclusions of the European Council. A Commission proposal will be tabled early in the new year.

4. Decision on own resources

The existing decision should be amended, in particular to reflect the European Council conclusions on the ceilings and on the own resources structure.

A proposal to this effect should be tabled by the Commission in good time for the changes to be operational as from 1995.

5. European Investment Fund

(See point 4 in part A above).

6. Cohesion Fund

- Interim instrument

A Commission proposal for the interim instrument is expected shortly (before Christmas), and for implementation before the end of January. The instrument will be adopted before 1 April 1993.

- Definitive instrument

The Commission will also table rapidly draft proposals for a Regulation setting up the Cohesion Fund under Article 130d, second subparagraph of the EC Treaty, and for the implementing regulation linked to this definitive instrument.

7. Revision of the Structural Funds Regulations

The existing Regulations (framework regulation and implementing decisions) should be modified to take account of the elements agreed by the European Council. The Commission's proposals to this effect are expected towards the end of January 1993.

The future Presidency, together with the Commission, will enter

into contact with the European Parliament with a view to ensuring the necessary co-operation between the three institutions in the implementation of the conclusions of the European Council on future financing.

PART D

External relations

Central and Eastern Europe

The European Council called on the Council to give early consideration to the recommendations of the Commission on its report "Towards a new Association with the Countries of Central and Eastern Europe" and to promote a wide-ranging debate involving interested parties in the Community and in Central and Eastern European Countries. The Danish Presidency, which intends to hold a conference with the countries of Central and Eastern Europe during its Presidency, will give high priority to this question in order to prepare for decisions at the European Council in Copenhagen on the framework necessary for this process of preparing the associate countries for accession to the Union.

HIGH-DEFINITION TELEVISION

Continuing the discussions held on HDTV at its Telecommunications meeting, the Council noted that it was not possible at this stage to reach agreement on the action plan for the introduction of advanced television services in Europe. Eleven delegations continued to favour a multiannual five-year plan with a budget of ECU 500 million. One delegation was unable to agree to this formula.

The Council therefore asked the Danish Presidency to take up the matter again as soon as possible with a view to finding a unanimously acceptable solution.

EUROPEAN ECONOMIC AREA

- Consequences of the Swiss referendum

The Council heard a report from the Commission on its contacts with EFTA member states following the Council's conclusions of 7 December 1992.

The Council recalled the conclusions of the Edinburgh European Council, which welcomed the contacts under way with the EFTA countries to identify the next steps in proceeding with the Agreement.

The Council expressed the Community's willingness to enter into negotiations within the framework of the diplomatic conference provided for in the EEA Agreement in order to agree satisfactorily the necessary modifications.

Accordingly, the Council invited the Commission to submit to it at the earliest possible opportunity a recommendation for a Council Decision on the opening of such negotiations.

The Council instructed COREPER to process the dossier rapidly.

TRADE POLICY

The Council held a further in-depth examination of proposals for regulations on common rules for imports from countries with market economies and state-trading countries and revision of the Community's decision-making procedures for its instruments of commercial defence.

The Council noted that although progress was made on various aspects of these proposals and that all delegations accepted the need to speed up procedures for the Community's instruments of commercial defence, it was not possible at this stage to reach agreement on the central issue of the revision of the decision making rules.

The Council therefore agreed to return to this matter early in the Danish Presidency.

COURT OF FIRST INSTANCE

Since one delegation continued to link this matter with the commercial policy dossier, the Council was unable to make any progress on the transfer of jurisdiction in certain areas from the Court of Justice to the Court of First Instance.

EXPORT CONTROLS ON DUAL-USE GOODS AND TECHNOLOGIES

- Council statement on completion of the internal market in this area

1. The Member States and the Commission recall the provisions of Article 8a of the Treaty under which the Community shall adopt measures with the aim of progressively establishing the internal market over a period expiring on 31 December 1992.

2. Considering the strategic character of certain dual-use goods and technologies, they recognize that the fundamental condition for the elimination of existing controls on intra-Community trade in these goods and technologies is the application by the Member States of effective controls, based on common standards, on the export to third countries of these dual-use goods and technologies.
3. They will therefore intensify their work in the Council's ad hoc High-Level Working Party with a view to adopting a Regulation by 31 March 1993.
4. Given their commitment to completing the internal market and pending the adoption of the Regulation aiming to establish the fundamental conditions for the elimination of controls on intra-Community trade in these dual-use goods and technologies, the Member States agree that, as from 1 January 1993, intra-Community trade in the dual-use goods and technologies in question shall no longer be subject to internal frontier controls within the Community but solely to controls performed as part of the normal control procedures applied in a non-discriminatory fashion throughout the territory of the Community. They agree that any problem or difficulty arising from the new situation will be examined as expeditiously as possible by the ad hoc High-Level Working Party.

- Progress report on the Regulation: export controls

The Council also took note of a report from the Presidency concerning progress on the proposal for a Regulation submitted by the Commission on 31 August 1992, dealing with export controls on dual-use goods and technologies.

GATT - URUGUAY ROUND

The Council heard statements by several delegations on the Uruguay Round negotiations and how they were progressing in Geneva.

The Council asked the Commission to report regularly at each Council meeting on the progress of the negotiations.

FORMER YUGOSLAVIA

The Presidency and the Commission reported on developments in the former Yugoslavia since the Edinburgh European Council, with particular reference to the elections in Serbia, the application of sanctions and the implementation of the humanitarian and technical aid programme for the former Yugoslav Republic of Macedonia which had been approved in Edinburgh.

RELATIONS WITH CYPRUS

The Council prepared the position to be adopted by the Community at the 14th meeting of the EEC-Cyprus Association Council, which was held on the evening of the same day (see Joint Press Release CEE-CY 7004/92 Presse 254).

MOROCCO

The Council heard Commissioner MATUTES give a presentation of the Commission's recommendation for negotiating directives for a Euro-Maghreb association agreement with Morocco.

During the brief discussion which followed, the prospect of closer relations between the Community and Morocco was welcomed.

The Council instructed the Permanent Representatives Committee to examine this important matter with a view to preparing for Council discussions on the subject.

MISCELLANEOUS DECISIONS

Social Affairs

Following the agreement reached at the Social Affairs Council meeting on 3 December 1992, the Council formally adopted:

- the Resolution on the need to tackle the serious and deteriorating unemployment situation in the Community;
- the conclusions on the effective implementation and enforcement of Community legislation in the social affairs area.

(See press release 10519/92 Presse 231).

The Council also adopted a Regulation concerning the organization of a survey of labour costs in industry and the services sector in 1993.

Intellectual property

The Council adopted Decisions:

- on the extension of the legal protection of topographies of semiconductor products to persons from the United States of America and certain territories;
- amending Decision 90/510/EEC on the extension of the legal protection of topographies of semiconductor products to persons from certain countries and territories.

Public procurement - excluded sectors

The Council adopted a common position on the amendment of Directive 90/531/EEC on the procurement procedures of entities operating in the water, energy, transport and telecommunications sectors (excluded sectors). It will be remembered that the Internal Market Council reached unanimous agreement in principle on this proposal at its meeting on 18 June 1992.

The new Directive is designed to extend the procedural arrangements of Directive 90/531/EEC, which regulated purchases of supplies and works by entities in the excluded sectors, to purchases of services by the same entities. It is the final stage of the legislation on public procurement provided for in the white paper on the internal market.

The provisions are aimed in particular at supplementing Directive 90/531/EEC, of which the new Directive is a consolidated version, to allow for the specific characteristics of service contracts. The adjustments proposed for this purpose by and large replicate the arrangements adopted in the Directive on the award of public service contracts.

The Directive will in particular apply in full to services regarded as priorities (for example maintenance and repair services, computer services, advertising services, certain financial and broking services, certain R&D services, architectural and engineering services, certain transport and telecommunications services) since they show greater potential for cross-frontier operations. Non-priority services (for example hotel services, legal services, education and vocational education services, social services etc.) are subject to minimum retrospective transparency requirements.

The opening up of Community service contracts in the excluded sectors to third-country providers of services and tenders is accompanied by a provision stipulating that the Commission may propose that the Council, acting by a qualified majority, take safeguard measures in relation to third countries which do not grant Community undertakings effective access to their markets.

Securities

Following the agreement of principle reached on 23 November 1992, the Council adopted a common position on the amended proposal for a Council Directive on investment services in the securities field. (See ECOFIN press release, 10088/92 Presse 216).

Credit institutions

Following completion of the co-operation procedure with the European Parliament, the Council adopted the Directive on the monitoring and control of large exposures of credit institutions (see ECOFIN press release of 29 June 1992, 7460/92 Presse 132, issued when the common position was adopted).

Capital movements

Following the substantive agreement reached at the ECOFIN Council meeting on 14 December 1992, the Council adopted the Directive authorizing the Hellenic Republic to defer liberalization of certain capital movements under Article 6(2) of Council Directive 88/361/EEC (see ECOFIN press release, 10792/92 Presse 224).

Taxation

The Council adopted eight Decisions to simplify administrative obligations in connection with VAT (Article 22(12) of Directive 77/388/EEC).

The Decisions authorize Germany, Denmark, Spain, Ireland, Italy, Luxembourg, the Netherlands and the United Kingdom to derogate, in the case of small and medium-sized undertakings, from the obligation to submit quarterly recapitulative statements of goods or services supplied.

Transit and storage statistics

The Council adopted a common position on the Regulation on transit statistics and storage statistics relating to the trading of goods between Member States.

That Regulation, which follows 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 in order to prevent the burden on those responsible for providing information varying excessively from one Member State to another. It will be remembered that Regulation No 3330/91 set up a system for the collection of statistics relating to the trading of goods between Member States from 1 January 1993 and that Articles 4 and 31 of that Regulation provide for the Council to adopt the necessary provisions for the compilation of transport and storage statistics.

Relations with San Marino

In preparation for the first meeting of the EEC-San Marino Co-operation Committee, to be held in Brussels on 22 December 1992, the Council approved on behalf of the Community four draft Decisions of that Committee concerning its rules of procedure and customs and

administrative co-operation.

Import arrangements: former Yugoslavia

The Council adopted a Regulation and a Decision on import arrangements for EEC and ECSC products originating in Bosnia and Herzegovina, Croatia, Slovenia and the territory of the former Yugoslav Republic of Macedonia for 1993.

Relations with the former USSR

The Council adopted a Regulation concerning the conclusion on behalf of the Community of an Agreement establishing an International Science and Technology Centre between the United States of America, Japan, the Russian Federation and, acting as one Party, the European Atomic Energy Community and the European Economic Community.

The Community had signed the Agreement in Moscow on 27 November 1992.

Convention on Chemical Weapons

The Council adopted the following conclusions on the Convention on Chemical Weapons:

"THE COUNCIL OF THE EUROPEAN COMMUNITIES

Noting:

- the importance attached by the Community and its Member States to the conclusion of the Convention on Chemical Weapons;

- that certain provisions of proposed Articles VI and XI of the draft Convention relate to controls upon trade in chemical precursors which could potentially have implications for the free movement of goods among Member States and the Community's trade policy;
- that all Member States have indicated their intention to become party to the Convention;

requests the Member States to ensure, by whatever means is appropriate, that the provisions of proposed Articles VI and XI are applied consistently with the rules of the Community concerning the free movement of goods among Member States and trade policy.

Recommends that Member States co-ordinate the dates of their signature and eventual ratification of the Convention."

Relations with the Baltic States

The Council adopted Decisions on the conclusion of the Agreements between the EEC and Estonia, Latvia and Lithuania on trade and commercial and economic co-operation signed in Brussels on 11 May 1992 (see press release 6166/92 Presse 67).

Provisional application of bilateral textile agreements

The Commission having initialled bilateral textile agreements with the MFA supplier countries, Romania, Bulgaria and Vietnam, and new textile protocols on quantitative arrangements with Poland, Hungary and the CSFR, within the terms of the respective negotiating directives given by the Council, the Council decided to apply all these bilateral agreements on a provisional basis from 1 January 1993 in order to avoid any uncertainty in international

trade in textiles with these countries pending their formal conclusion in due course.

Generalized system of preferences

The Council decided to renew the 1991 scheme of generalized tariff preferences (GSP) in 1993, awaiting the ten-year review of the Community's GSP to be undertaken after the Uruguay Round is agreed. The scheme provides preferential tariffs on certain agricultural, industrial and textile products originating in developing countries.

The Council has aligned the list of least developed countries (LDCs) with that of the United Nations, so adding Liberia, Zaire, Madagascar, Zambia, Cambodia, the Solomon Isles and Vanuatu to the list of LDC beneficiaries under the Community's GSP.

The Council has also decided, as an exceptional and temporary measure, to add the Ukraine, Belarus, Moldova, Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan and Kyrgyzstan to the list of countries benefiting from the generalized system of preferences in 1993. This measure is intended to increase the exports of those countries to the Community and thus support their efforts to restructure their economies.

As regards Romania and Bulgaria, the Council has decided that these countries will benefit from GSP concessions for the period of 1993 preceding the entry into force of the preferential arrangements provided for under the interim agreements with those countries, the volumes of the fixed amounts being limited on a fixed pro rata temporis basis.

Albania, Estonia, Latvia and Lithuania will be eligible in 1993 for GSP concessions for MFA textile products as they have now entered into agreements similar to the Multifibre Agreement (MFA).

Some technical modifications to the management of the scheme have been made, due to the introduction of the Single Market on 1 January 1993.

A Decision extending into 1993 the 1991 generalized tariff scheme in respect of certain steel products was also adopted by the Representatives of the Governments of the European Coal and Steel Community, meeting within the Council.

ECSC

The Representatives of the Governments of the Member States of the ECSC, meeting within the Council, adopted a Decision on the opening for 1993 of a zero-duty tariff quota for France, the Benelux countries and Germany of 2 860 t, 2 760 t and 2 400 t respectively of special wire rod for the manufacture of valve springs.