

COUNCIL OF THE EUROPEAN UNION

PRESS RELEASES

PRESIDENCY: GERMANY

JULY-DECEMBER 1994

Meetings and press releases 1-8 December 1994

Meeting number	Subject	Date
1810 th	Research	1 December 1994
1811 th	Education	5 December 1994
1812 th	Economics/Finance	5 December 1994
1813 th	Labour/Social	6 December 1994
1814 th	Consumers	8 December 1994
1815 th	Internal Market	8 December 1994

COUNCIL OF THE EUROPEAN UNION

1810th meeting of the Council

- Research -

Brussels, 1 December 1994

President: Mr. Bernd Neumann

Parliamentary Secretary for Research and Technology, Federal Republic of Germany

1810TH COUNCIL MEETING - RESEARCH - BRUSSELS, 1 DECEMBER
1994 PRESIDENT: MR BERND NEUMANN, PARLIAMENTARY STATE
SECRETARY FOR RESEARCH AND TECHNOLOGY OF THE FEDERAL
REPUBLIC OF GERMANY

Reference: PRES/94/254 Date: 01/12/1994

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

Belgium:

Mr Michel LEBRUN
Scientific

Minister for Higher Education,
Research and International

Relations

(French-speaking Community)

Mr Jean-Maurice DEHOUSSE
and

Minister for Science Policy
Infrastructure

Denmark:

Mr Frank JENSEN
Mr Knud LARSEN

Minister for Research
State Secretary for Research

Germany:

Mr Bernd NEUMANN
Research,

Parliamentary State Secretary for
Education, Science and Technology
Parliamentary State Secretary

Mrs Cornelia YZER
for

Research, Education, Science
Technology

and

Greece:

Mr Constantin SIMITIS

Minister for Industry, Energy and
Technology

Mr Nicos CHRISTODOULAKIS
and

State Secretary for Research
Technology

Spain:

Mr Emilio OCTAVIO de TOLEDO
and

State Secretary for Universities
Research

France:

Mr François FILLON
and

Minister for Higher Education
Research

Ireland:

Mr John F. COGAN

Deputy Permanent Representative

Italy:	
Mr Giovanni MEO ZILIO	State Secretary for Research
Luxembourg:	
Mr Jean-Marc HOSCHEIT	Deputy Permanent Representative
Netherlands:	
Mr Lambert J. HANRATH	Deputy Permanent Representative
Portugal:	
Mr Luis VALENTE de OLIVEIRA	Minister for Territorial Planning and Management
Mr Manuel FERNANDES TOMAZ	State Secretary for Science and Technology
United Kingdom:	
Mr Robert HUGHES	Parliamentary Under-Secretary of State
	for Science and Technology
Commission:	
Mr Antonio RUBERTI	Member
Mr Martin BANGEMANN	Member

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The acceding States were represented by the following:

Austria:	
Mr Raoul KNEUCKER	Director-General
Finland:	
Mr Olli-Pekka HEINONEN	Minister for Education and Science
Sweden:	
Mr Carl THAM	Minister for Education

SPECIFIC RESEARCH PROGRAMMES

After a detailed discussion and on the basis of a Presidency compromise the Council agreed on ten specific research programmes in implementation of the Community's Fourth Framework Programme for research, technological development and demonstration (RTD) for the period 1994-1998. Since all of the European Parliament's Opinions are available these ten programmes will be adopted, once the texts have been finalized, at a forthcoming Council meeting.

The contents of the ten programmes on which agreement was reached today may be summarized as follows.

- Transport

Objectives:

- to improve the efficiency of the individual transport modes and speed up their integration into European transport networks and to support Community transport initiatives at both national and European levels;

- to contribute to the optimization of trans-European transport networks, improved productivity of modes of transport and individual operators, the capacity of each mode of transport to be integrated with the others, accessibility for users and the development of a multimodal transport system at urban, rural, regional and trans-European level.

Amount deemed necessary:
ECU 240 million

Indicative breakdown by area:

Area	%
Strategic research for a trans-European multimodal network (definition, demonstration and validation)	20
Network optimization	80
Railways	16
Integrated transport chains	7
Air transport	16
Urban transport	11
Maritime transport and inland waterways	19
Road transport	11

TOTAL

100

%

ECU 240 million

Biotechnology

Objectives:

Contribute to ensuring:

- a strong and innovative science base;
- a highly trained and skilled workforce;
- the efficiency of technology transfer from the science base to industry;
- the rapid incorporation of novel and innovative techniques into established practices;
- a multi-disciplinary approach to biotechnology-based processes;
- the cross-linking of connected topics and the integration of groups of experts on an international scale;
- the validation of scientific principles to underpin a unified market of biotechnology-derived products;
- the harmonious application of bioprocesses as beneficial alternatives to promote the environment, human health and welfare;
- a high degree of social acceptance and transparency in biotechnology research and its applications.

Amount deemed necessary:

ECU 552 million

Indicative breakdown by area:

Area	%
Objectives requiring concentrated means	
Cell factories	22
Genome analysis	16
Plant and animal biotechnology	24
Cell communication in neurosciences	6
Objectives mainly addressed by concertation	
Immunology, transdisease vaccinology	7
Structural biology	10
Prenormative research, biodiversity, social acceptance	9,5
Infrastructures	5,5

TOTAL 100 % ECU 552 million

Targeted socio-economic research

Objectives:

To contribute to the clarification of decision-taking at decentralized, national or Community level to lay the foundation for sustainable development of Europe's economies enabling them to withstand international competition and create jobs. It is planned to achieve that aim by developing a shared knowledge base on the challenges facing Europe based on research in the following three areas.

Amount deemed necessary:

ECU 105 million

Indicative breakdown by area:

%

Evaluation of science and technology policy options

48,0

Research on education and training

23,5

Research into social integration and social exclusion in Europe

28,5

TOTAL

100 %

ECU 105

million

Objectives:

- to ensure the widest possible dissemination of the results of RTD activities under Community and national programmes;
- to optimize their exploitation, i.e. to ensure with the assistance of the various operators concerned that the results obtained under Community and, where possible, national programmes are transformed into innovations;
- to promote transfer of technology particularly to SMEs;
- to support the various initiatives launched at national level

so as

to give them a trans-European dimension;

- to ensure the continuing development of expertise in innovation and technology transfer.

Amount deemed necessary:
ECU 293 million

Indicative breakdown by area:

Area	%
Dissemination and exploitation of the results of research	48,5
Dissemination of technology to enterprises	46,5
Financial environment for the dissemination of technology	5,0
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TOTAL	100 %

ECU 293 million

Stimulation of training and mobility of researchers

Objectives:

- to stimulate the training through research and, by means of cooperation, to foster better utilization of high-level researchers in the Community;
- to improve the mobility of European researchers throughout the Community, encouraging mobility both between universities, research institutes and industry and between disciplines, thus better exploiting the research potential in the different disciplines;
- to promote, for instance through networks, transnational cooperation on research activities proposed essentially by the scientists themselves;
- to facilitate the access of all European researchers to existing large-scale facilities that are essential for high-quality research;

- to improve the scientific and technological cohesion of the Community and contribute to the attainment of a general level of scientific excellence by offering research opportunities to scientific institutions and researchers from all regions of the Community.

As was the case under the "Human Capital and Mobility" programme (1992-1994), the return to their region of origin of researchers originating from the less-favoured regions will be encouraged and financed.

Amount deemed necessary:
ECU 744 million

Indicative breakdown by area:

Area	%
Research networks	45
Access to large-scale facilities	15
Training through research	35
Accompanying measures	5
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TOTAL	100 %

ECU 744 million

Environment and climate

Objectives:

- to help strengthen the scientific base needed to implement the Union's environment policy, taking account in particular of the requirements of the fifth European Community programme of policy and action in relation to the environment and sustainable development and of the European Environment Agency;
- to help meet the objectives of the world programmes of research into global change;
- to contribute to the definition of a European Union global strategy in order to fulfil the international commitments resulting from the United Nations Conference on the Environment and on Development;

- to contribute to the development of environmental products, technologies, techniques and services which meet new needs and the exploitation of which could help to boost economic growth and create new jobs.

Amount deemed necessary:
ECU 532 million

Indicative breakdown by area:

Theme	%
Natural environment, environmental quality and global change	47
Environmental technologies	25
Space techniques applied to environmental monitoring and research	20,5
Human dimensions of environmental change	7,5
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TOTAL	100 %

million ECU 532

Biomedicine and health

Objectives:

- to contribute to the improvement of the health of the citizens of Europe, combat disease and support the health industry;
- to contribute to the increased effectiveness of research and development in medicine and health, in particular by ensuring better coordination of the relevant activities of the Member States and the application of the results through cooperation and the pooling of resources at Community level;
- to contribute to the concentration of research on projects of interest to the Community and consumers and to promote the transfer from research to clinical application.

Amount deemed necessary:
ECU 336 million

Indicative breakdown by area:

Area	%
Pharmaceutical research	11
Research on biomedical technology and engineering	11
Brain research	12
Research on diseases with major socio-economic impact: from basic research into clinical training	42
- Cancer research	10
- Research on AIDS, tuberculosis and other infectious diseases	8
- Research on cardiovascular diseases	8
- Research on chronic diseases, ageing and age-related problems	10
- Research on occupational and environmental health	4
- Research on "orphan" diseases	2
Human genome research	12
Public health research, including health services research	10
Research on biomedical ethics	2

TOTAL	100 % ECU 336 million

Nuclear fission safety

Objectives:

- To explore ways of achieving greater acceptance of nuclear energy in the three areas that cause the greatest concern (reactor safety, particularly in connection with serious accidents; the management of long-lived radionuclides, including plutonium; the risk of fissile materials being hijacked);
- to prevent and improve understanding of reactor accidents;
- scientific questions relating to the storage of long-lived radioactive waste;

- research on radiation protection (radiological impact on man and the environment);
- to contribute to strategies for the long-term mitigation of the consequences of past nuclear accidents, in particular that at Chernobyl, and to follow the development of the situation. This objective will be pursued in collaboration with the countries concerned (CCEEs and NIS).

Amount deemed necessary:
 ECU 160 million

Indicative breakdown by area:

Area	%
Exploring innovative concepts	4,5
Reactor safety	30,0
Radioactive waste management and disposal	27,0
Radiological impact on man and the environment	31
Mastering events of the past	7,5
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TOTAL	100 %

ECU 160 million

Activities to be carried out by the EC by means of direct actions (JRC) and activities forming part of a competitive approach and intended to provide scientific and technical support for Community policies (1995-1998)

Objectives:

This programme essentially determines the work to be done by the Joint Research Centre (JRC) over the next four years. Certain activities that do not require the neutrality of the JRC can be implemented by third parties, under a competitive approach (invitations to tender).

Amount deemed necessary:

ECU 600 million for direct JRC activities; ECU 128 million for activities

under a competitive approach.

Indicative breakdown by area:

First activity	ECU millions		
Information and communications technologies			
- Information technologies	11		
Industrial technologies			
- Industrial and materials technologies	90		
- Measurements and testing	105		
Environment			
- Environment and climate	294		
Life sciences and technologies			
- Agriculture and fisheries	47		
Energy			
- Non-nuclear energy	20		
Targeted socio-economic research	33		
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	TOTAL	ECU	600 million

JRC programme (Euratom)

Objectives:

This programme lays down the work to be done by the Joint Research Centre

(JRC) in two areas that are also covered by specific programmes: nuclear

fission safety and controlled thermonuclear fusion.

Amount deemed necessary:

ECU 300 million

Indicative breakdown by area:

Area	ECU millions
Nuclear fission safety	254
Controlled thermonuclear fusion	46

TOTAL ECU 300 million

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In the implementation of these programmes the Commission will be assisted by regulatory committees consisting of representatives of the Member States.

In the cases of the following programmes, as well as the opening already provided for for all the programmes of the Fourth Framework Programme by means of cooperation agreements under Article 130m of the Treaty, the Council has created the possibility, on a project-by-project basis, for participation by research organizations from non-member countries that have not concluded such agreements with the Community:

- Transport
- Biotechnology (only Area 7: prenormative research and biodiversity)
- Socio-economic research (only Area 1: evaluation of science and technology policy options)
- Biomedicine (the whole programme except the areas "Pharmaceutical research" and "Research on biomedical technology and engineering")
- Nuclear fission safety (in the areas "Radiological impact on man and the environment" and "Mastering events of the past")
- Environment and climate.

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The Council has now approved all twenty specific programmes proposed by the Commission on 30 March 1994, including two new ones with respect to the last framework programme (the Transport and Socio-economic research programmes). The programme decisions also include a large number of European Parliament amendments.

It should be recalled that the total budget allocated to the Fourth Framework Programme amounts to ECU 12 300 million. The twenty

programmes
are as follows:

- fifteen programmes, each covering a specific area:
 - * Telematics applications of common interest,
 - * Advanced communications technologies and services,
 - * Information technologies,
 - * Industrial and materials technologies,
 - * Standardization, measurements and testing,
 - * Marine sciences and technologies,
 - * Agriculture and fisheries,
 - * Environment and climate,
 - * Biotechnology,
 - * Biomedicine and health,
 - * Non-nuclear energy,
 - * Transport,
 - * Socio-economic research,
 - * Controlled thermonuclear fusion, and
 - * Nuclear fission safety;
- a horizontal programme for cooperation with non-member countries, in particular the CCEEs/NIS and the developing countries;
- a programme for the dissemination and optimization of the results of research;
- a programme for the stimulation of the training and mobility of researchers in the Community;
- two programmes for the Community Joint Research Centre (one under the aegis of the EEC, the other under that of Euratom).

In general a special effort has been made in these programmes to improve the coordination and rationalization of research efforts in Europe, to exploit their results further, to encourage participation by SMEs and to increase the support given by RTD to the implementation of other European Union policies.

FUTURE WORK OF CREST - the Council's conclusions

The Council adopted the following conclusions on the future work of CREST

(the Scientific and Technical Research Committee):

"1. The Scientific and Technical Research Committee (CREST) was established by a Council Resolution of 14 January 1974. At that time

RTD activities - apart from research carried out under the provisions of the Euratom and the ECSC Treaties as well as on the basis of some specific provisions in the EEC Treaty (e.g. Article 41 paragraph (a) - were based on Article 235 of the EEC Treaty. Since then RTD activities at Community level have increased considerably. The legal basis has been broadened by introducing a specific chapter on research and technological development in the Treaty and the establishment of the Community's own RTD policy has been accomplished.

2. Although over the last two decades CREST has adapted its work to the changing circumstances by concentrating on the growing demand for the definition of scientific and technological objectives of RTD programmes, it is now time to face new challenges and accordingly to discuss the future work of CREST so that its advice should aim in particular

- to develop further the Community's RTD policy;
- to improve the coordination of national and Community RTD activities (Article 130h of the EC Treaty).

3. The German Presidency has initiated a discussion on the future role of CREST. At the informal meeting of research ministers held in Schwerin in July 1994, it was emphasized that CREST should play an important role in the medium and long-term shaping of RTD policy, in particular in the coordination of national and Community activities and in the evaluation of new framework programmes as well as in the evaluation of RTD programmes. The deliberations of CREST should be prepared on the basis of a medium-term work programme, which should pay particular attention to the above points.

4. Discussions on the future tasks of CREST and on the desirability of a revision of its original mandate have not yet been

completed.

Especially in the light of the Commission communication on coordination of 25 October 1994, there is a need for further discussion. Such discussion should deal also with the interaction of CREST with other bodies operating in the research field at European level.

5. The Council notes with satisfaction the initiative of the German Presidency concerning the future work of CREST and the progress made so far. It invites the French Presidency to continue with this task and requests CREST to prepare a medium-term work programme."

COORDINATION OF RTD POLICIES

The Council heard a presentation by Mr RUBERTI, a member of the Commission, of the communication entitled "Research and technological development: Achieving coordination through cooperation" which the Commission approved on 25 October 1994. The communication deals with the implementation of Article 130h of the Treaty on European Union which invites the Member States and the Community to coordinate their research and technological development (RTD) activities to ensure the mutual consistency of national and Community policies. It is also a follow-up to the white paper on growth, competitiveness and employment.

After a brief exchange of views the Council agreed to resume examination of the communication in greater detail.

PROTECTION OF INDIVIDUALS WITH REGARD TO THE PROCESSING OF PERSONAL DATA AND THE FREE MOVEMENT OF SUCH DATA

The Council noted statements by several delegations on the scientific research aspects of the Directive on the above subject, examination of which was planned for the Council's meeting on the Internal Market on 8 December 1994.

P R E S S R E L E A S E

11559/94 (Presse 262)

1811th meeting of the Council

EDUCATION

Brussels, 5 December 1994

President: Mr Jürgen RÜTTGERS

Minister for Education, Science and Research
of the Federal Republic of Germany

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

Belgium:

Mr Luc VAN den BOSSCHE

Flemish Minister for Education and the Civil Service

Denmark:

Mr Ole VIG JENSEN

Minister for Education

Germany:

Mr Jürgen RÜTTGERS

Minister for Education, Science and Research

Mr F. SCHAUMANN

State Secretary at the Ministry of Education and Science

Mr Dieter BREITENBACH

Minister for Science and Culture, Saarland

Greece:

Mr Georgios PAPANDREOU

Minister for National Education and Religious Affairs

Spain:

Mr Gustavo SUÁREZ PERTIERRA

Minister for Education and Science

France:

Mr Pierre SELLAL

Deputy Permanent Representative

Ireland:

Mr John F. COGAN

Deputy Permanent Representative

Italy:

Mr Francesco D'ONOFRIO

Minister for Education

Luxembourg:

Mr Marc FISCHBACH

Minister for National Education

Netherlands:

Mr L.J. HANRATH

Deputy Permanent Representative

Portugal:

Mrs Manuela FERREIRA LEITE

Minister for Education

United Kingdom:

Mr Tim BOSWELL

Parliamentary Under-Secretary of State, Department of Education

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Commission:

Mr Antonio RUBERTI

Member

The following representatives of the acceding countries attended as observers:

Austria

Ms Judith GEBETSROITHNER

Deputy Head of Austria's Mission to the
European Union

Finland

Mr Olli-Pekka HEINONEN

Minister for Education

Sweden

Mr Carl THAM

Minister for Education

COMMUNITY ACTION PROGRAMME "SOCRATES"

Having established that it was unable to accept all the European Parliament's amendments to its common position on the proposal for a Decision establishing the Community Action Programme "SOCRATES", the Council proposed to the European Parliament that the Conciliation Committee provided for in Article 189b of the Treaty be convened to discuss this subject.

An initial meeting of the Conciliation Committee was held today to discuss this subject and the "Youth for Europe III" programme. The discussions on these two programmes will continue at a later date to be agreed. The Conciliation Committee has six weeks in which to agree on a draft text.

The aim of the SOCRATES programme is to contribute to the development of quality education and of an open European area for cooperation in education.

EUROPEAN YEAR OF EDUCATION AND TRAINING

The Council took note of an interim report by the Presidency on the proposal for a Decision of the European Parliament and the Council establishing a European Year of Education and Training.

The aim of this Year (1996) is to step up the promotion and qualitative growth of education and training, through a series of specific actions (involving among other things information, coordination and motivation) at both national and Community level.

The Council will be able to adopt its common position once the European Parliament, the Economic and Social Committee and the Committee of the Regions have delivered their Opinions on the matter.

EC/UNITED STATES EC/CANADA AGREEMENTS

The Council took note of an interim report from the Commission on the negotiation of the EC/United States and EC/Canada agreements in the field of higher education and training, in accordance with the negotiating briefs adopted by the Council on 21 November 1994.

The agreements are intended, in particular, to supplement the scientific and technical cooperation agreement recently negotiated with Canada and a future agreement in the same field with the United States.

COOPERATION IN THE FIELD OF EDUCATION WITH THE CCEEs

The Council took note of an information paper on cooperation with the associated CCEEs and with the Russian Federation in the field of education, drawn up by the Presidency.

EDUCATION ASPECTS OF A GLOBAL STRATEGY OF THE EUROPEAN UNION AGAINST RACISM AND XENOPHOBIA

At the end of its debate on education aspects of a global strategy of the European Union against racism and xenophobia, the Council approved the general lines of a note on this subject for the attention of the European Council Consultative Commission preparing the global strategy the creation of which was decided by the Corfu European Council; this should be subject to a further examination by the Education Committee in the light of suggestions made during the Council debate.

EDUCATION AND TRAINING IN THE FACE OF TECHNOLOGICAL, INDUSTRIAL AND SOCIAL CHALLENGES

The Council noted the Commission's presentation of a communication entitled "Education and training in the face of technological, industrial and social challenges: first thoughts".

The communication aims to lay the foundations for a prospective initiative on education and training policy intended to implement the guidelines set out in the White Paper, in view of the objectives of growth, competitiveness and employment, without prejudice to the fundamental role of education in preparing for citizenship and integration into a working life.

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The Council noted the Commission's intention of submitting a communication on the recognition of diplomas for academic and professional purposes in the near future.

QUALITY AND ATTRACTIVENESS OF VOCATIONAL TRAINING - COUNCIL RESOLUTION

Following a debate on the quality and attractiveness of vocational training, the Council adopted the following Resolution:

"INTRODUCTION (1)

1. Full employment, economic growth and an innovative and competitive economy are key goals of the European Union and of each Member State, to the achievement of which vocational education and training can make an important contribution.

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- (1) This Resolution takes into account the Council's conclusions, Resolutions, Recommendations and Decisions concerning vocational training, in particular:

Council conclusions of 9 March 1987 concerning vocational training for young people in the European Community; OJ No C 73, p. 2.

Council Resolution of 5 June 1989 on continuing vocational training; OJ No C 148, p. 1.

Council Decision of 28 July 1989 establishing an action programme to promote foreign language competence in the EC (LINGUA); OJ No L 239, p. 24.

Council conclusions of 14 December 1989 on technical and vocational education and initial training; OJ No C 27, p. 4.

Council Decision of 29 May 1990 establishing an action programme for the development of continuing vocational training in the European Community (FORCE); OJ No L 156, p. 1.

Council Decision of 22 July 1991 amending Decision 87/569/EEC concerning an action programme for the vocational training of young people and their preparation for adult and working life (PETRA II); OJ No L 214, p. 69.

Council Resolution of 3 December 1992 on transparency of qualifications; OJ No C 49, p. 1.

Council Resolution of 11 June 1993 on vocational education and training in the 1990s; OJ No C 186, p. 3.

Council Recommendation of 30 June 1993 on access to continuing vocational training; OJ No L 181, p. 37.

2. Increasing complementarity and cross-fertilization between general education and vocational training are now an established fact.
3. Furthermore, vocational training should not be seen solely in terms of its economic and employment objectives as it also contributes to the development of personal and professional competence; this principle also corresponds to future developments in qualification requirements on the job markets of the Member States of the European Union.
4. According to many forecasts, the proportion of jobs for unskilled labour will drop considerably, whereas on the other hand the proportion of jobs requiring high-quality education and training will continue to grow in many areas.
5. Because of rapid structural and technical changes and changes in the organization of work, the qualification profile of workers who have acquired skills through training is also changing in almost all spheres of activity, with the proportion of skilled jobs involving a comprehensive range of tasks and requiring greater practical and theoretical knowledge together with the ability to apply new subject-related technologies continuing to grow. Furthermore, general "key skills" such as initiative, a willingness to take decisions and assume responsibility, communication skills and teamwork will become ever more important.
6. At the same time, professional knowledge and skills remain of practicable value for a shorter and shorter time, requiring an ability and willingness constantly to update professional skills and further develop general qualifications by means of continuing vocational training throughout a whole career.
7. In addition, the European internal market is leading to an increase in the number of jobs requiring a knowledge of foreign languages and cultures.
8. These challenges can only be met by high-quality vocational training which responds to the needs and aspirations of all young people and adults. This means training courses at different levels. It is also vital that vocational training should attract the most hard-working and capable people.

9. Although the task of creating the conditions for achieving this is a matter for the vocational training policies of the Member States, the European Union supports and supplements these efforts in the framework of its policy, with strict regard to the responsibilities of the Member States. Such policies are the basis for action at Union level aimed at improving the exchange of information and promoting cooperation between Member States. The Union can therefore provide considerable impetus for new channels and common innovative developments, helping to enhance the quality and attractiveness of vocational training in all the Member States.
10. The efforts to improve the quality and attractiveness of vocational training may also be backed by a dialogue between social partners at European level. Both sides of industry can make a vital contribution at national level.
11. Using the means available in each case, the Member States and the Union are pursuing the goal of providing sufficient high-quality and highly attractive vocational training in all the European regions. Without such a basis it will not be possible in the long run to ensure sustained economic development, social cohesion and social progress in Europe. Technical and vocational training should therefore be constantly improved, particularly in the less developed regions of the Union, in order to give young people more choice in the type of training they opt for and make the careers guidance services more effective.

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Having regard to these considerations, THE COUNCIL hereby adopts the following Resolution:

PRINCIPLES

1. All young men and women should have access to recognized basic vocational training. In the transition from basic training to working life, men and women should have equal opportunities.

Equal opportunities for all as regards access to and obtaining high-quality vocational training means in addition a multiplicity of structures and establishments offering such training. Action to achieve this should be intensified, particularly in the less developed regions where the lack of such structures seriously affects young people's training and entry into employment as well as economic potential. The use of modern teaching methods, educational media and new technology could also facilitate access to vocational training.

2. High-quality vocational training should prepare young people for skilled employment, and open up job opportunities while meeting their preferences and aptitudes and giving them the desire and ability to undertake continuing vocational training throughout their careers. Such training should therefore be widely based, provide transferable skills and broaden young people's general education.

In parallel, young people in the Community who so wish should have the opportunity of receiving one or if possible two or more years of basic vocational training in addition to their compulsory full-time education, leading to a vocational qualification recognized by the competent authorities of the Member State where it was obtained.

3. The job market requires a wide spectrum of differentiated vocational training opportunities, available as part of a flexible and open system of basic and continuing education and training, and thus at the same time meeting the needs of young people. On the one hand, training programmes should be available – if necessary with the help of additional support – which enable young people with learning and motivation difficulties, individual or social problems, or young people with disabilities, to take up vocational training and gain a recognized qualification. On the other hand, basic vocational training should remain attractive to highly able and motivated young people and lay the foundations for a successful career. Careers guidance, information and counselling should be available to all young people.
4. The prospect of a fulfilling job is a vital incentive for young people to take up vocational training. The main indication of quality and attractiveness in vocational training is a successful transition from training into working life. Essential factors in this are the continual updating of vocational training programmes, their suitability for the employment market and the guarantee of a high level of quality in each Member State.

Procedures which provide in national regulations and practice for appropriate participation by the two sides of industry in the development, recognition and modernization of vocational training programmes have proved successful in this connection, and can encourage the acceptance of vocational training in industry and amongst young people.

Responsible participation by undertakings in vocational training, in alternating, "sandwich" or integrated schemes, can be another favoured method of encouraging vocational training programmes to keep up-to-date and relevant to practical needs.

5. In order to provide a constant supply of highly qualified employees with wide practical experience, vocational training should become more attractive to the most able and ambitious young people and thus lose its image as a second-rate alternative in the eyes of those young people who are now in increasing numbers aspiring to university or further education. This would mean high-quality vocational training with a substantial practical and industrial component.

It is also important to encourage men and women to choose training opportunities which break with traditional labour market patterns and focus on equal opportunities training for men and women.

To achieve this, the aid should first be sought of the undertakings, firms and public administrations which require this continuing supply of skilled workers. They should, by dint of appropriately targeted measures, offer suitable career prospects and attractive opportunities for male and female employees who have successfully completed their training and who are willing to undergo further training at a later stage of development equivalent to those open to higher education graduates.

At the same time, the vocational education and training opportunities for such young people and young adults should be extended. For example existing vocational training programmes could be broadened to cover appropriately targeted higher qualifications recognized as such. The adequate training of instructors may help considerably in this area. Links between basic and continuing vocational training could, moreover, create new recognized channels offering access to attractive employment. In addition, types of skills-based alternating training courses could be developed at an advanced level, combining industrial training and higher education.

6. In addition, the attractiveness of vocational training and its social prestige are largely dependent on recognition of the equal value of general educational and vocational training and society's recognition of skilled occupations. For this reason also, vocational training should be more than just "making you suitable for employment". Vocational training should be developed as an equally valid component of the education system and accordingly, like general education, should have the constant objective of promoting general qualifications and personal and social skills in general as well as their professional competence. Vocational training therefore needs to be broadened but its intrinsic nature should remain unchanged.

Equivalence between vocational training and general education also means that there should continue to be opportunities for graduates of vocational training courses to gain access on an equal footing to further training programmes. For example, basic or continuing vocational qualifications should thus open up opportunities for university study. Recognized channels between vocational training and general education should also be developed.

Recognition by society and the attractiveness of training courses also depend on the support such courses receive. Vocational training should therefore be given an appropriate status in the promotion schemes of the Member States and at Community level.

7. The possibilities for advancement which continuing training offers workers who have acquired skills through training make vocational training highly attractive. Existing, recognized continuing training schemes offering possibilities for advancement should therefore be extended, in particular to enable more workers to obtain jobs traditionally reserved for graduates of other forms of education, especially higher education.

It would be desirable to press for continuing training with accompanying possibilities of advancement to be accepted by industry and for its attractiveness and value for trainees to be increased. The measures required to achieve that aim should be planned with the participation of both sides of industry in accordance with the Member States' laws and practice, should meet clearly accepted quality standards in each Member State and deliver recognized qualifications.

8. In the European internal market, having a skilled job increasingly means being able to communicate and cooperate across borders. The teaching of skills appropriate for European and international work is therefore, increasingly, a further important factor in the quality and attractiveness of vocational training. Learning foreign languages should as far

as possible be part of basic and continuing vocational training. Periods of education and vocational training in other Member States, including those for instructors, and the integration of such periods into national vocational training programmes should be intensified.

9. Vocational training policy should play an important part in bringing about the freedom of movement and promoting the mobility of workers in the European internal market. This is also an important element in a policy for increasing the attractiveness of basic and continuing vocational training. It includes not only the imparting of "European skills" but also the possibility of using national vocational certificates and diplomas across borders in the European job market.

National regulations which make access to professions conditional on the formal recognition or equivalence of vocational qualifications should therefore be kept to a necessary minimum. Skills and knowledge which may be acquired and also authenticated by certificate outside the educational system should be taken into account as well in access to jobs and professions throughout Community territory. This means establishing transparency in national training diplomas and encouraging cooperation on the part of those involved in the training market.

10. The appropriate way to create transparency is the development and introduction of internationally comprehensible vocational certificates and diplomas for workers wishing to apply for jobs in other Member States. Ways should be devised of describing in several languages the vocational skills acquired in basic or continuing training in such a way that they are clearly recognizable and can be compared with the requirements of the job advertised. Efforts should be intensified to examine whether it is possible to create an individual "portfolio", following the Council Resolutions of 1990 and 1992 on the transparency of qualifications.

It would also be necessary to step up national and Community-wide efforts to improve information and advice for persons wishing to study or work in another Member State and to further encourage cross-border cooperation between the bodies dealing with this in the Member States.

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THE COUNCIL, with a view to promoting these principles, calls upon

the Member States, taking into account the areas of responsibility of the competent authorities, of undertakings and of the two sides of industry respectively, and taking into account national laws and practice:

- to increase their efforts at both national and Community level to improve the quality and attractiveness of vocational training and in particular to endeavour to secure the participation of undertakings in the vocational training of young people;
- to take account of measures to improve the quality and attractiveness of vocational training in the reports they submit in the European context;

the Commission to give lasting support to the efforts of the Member States and the two sides of industry with a view to achieving these goals, in particular by making use of education and training programmes, including those of the European Social Fund, as well as promoting dialogue on these matters within the European Union."

PROMOTION OF EDUCATION AND TRAINING STATISTICS: COUNCIL RESOLUTION

Following a debate on the promotion of education and training statistics, the Council adopted the following Resolution:

"INTRODUCTION (1)

1. The growing economic and social interdependency of the Member States of the European Union means that political decision-makers at both European and national level rely increasingly on statistics which are comparable on a Union-wide basis.

Experts in the field also have a considerable interest in comparative education and training statistics in the European Union.

2. The development of an open European area for cooperation in education requires the continuing improvement of statistical bases to underpin common action at Union level and be taken into consideration when taking educational policy decisions at national or regional level.
3. The development of education and training statistics within the framework of the European Union should continue to take account of the existing and sometimes worldwide collections of data undertaken by UNESCO and the OECD in particular, as well as to involve collaboration with these bodies where possible.

Statistical surveys at European level continue, furthermore, to be dependent on the results of collections of data carried out at national or regional level.

(1) This Resolution relates to:

- the Resolution of the Council and the Ministers for Education meeting within the Council of 25 November 1991 [OJ No C 321, 12.12.1991] on education research and statistics in the European Community;
- the Decision of the Council of the European Communities on the framework programme for priority actions in the field of statistical information 1993 to 1997 [OJ No L 219, 28.8.1993].

4. The European Union's task of encouraging mobility throughout the entire area of education and vocational training means that specific surveys should be made if the bases are to be laid for a balanced distribution between the various disciplines and regions.
5. Respect for the variety of education systems in the Member States requires that when statistical surveys are carried out in the educational sphere in the individual Member States of the European Union a range of methods and differences of emphasis will continue to exist and the idea of systematic harmonization of legal and administrative provisions on educational statistics should be abandoned. On the other hand, it is necessary when carrying out surveys to work towards greater compatibility of statistical criteria and comparability of data.
6. Within the framework of the Treaty the Commission has the right to collect information so as to fulfil the tasks assigned to it; this includes the statistical bases necessary to realize the European Union's contribution to high-quality education and vocational training in the Member States.
7. With the framework programme for priority actions in the field of statistical information 1993 to 1997 the Council adopted a comprehensive statistical programme of work which included projects for the development of education and training statistics.
8. The Community's Socrates and Leonardo Programmes, which should be decided on shortly, provide for the promotion of the collection of data on education and training systems and for studies and comparative analyses.

In Council Decision of 29 May 1990 establishing an action programme for the development of continuing vocational training in the European Community (FORCE), regular exchanges of comparable data on continuing vocational training and the collection of statistics focusing on this particular area were provided for.

9. It is essential to make use of the rapid advances in telecommunications services in full compliance with the findings of the specific European Union programme for research, technological development and demonstration in the area of telematic applications of common interest so as to network the statistical services in the Member States.

10. In order to prepare definitions and procedures and interpret the data obtained, on-going cooperation is required between the bodies responsible for education and training statistics and the educational research institutions in the European Union.

PRINCIPLES AND PROCEDURES

1. Cooperation in education and training on the basis of the Maastricht Treaty and education policy and educational practice in the Member States increasingly require a common basis of information, which should be provided by improved comparative education and training statistics at the European level. This requires increased efforts in this field, focusing on the quality of the data and their comparability, and the topicality of the statistics and their accessibility. In addition to the recording of the data needed to form a picture of the education and training field, the preparation of codes and indicators appropriate for education and training statistics is necessary.
2. Use should be made of the Member States' existing infrastructures together with the available regular surveys and evaluations by Eurostat, and by the OECD, Unesco and other international organizations.
3. The compilation of statistical data on education and training at European Union level should, in accordance with the principle of subsidiarity, be based on the recording of data organized at different levels, and possibly also on a regional basis, allowing for differences in survey procedures and emphasis, whilst ensuring the comparability of the data.
4. Statistical bases are required in particular to produce systematic, comparative pictures of education and vocational training in the Member States of the European Union. For such purposes agreed definitions of the situations statistically portrayed should be drawn up so as to ensure that the results are directly usable.
5. As well as developing, extending and supplementing data by way of official statistics, opportunities should be available for carrying out periodic sample surveys.
6. To improve statistics and accelerate the conduct of surveys and their evaluation, the networking of existing infrastructures, in particular by means of the latest available technology, should continue to develop.

7. The statistical data on education and training collected and processed in the European Union framework should be published regularly and be made available in a form which is as up-to-date as possible to those with responsibilities or interests in this field at European, national or regional level.

GOALS, TASKS AND PRIORITIES

1. Laying the foundations for the comparative portrayal of initial and continuing education and training in the Member States of the European Union, by means of official statistics and by supporting educational and training statistics research.
2. Further development of European Union education and training statistics in all areas of education and training in the light of requirements at European and Member State level and in the framework of financial possibilities.
3. Further development of common survey instruments such as the joint UNESCO, OECD and EU questionnaire on education and vocational training in schools and technical colleges and their targeted enhancement for specific purposes in the European Union.
4. Contributions to the revision of the "International Standard Classification for Education" (ISCED) with the aim of achieving a balanced record of education and training, a closer match between the classification and the specific features of the national higher education systems and the additional consideration of continuing education and training.
5. Continual consideration of which of the jointly developed educational indicators require further development in the OECD framework for the pursuit of education-policy assignments in Member States and at European Union level; development of additional educational indicators specific to the EU, which are required with a view to achieving the objectives of the EU Treaty, e.g. the promotion of mobility and research into regional disparities.
6. Further development of a programme of basic statistical data for the educational sphere in the European Union and targeted enhancement of that basic programme, for example through periodic sample surveys and individual inquiries on priority topics.

Sample surveys comparing countries appear appropriate for information on:

- the transition from education and training to the world of work, vocational integration and mobility and re-entry into training;
- continuing education and training;
- the social and economic situation of students and participants in continuing vocational training.

7. Analysis of the different national structures and classification systems of educational expenditure and their funding, with special attention to direct and indirect transfers.
8. Steps towards speeding up educational statistical surveys and the processing of them within the EU framework.
9. Coordination of the development of networks for statistical surveys and information in the promotional measures and research programmes of the European Union and in the Member States.
10. Encouraging the exchange of experience on the carrying out of statistical surveys and assessments, in particular the exchange of experience on the implementation of longitudinal studies and the promotion of common development work in this field; use of the "TES" (Training of European Statisticians) programmes for technical training and further training in education and training statistics, and the "ARION" programme for study visits in this field.

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Having regard to the foregoing,

the Council requests:

- the Member States and their statistical offices to pay particular attention to the need for cooperation when developing further comparative education and training statistics in the European Union and beyond;

- the European Commission in close cooperation with the Member States to expedite the development of education and training statistics in the light of the priorities set out above and the five-year Statistical Programme;
 - those responsible for the statistical services at Union level (Eurostat) and the Working Party of Education Statistics to expedite the necessary development work to ensure supply of quality data which is comparable and as up-to-date as possible, account being taken of the data bases and instruments already in existence and observing the principle of data collection organized on a decentralized basis."
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PRESS RELEASE

11558/94 (Presse 261)

1812th Council meeting

ECONOMIC AND FINANCIAL QUESTIONS

Brussels, 5 December 1994

President: **Mr. Theo WAIGEL**

Minister for Finance
of the Federal Republic of Germany

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

Belgium:

Mr Philippe MAYSTADT Minister for Finance

Denmark:

Ms Marianne JELVED Minister for Economic Affairs

Germany:

Mr Theo WAIGEL Minister for Finance
Mr Johann EEKHOFF State Secretary for Economic Affairs
Mr Franz-Christoph ZEITLER State Secretary for Finance

Greece:

Mr Yiannos PAPANTONIOU Minister for Economic Affairs

Spain:

Mr Pedro SOLBES MIRA Minister for Economic Affairs and Finance
Mr Alfredo PASTOR BODMER State Secretary for Economic Affairs

France:

Mr Edmond ALPHANDERY Minister for Economic Affairs

Ireland:

Mr Bertie AHERN Minister for Finance

Italy:

Mr Lamberto DINI Minister for the Treasury

Luxembourg:

Mr Jean-Claude JUNCKER Minister for Finance
Mr Robert GOEBBELS Minister for Economic Affairs

Netherlands:

Mr Gerrit ZALM Minister for Finance

Portugal:

Mr Eduardo CATROGA Minister for Finance

United Kingdom:

Mr Kenneth CLARKE Chancellor of the Exchequer

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Commission:

Mr Henning CHRISTOPHERSEN

Vice-President

Mr Peter SCHMIDHUBER

Member

Ms Christiane SCRIVENER

Member

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The following representatives of the three acceding countries also attended:

Austria:

Mr Ferdinand LACINA

Minister for Finance

Finland:

Mr Liro VIINANEN

Minister for Finance

Mr Eino KEINÄNEN

State Secretary for Finance

Sweden:

Mr Gorän PERSON

Minister for Finance

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The following also attended:

Sir Brian UNWIN

President of the EIB

Sir Nigel WICKS

Chairman of the Monetary Committee

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CONVERGENCE PROGRAMME: NETHERLANDS 1995-1998**Council conclusions**

The Council welcomed the presentation of the new Dutch convergence programme for the period 1995-1998. The programme reconfirms the commitment of the first Dutch convergence programme, which covered the period 1992-1994, to comply to all convergence criteria for moving to stage III of EMU. The aim of the new programme is to tackle the remaining imbalances in the public finance situation, which are closely related to the problems in the labour market, while maintaining the high degree of nominal convergence achieved so far.

The Council encouraged the Dutch authorities to continue their firm monetary policy to maintain the favourable situation regarding inflation, interest rates and exchange rate. The Council also observed that adequate structural measures will be taken to promote participation in the labour market. The reform of the social security system, the creation of more competitive product and labour markets and higher investment share in public expenditure are all prerequisites to generate additional employment from the expected growth in the coming years.

The Council supported the plans for improving the Dutch fiscal position and noted that the targeted yearly reduction of real government expenditures by 0.7% on average is a considerable effort. The Council appreciated that budgetary plans are based on cautious macroeconomic assumptions, and particularly welcomed the commitment of the Dutch government to safeguard the planned savings with compensating measures if this would be necessary to comply to the expenditure ceilings of the programme.

The Council considered these budgetary efforts as sufficient to reduce the general government deficit below the 3% threshold in 1996. However, the Council noted that the objectives for the government debt ratio could have been more ambitious. To ensure a continuing decline of the debt ratio in 1995 and the years thereafter, which should receive priority given the positive position of the Netherlands regarding the remaining convergence criteria, the additional budgetary room coming from growth stronger than assumed in the cautious scenario should be used primarily to reduce the debt ratio.

PREPARATION OF THE EUROPEAN COUNCIL MEETING IN ESSEN

- Employment situation

In response to the request of the Corfu European Council the Council finalized ⁽¹⁾ a report, based on the work of the Economic Policy Committee, including proposals to improve the employment situation and the efficiency of the labour market, together with an overview of measures taken in the Member States in the spirit of the Commission's White Paper.

This report will be forwarded to the European Council in Essen along with that drawn up by the Labour and Social Affairs Ministers on 22 September of this year.

As regards the sources of problems in the labour market, the report points to a number of problems common to nearly all Member States, which can be grouped under three headings:

⁽¹⁾ with the Belgian delegation entering a general reservation on this text.

- = getting people back into the labour market reasonably quickly and improving incentives to work, so that the hard core of unemployed and non-participants does not continue to drift upwards;
- = reducing the costs of work and improving the incentive for employers to hire people;
- = improving the institutional, financial, social and general environment background against which labour markets operate.

The report highlights the employment policy priorities and the action taken by the Member States and assesses the progress made.

The report also provides that in order to enhance the flexibility and effectiveness of the labour market Member States should, account being taken of their respective situations:

- = introduce more wage flexibility so as to stimulate employment;
- = increase labour market mobility;
- = improve transitional/vocational training;
- = reform social benefit rules;
- = reduce indirect labour costs;
- = take special action for the long-term unemployed;
- = reform employment protection legislation;
- = enhance active labour market policies.

- **Financing of trans-European networks**

Further to the discussions at its meeting on 7 November 1994, the Council today concluded its examination of the financing of trans-European networks. It did so on the basis of the letter from Vice-President Christophersen to the ECOFIN Ministers dated 31 October 1994 as well as on the basis of the relevant sections of the report from the Group of Personal Representatives, the timely submission of which was unanimously welcomed.

With reference to the mandate given to it by the European Council at its meeting on 24 and 25 June 1994 in Corfu, the Council welcomed the report of the Group of Personal Representatives of Heads of State and Government, and endorsed its main recommendations on pages three and four of the report.

- **Multilateral surveillance**

The Council carried out the multilateral surveillance provided for in Article 103(3) of the Treaty and approved in this connection the report on the implementation of the broad economic policy guidelines to be put before the Essen European Council in accordance with the conclusions reached by the Brussels European Council in December 1993.

MACRO-FINANCIAL ASSISTANCE TO THIRD COUNTRIES**Ukraine**

Recognizing Ukraine's courageous steps towards stabilization and market-oriented reforms, the Council reached a political agreement on the Commission proposal for Community macro-financial assistance of up to ECU 85 million. This loan will be released subject to the following conditions:

- the signature of an IMF stand-by arrangement;
- the rapid implementation of the EU/G-7 action plan for the closure of Chernobyl.

The Council underlined the exceptional character of this assistance and the importance of a satisfactory burden-sharing among the major donors.

Algeria

The Council reached a political agreement on the Commission proposal to provide further macro-financial assistance to Algeria for a maximum amount of ECU 200 million to be released in two tranches to support the country's continuing efforts towards adjustment and structural reforms in close coordination with the international financial institutions.

Slovakia

The Council reached a political agreement on the Commission proposal for macro-financial assistance of up to ECU 130 million to be released in two tranches in favour of Slovakia. The Council underlined that the effective implementation of this assistance was conditional upon continuation by the Slovak authorities of the comprehensive reform process supported by the international financial institutions and the G-24.

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The Council requested the Permanent Representatives Committee to finalize the legal texts pertaining to these macro-financial assistance packages on the basis of the present conclusions and of the Opinions to be delivered by the Parliament, so as to make possible the formal adoption of the relevant decisions before the end of the year.

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The Council held an exchange of views on the geographical delimitation of macro-financial assistance to third countries. It agreed that this form of assistance is of exceptional nature and normally reserved to countries with which the Union maintains close political and economic links. The Council invited the Commission to further explore in consultation with the Monetary Committee the eligibility criteria that should apply to the mobilization of this type of assistance.

PROTECTION OF THE COMMUNITIES' FINANCIAL INTERESTS

The Council took note of the interim report from the Presidency on the protection of the Communities' financial interests. This report sets out the stage reached on five proposals - four Regulations and a draft Convention - the aim of which is to improve Community anti-fraud legislation; these proposals were submitted by the Commission as part of its work programme for 1994 and concern:

- the protection of the Communities' financial interests;
- a draft Convention for the protection of the Communities' financial interests covering the area of criminal sanctions; a progress report on the subject from the JHA Council is to be submitted to the European Council;
- measures to be taken in dealing with certain beneficiaries of operations financed by the Guarantee Section of the EAGGF;
- the amendment of Council Regulation No 4045/89 on scrutiny by Member States of transactions forming part of the system of financing by the EAGGF, Guarantee Section;
- mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters, and the repeal of Regulation No 1468/81; the Council recorded policy agreement on this draft without debate.

The debate which took place on the interim report demonstrated the Council's determination to conclude the proceedings on the various proposals as speedily as possible. In this context the President particularly stressed the following relevant factors:

- greater importance was to be given to risk analysis as the new principal instrument for the scrutiny of undertakings;
- market operators who had committed irregularities and fraud would be "blacklisted";
- checks on multinationals would be improved.

Following the discussions the President said he intended to do his utmost to ensure that the conclusions of the Essen European Council recognized intensification of the drive against fraud as a political imperative.

The Regulation on administrative cooperation approved today will constitute a new instrument to help combat fraud, especially in the agriculture sector, which is particularly exposed to the risk of infringements having a direct effect on the Community budget. It will serve inter alia as a basis for the introduction of a data base which, by means of the exchange of information between partners, will allow fraudulent transactions to be more effectively combated.

The Regulation will be formally approved once the European Parliament has been consulted again, a step made necessary by the change in legal basis.

ADJUSTMENT OF THE FINANCIAL PERSPECTIVE WITH A VIEW TO ENLARGEMENT OF THE EUROPEAN UNION

The Council recorded agreement on the conclusions reached at the last Triologue meeting with the European Parliament and the Commission on 29 November on the adjustment of the financial perspective for 1995-1999 with a view to enlargement of the European Union.

The European Parliament for its part is to take a decision on these conclusions at its coming part-session from 12 to 16 December 1994, thus allowing the 1995 budget for the Community of Fifteen to be adopted before the end of the month.

TAX QUESTIONS

The Council took note of a report from the Presidency on the progress made over the last few months in the tax sphere. In this context it noted in particular that:

- where the taxation of savings was concerned, all Member States were in agreement to ratify the European Convention on mutual aid in criminal matters and its Additional Protocol on fiscal offences concluded under the auspices of the Council of Europe,
- with respect to VAT arrangements
 - = the Council had adopted on 25 October 1994 conclusions on the essential criteria for introducing definitive VAT arrangements,
 - = the Presidency intended to finalize, if possible before the end of the year, its discussions on the proposal for a Directive on the simplification of the transitional VAT arrangements,

- as regards the CO₂/energy tax, the Member States had reached a consensus to make more use of the existing structures, which were already broadly harmonized with respect to excise duties, to achieve the objective of reducing CO₂ emissions by means of a harmonized tax on energy, specifically by adapting the minimum rates.

MISCELLANEOUS DECISIONS

(Adopted without debate. Where legislative acts are concerned, votes against or abstentions are indicated.)

Agriculture

- The Council adopted (with the German and Greek delegations voting against) a Regulation derogating as regards the set-aside requirement for the 1995/1996 marketing year from Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops.

The rotational set-aside requirement is fixed at 12% for the marketing year in question.

At its October meeting the Agriculture Council already decided on a policy approach in favour of this reduction (see Press release 9753/94 Presse 213).

- The Council adopted (with the United Kingdom and Luxembourg delegations voting against) a Regulation laying down standards for spreadable fats.

This Regulation lays down the general Community rules for the definition, classification, designation and placing on the market of fats for use as spreads.

Agreement in principle had been reached at the Agriculture Council meeting in November (see Press release 10631/94 Presse 231).

- The Council adopted a Decision authorizing the Commission to open negotiations with Argentina, Australia, Bulgaria, the Czech Republic, Hungary, Iceland, New Zealand, Poland, Romania, the Slovak Republic and Uruguay on the voluntary restraint agreements between the European Community and those countries on trade in sheepmeat and goatmeat and in live sheep and goats. The aim is to put in place interim access arrangements for products in the sheepmeat sector for the first six months of 1995 pending the implementation on 1 July 1995 of the undertakings given in that sector under the GATT Uruguay Round Agreement.

Appointments**- Economic and Social Committee**

The Council adopted a Decision appointing Ms Helle BUNDGAARD as a Member of the Economic and Social Committee to replace Mr Søren KROHN for the remainder of his term of office, viz. until 20 September 1998.

- Committee of the Regions

The Council adopted a decision appointing Mr Emile MOCCHI as an alternate Member of the Committee of the Regions to replace Mr Jérôme POLVERINI for the remainder of the latter's term of office, viz. until 25 January 1998.



PRESS RELEASE

11560/94 (Presse 263)

1813th Council meeting

LABOUR AND SOCIAL AFFAIRS

Brussels, 6 December 1994

President: **Mr Norbert BLÜM**

Minister for Labour and Social Affairs
of the Federal Republic of Germany

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

Belgium:

Ms Miet SMET

Minister for Employment, Labour and Policy on Equal Opportunities

Denmark:

Ms Jytte ANDERSEN

Minister for Labour

Ms Karen JESPERSEN

Minister for Social Affairs

Germany:

Mr Norbert BLÜM

Federal Minister for Labour and Social Affairs

Mr Horst GÜNTHER

Parliamentary State Secretary,

Federal Ministry of Labour and Social Affairs

Greece:

Mr Ioannis SKOULARIKIS

Minister for Labour

Spain:

Mr José Antonio GRIÑAN

Minister for Labour and Social Security

France:

Mr Michel GIRAUD

Minister for Labour, Employment and Vocational Training

Ireland:

Mr Frank COGAN

Deputy Permanent Representative

Italy:

Mr Adriano TESO

State Secretary for Employment and Social Security

Luxembourg:

Ms Mady DELVAUX-STEHRÉS

Minister for Social Security

Mr Jean Claude JUNCKER

Minister for Labour

Netherlands:

Mr A.P.W. MELKERT

Minister for Social Affairs and Employment

Portugal:

Mr José Bernardo VELOSO

Minister for Employment and Social Security

FALCAO CUNHA

United Kingdom:

Mr Michael PORTILLO

Secretary of State for Employment

Ms Anne WIDDECOMBE

Minister of State, Department of Employment

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For the Commission:

Mr Jacques DELORS

President

Mr Pádraig FLYNN

Member

Mr Antonio RUBERTI

Member

The following representatives of the three acceding countries also attended as observers:

Austria:

Mr Josef HESOUN

Minister for Labour and Social Affairs

Finland:

Mr Pretti SORSA

State Secretary for Labour

Sweden:

Ms Ingela THALEN

Minister for Health and Social Affairs

Mr Leif BLOMBERG

Minister for Labour

PART-TIME AND FIXED-TERM EMPLOYMENT

The Council examined a compromise suggestion from the Presidency which was confined to settling only some of the points addressed in the Commission proposals.

However, even this limited solution did not meet with the Council's unanimous agreement.

Commissioner FLYNN stated that the Commission would initiate the procedure laid down in the agreement on social policy.

POSTING OF WORKERS

The Council discussed the proposal for a Directive on the posting of workers in the framework of the provision of services on the basis of compromise suggestions by the Presidency.

The debate focused in particular on:

- the scope of the Directive;
- non-application for an initial period of the Directive's provisions on the minimum length of annual paid leave and minimum rates of pay;
- whether or not the list of areas covered by the Directive was exhaustive;
- the legal basis.

Since the discussions succeeded in bringing delegations' positions closer together, the Council agreed to continue its proceedings on 21 December 1994.

EMPLOYMENT: PREPARATION FOR THE ESSEN EUROPEAN COUNCIL

Following contributions by President DELORS and Commissioner FLYNN, the Council held an exchange of views on the document entitled "Action to turn growth into jobs – Brussels Action Plan (Phase 2)", which the Commission submitted in preparation for the Essen European Council.

At the close of this exchange of views, the President noted broad agreement on the ideas in this document.

VOCATIONAL TRAINING PROGRAMME

The Council adopted a Decision establishing an action programme for the implementation of a European Community vocational training policy.

The programme, entitled the LEONARDO DA VINCI programme, is to be implemented for the period 1 January 1995 to 31 December 1999. Its aim is to support and supplement Member States' action, while respecting the responsibility of the latter for the content and organization of vocational training.

The Council agreed to allocate ECU 620 million as the amount deemed necessary for the implementation of the programme. At the latest three years after the start of the programme the Council will evaluate the results which it has attained. To this end, the Commission will submit to the Council a report, together with any proposals it considers appropriate, including proposals on the financial allocations for the programme and their breakdown, which the Council will act upon at the earliest opportunity.

The programme is open to the participation of:

- the associated countries of Central and Eastern Europe (CCEE) in accordance with the conditions laid down in the additional protocols to the association agreements on participation in Community programmes to be concluded with those countries;

- Cyprus and Malta on the basis of additional appropriations in accordance with the same rules as those applied to the EFTA countries, under procedures to be agreed on with those countries.

The aim of the common framework of objectives is to contribute to the achievement of the objectives of Article 127 of the Treaty by pursuing a series of objectives such as:

- improving the quality and innovation capacity of Member States' vocational training systems and arrangements;
- developing the European dimension in vocational training and vocational guidance;
- promoting lifelong training so as to encourage ongoing adaptation of skills to meet the needs of workers and undertakings, contribute to reducing unemployment and facilitate personal development;
- giving all young people in the Community who so wish the possibility of one or, if possible, two or more years of initial vocational training after their full-time compulsory education, leading to a vocational qualification recognized by the competent authorities in the Member State in which it is obtained;
- encouraging specific vocational training measures for adults without adequate vocational qualifications, in particular adults without adequate education;
- promoting equality of access to initial and continuing training for persons disadvantaged by socio-economic, geographical or ethnic factors or by physical or mental disabilities; special attention must be given to persons affected by several risk factors likely to cause their social and economic exclusion;
- supporting vocational training policies in such a way that all workers in the Community have access to continuing vocational training throughout their working life without any discrimination;
- promoting equality of opportunity as regards access for men and women to vocational training and their effective participation therein, in particular so as to open up new areas of work to them and encourage them to return to work after a career break;
- supporting activities aimed at developing linguistic skills as part of vocational training measures;

- promoting the development of vocational guidance facilities with a view to providing every individual with the opportunity to have lifelong high-quality vocational guidance.

The programme provides that:

- the Commission in consultation with the Member States, will implement the Community measures specified in the Annex to the Decision and take measures to enable an appropriate transition to be made between the action already undertaken under the COMETT, FORCE, EUROTECNET, LINGUA and PETRA programmes and the Community measures to be implemented within the framework of this programme;
- Member States will take the necessary steps to ensure national coordination and organization of the implementation of the programme, in particular by making provision for the appropriate structures and mechanisms at national level.

The Commission will be assisted by a joint committee, i.e. a management committee for more important matters and an advisory committee for other matters, composed of two representatives from each Member State and chaired by the Commission representative.

On certain issues the committee will be assisted by subcommittees and/or working parties in specific fields (in particular initial vocational training, continued vocational training, university/industry cooperation).

A number, equal to that of the representatives of the Member States, of representatives of the social partners, appointed by the Commission on the basis of proposals from the social partners at Community level, will participate in the work of the committee as observers, when consultation takes place without prejudice to the conduct of the management and advisory procedures.

The Commission will ensure overall consistency between the LEONARDO DA VINCI programme and the Community action programme on education (SOCRATES) and other Community measures. In addition, the Commission and the Member States will foster

complementarity between the operation of this programme and Community-initiative programmes.

The Community measures provided for are divided into four strands, described in detail in part A of the Annex:

- support for the improvement of vocational training systems and arrangements in the Member States;
- support for the improvement of vocational training measures, including university/industry co-operation, concerning undertakings and workers;
- support for the development of language skills, knowledge and the dissemination of innovation in the field of vocational training;
- support measures: cooperation network between the Member States; information, monitoring and assessment measures.

In addition, the Annex contains provisions on the Community's financial contribution, on the submission of proposals for Community measures and on the selection procedures applicable to those proposals.

WHITE PAPER ON EUROPEAN SOCIAL POLICY

The Council held a policy debate on the Commission White Paper "European Social Policy: a way forward for the Union". The purpose of this White Paper is to establish a framework for future action in the Union in the field of social policy.

Commissioner FLYNN announced that in order to implement the White Paper he would propose that the Commission adopt a work programme at the earliest opportunity.

PROSPECTS FOR A EUROPEAN UNION SOCIAL POLICY

Following a Presidency initiative, the Council of eleven adopted the Resolution set out below on certain prospects for the European Union social policy: A contribution to economic and social convergence in the Union.

It is the first time that a Resolution has been adopted in Council by only eleven members, on the basis of the agreement on social policy.

"The Council of the European Union,

Having regard to the Agreement on social policy, annexed to the Protocol (No 14) on social policy, annexed to the Treaty establishing the European Community,

Whereas one of the objectives of the Union, in the context of the internal market and strengthening cohesion, is to promote and secure economic and social progress for its peoples, in such a way as to ensure that advances in economic integration are accompanied by progress in other fields;

Whereas the Union is thereby committed to social flanking measures to accompany the internal market and to developing the social dimension of the Community;

Whereas, in recognition thereof, all the Member States accepted at the Maastricht Intergovernmental Conference a "policy in the social sphere comprising a European Social Fund" (Article 3(i) of the EC Treaty); whereas that decision is the logical continuation of earlier decisions of the European Council in Hanover (June 1988) and Rhodes (December 1988);

Whereas the Madrid European Council was emphatic that "the same importance should be given to social aspects as was given to economic aspects and that they should consequently be developed in a balanced fashion";

Whereas the Brussels European Council on 29 October 1993 established that "the Union Treaty offers new foundations for social policy, subject to the provisions of the Protocol annexed to the Treaty" and expressed its determination swiftly "to implement – in all their forms – the possibilities afforded by the Treaty for a more mutually supportive Community";

Whereas the social and labour law systems, organized and developed differently as they are in the various Member States, constitute an essential basis for individuals in planning their lives; whereas at their meetings in Madrid and Luxembourg the Heads of State and Government were anxious to stress that particular attention should be paid to existing

systems, traditions and practice in the Member States; whereas, specifically in Europe the national identity of the Member States is particularly defined by their individual paths to solidarity within society and social balance; whereas Article F(1) of the Union Treaty expressly commits the EU to respect for national identities;

Whereas European social policy must accordingly pay particular attention to the principle of subsidiarity enshrined as a principle of law in the Maastricht Treaty (second paragraph of Article B of the Treaty on European Union, Article 3b of the EC Treaty); whereas the principle also signifies a policy of closeness to the citizen, in terms of moderation and balanced action, inter alia as regards the allocation of responsibilities to the Union and the Member States;

Whereas, with its guidelines for implementation of the subsidiarity principle, the Edinburgh European Council in December 1992 confirmed this fundamental principle of Community legislation and spelled out the division of responsibilities between the European Union and the Member States;

Whereas the Brussels European Council on 10 and 11 December 1993 presented an action plan for implementing the Commission's White Paper on growth, competitiveness and employment; whereas, in implementation of that action plan, the Employment and Social Affairs Council has prepared its own contribution to combating unemployment and will submit it, as requested by the Corfu European Council of 24 and 25 June 1994, to the European Council in Essen;

Whereas the social dimension is increasingly recognized outside the European Union as well; whereas this is also shown by the fact that a world summit on social development is to be held by the United Nations in Copenhagen in March 1995; whereas the European Union is participating actively in this process and is making a committed contribution to its success;

Whereas, in implementing the Commission's action programme resulting from the 1989 Community Charter of the Fundamental Social Rights of Workers, the Council has made far greater progress than hitherto publicly recognized; whereas this is particularly true as regards the technical protection of labour and legislation on dangerous substances; whereas recently, in particular with the Directives on the protection of pregnant women, the protection of young people at work and the organization of working time, safety and health at work have been further consolidated by means of minimum standards; whereas, in the sphere of labour legislation, the Directive on the form of proof of an employment relationship and the amending Directive on collective redundancies have been important decisions; whereas the Community has also provided quite significant social policy impetus in other fields of action; whereas in this connection mention should be made of the programmes on vocational training, on promoting equal opportunities between men and women, on the integration of people with disabilities and on combating poverty, as well as

recommendations such as that on the convergence of social protection objectives and policies;

Whereas these measures have predominantly been adopted in broad agreement; whereas in future too the Council should strive first and foremost for a social policy based on consensus among all twelve Member States and at the same time ensure that the two sides of industry and other representative social groups within Europe are especially involved; whereas, furthermore, the new Social Protocol instrument offers additional opportunities, to which the European Council of 29 October 1993 expressly referred; whereas these were used for the first time when the Directive on the establishment of a European Works Council was adopted,

I.

1. NOTES that by means of the Commission's Green Paper on European social policy a detailed discussion has been set in motion in the European Parliament and the Council, between both sides of industry and among the public on the choice of new areas of social policy and a timetable for the future orientation of European social policy;
2. RECALLS the Commission's presentation of its White Paper on European social policy, which summarizes the discussion taking place throughout the European Union and in which the Commission develops its ideas on the future of European social policy in ten detailed chapters on social policy;
3. IS CONVINCED that the Commission's White Paper on European social policy represents an important contribution to the further development of social policy in the Union;
4. WELCOMES the fact that during 1995 the Commission will submit a detailed new work programme in which it will put forward its proposals for the future organization of social policy until the end of the decade;
5. EXPECTS that in so doing the Commission will also continue the constructive dialogue with the Council and in developing the work programme will take account of the discussion held in the Council on the White Paper on European social policy and the opinions expressed by the Member States;
6. POINTS OUT that, in its conclusions of 21 December 1992 on the effective implementation and enforcement of Community legislation on social affairs ⁽¹⁾ and its contribution of 22 September 1994 to combating unemployment, the Council has already adopted a position on areas of social policy which are also covered in the White Paper on European social policy;

(¹) OJ No C 49, 19.2.1993, p. 6.

7. Against this background, and without wishing to conclude the discussion in the Union and consideration of the White Paper on European social policy, hereby LISTS some central objectives towards which European social policy could be directed;

Improving the competitiveness of the Union and increasing the opportunities for job-creating growth

8. REAFFIRMS its conviction that:

- a market economy based on free and fair competition is the foundation for a dynamic development of the internal market and the creation of new and secure employment;
- the internal market must also become increasingly open to the outside world because expanding world trade in free markets represents, especially for workers, a major opportunity to safeguard existing jobs and create additional jobs;
- economic and social efficiency are inextricably linked and both the economy and the labour force gain from cooperation between the two sides of industry insofar as it is in keeping with national traditions and customs;
- good industrial relations, socio-political stability and predictability in the Member States and the European Union as a whole are significant factors in the long term for the location of undertakings;
- with its White Paper on growth, competitiveness and employment, the Commission has given significant impetus to the strengthening of competitiveness and the improvement of the employment situation in the Union;
- in its action plan the European Council has provided the Member States and the Union with specific goals for the implementation of the White Paper on growth, competitiveness and employment;

9. IS THEREFORE OF THE OPINION that:

- further development of the social dimension of the European Union and the strengthening of the role of the two sides of industry should be an essential pre-condition for combining market freedom with social balance;
- it is now essential for the emerging upturn in the economy to be transformed into a strong, sustainable process of growth; at the same time the efficiency of the labour market must be improved by means of specific measures so that this renewed growth creates as many jobs as possible;
- in addition, the Union's international competitiveness must be strengthened. While

ruling out any form of protectionism, a fundamental consensus should be aimed at worldwide as part of a dialogue, principally with our major competitors on the world market, especially in Asia and the Pacific, so that, in the framework of fair competition as regards the location of undertakings, any economic success is used for the purpose of suitable social progress. The relevant discussions should be conducted constructively in the relevant fora, such as the ILO, GATT or subsequently the WTO, for the future organization of international trade and above all for combating forced and child labour and securing freedom of association and free collective bargaining;

Protecting the rights of employees by means of minimum social standards

10. **NOTES** that, in recent years, the Union has endeavoured to set binding and legally enforceable minimum standards in many social areas throughout the Community in order to develop European social policy. Minimum standards constitute an appropriate instrument for achieving economic and social convergence gradually while respecting the economic capabilities of the individual Member States. They also meet the expectations of workers in the European Union and calm fears about social dismantling and social dumping in the Union;
11. **IS CONVINCED** that, in view of the complexity and at the same time necessity of minimum social standards, progress along this road should be cautious; takes the view that this does not require a comprehensive legislative programme, but rather agreement on specific fields of action in order to build up the core of minimum social standards gradually in a pragmatic and flexible manner;
12. **WISHES** that the new legal base of the Agreement of the Eleven on social policy should as far as possible be employed only when the other avenues and possibilities for an agreement covering Twelve Member States have been fully explored;
13. **TAKES THE VIEW** that, in order to develop further the core of minimum standards, the two sides of industry should make their own active contributions to the finding of practical solutions;
14. **EMPHASIZES** that, when proposals for minimum standards are being drawn up by the Commission and when such standards are being laid down by the Council, the impact on employment and on small and medium-sized enterprises should in particular be assessed;
15. **RECALLS** that several Member States have already submitted specific suggestions for minimum standards in the form of contributions to the Green Paper on European social policy; while others have also cited areas in this connection in which the Union should

not intervene; EXPECTS the Commission to give all suggestions careful consideration in the context of the planned new work programme;

Respecting the principles of subsidiarity and proportionality

16. POINTS OUT that the legislation of the European Community, and the supervision thereof, as well as all other Community measures such as, for instance, programmes and recommendations, must comply with the principles of subsidiarity and proportionality, which commit all the institutions of the European Union to respect the multiplicity of economic and social traditions in the different Member States;
17. Therefore DEMANDS that, for Union social legislation in particular, Community legislative acts:
 - take account of the situation in all Member States when each individual measure is adopted and neither overstretch any one Member State nor force it to dismantle social rights;
 - avoid going into undue detail but concentrate on basic, binding principles and leave the development and transposition to the Member States individually and, where this is in accordance with national traditions, to the two sides of industry;
 - be flexible enough and confine themselves to provisions which can be incorporated into the various national systems;
 - include clauses which allow the two sides of industry room for manoeuvre on collective agreements;
 - contain review clauses so that they can be corrected in the light of practical experience;

Convergence rather than unification of systems

18. RESPECTS the national systems of labour and social law which have evolved over generations; in the light of the principles of subsidiarity and proportionality, considers unification of national systems in general by means of rigorous approximation of laws an unsuitable direction to follow as it would also reduce the chances of the disadvantaged regions in the competition for location;
19. ADVOCATES instead gradual convergence of systems – with due regard for the economic strength of the Member States – by means of an alignment of national goals;

Strengthening social dialogue

20. WELCOMES the strengthening of the role of the two sides of industry within the social dialogue as a forward-looking result of the Maastricht Treaty and a concrete

contribution to the attainment of the subsidiarity principle in social policy;

21. **EMPHASIZES** that all representative European organizations on the employer and employee sides, with particular reference to small and medium-sized enterprises as well, should be consulted within the social dialogue. Furthermore, the two sides of industry should, insofar as they are empowered to conclude binding agreements, be encouraged to conclude agreements on an independent basis;
22. **SUBMITS** that the essential features of participation by the two sides of industry pursuant to the Social Protocol can in many respects be applied in the context of the procedure laid down in Article 118b of the EC Treaty;
23. **NOTES** that, as a means of further defining and following up its communication on implementation of the Agreement on social policy, the Commission intends to submit a working paper on the development of social dialogue;

Meshing of economic and social measures

24. **CALLS** for the Commission's White Paper on growth, competitiveness and employment and the planned Commission work programme on European social policy to lead to a harmonized and balanced development of economic and social aspects, in compliance with the principle of subsidiarity, and **REFERS** in that connection to Title XIV of the EC Treaty on economic and social cohesion;

II.

1. **STATES** that it intends to propose to the European Parliament, with due regard for the powers of all the institutions concerned as laid down in the Treaty:
 - joint development of the social dimension of the European Union on the basis of these principles;
 - active cooperation in the development of all aspects of European social policy;
 - intensified exchanges of ideas;
2. **CALLS UPON THE MEMBER STATES** to ensure that the Community's legal provisions in the social sphere are fully applied and effectively implemented;
3. **ASKS THE TWO SIDES OF INDUSTRY:**
 - to step up their dialogue and make full use of the new possibilities afforded them by

the Treaty on European Union;

- to use the consultation procedure to provide the European Union with improved bases for the creation of a European social policy which is pragmatic and close to the citizen;
- to make use of the possibilities for concluding agreements, since they are as a rule closer to social reality and to social problems;

4. REQUESTS THE COMMISSION:

- with reference to its conclusions of 21 December 1992 on the effective implementation and enforcement of Community legislation in the area of social affairs, to ensure that Community legal provisions in the social sphere are fully enforced;
- to take particular account, when drawing up its proposals, of the effects on employment and small and medium-sized undertakings;
- to analyse more carefully the relationship between social security, employment and competitiveness, thus providing the Member States with an improved basis of information for their initiatives;
- actively to support the exchange of information between Member States regarding measures designed to curtail costs, improve labour incentives and encourage competition;
- to take appropriate measures to foster social dialogue and, in that connection, primarily to encourage and contribute to the formation of groups and associations at European Union level which participate in social dialogue or similar forms of economic cooperation or are involved in consultations in accordance with practice in the Member State concerned and, as far as possible, are represented in all Member States;
- account being taken of the existing stimuli from the Member States and bearing in mind the discussion in the Council on the White Paper on European social policy, to explore possible areas for future measures which will at the same time take account of the need for ease of application and the need for adoption by consensus;
- to take account of the principles and considerations laid down in this Resolution when drawing up concrete proposals for future Community social legislation;
- to include, by means of an ongoing process, specific matters relating to women and men and to equal opportunities for them, in the definition and implementation of all Community policies and, to this end, to strive towards developing methods for the ongoing integration of equal opportunities for women and men in economic and social policies."

WORLD SUMMIT FOR SOCIAL DEVELOPMENT

The Council agreed to

- fully support the idea, objectives and agenda of the World Summit for Social Development to be held in Copenhagen from 6 to 12 March 1995;
- recommend participation at the level of Heads of State and Government;
- consult with the United States and the other G-7 countries;
- examine positively the commitments to be proposed to the Summit, including the commitment to increase significantly the resources assigned to social development and allocate them more efficiently, through national action and international cooperation.

OTHER DECISIONS ON LABOUR AND SOCIAL AFFAIRS **(adopted without discussion)**

Disabled people: continuation of the HANDYNET system

The Council adopted the Decision on the continuation of the HANDYNET system in the framework of the activities undertaken to date on the first technical aids module.

The Decision states that the HANDYNET computerized information and documentation system in the context of the HELIOS II programme (Community action programme for disabled people 1993-1996) will be continued from 1 January 1995 to 31 December 1996 in the framework of the activities undertaken to date on the first technical aids module, which comprises the following aspects:

- electronic mail system;
- electronic newspaper;
- multilingual database

Women and employment

The Council and the Representatives of the Governments of the Member States, meeting within the Council, adopted, on a Presidency initiative, the following Resolution on equal participation by women in an employment-intensive economic growth strategy within the European Union:

"The Council of the European Union and the Representatives of the Governments of the Member States meeting within the Council,

Having regard to the Treaty establishing the European Community,

Whereas the Council Directives on equal treatment for men and women have made an essential contribution to improving the position of women;

Whereas Directives 75/117/EEC ⁽¹⁾, 76/207/EEC ⁽²⁾, 79/7/EEC ⁽³⁾ and 86/613/EEC ⁽⁴⁾ adopted with a view to harmonizing the living and working conditions of

⁽¹⁾ OJ No L 45, 19. 2.1975, p. 19.

⁽²⁾ OJ No L 39, 14. 2.1976, p. 40.

⁽³⁾ OJ No L 6, 10. 1.1979, p. 24.

⁽⁴⁾ OJ No L 359, 19.12.1986, p. 56.

men and women and promoting equal treatment of men and women are of considerable importance in this context;

Whereas the Community action programmes on equal opportunities for women and men covering the periods 1982-1985, 1986-1990 and 1991-1995, together with the undertakings entered into in this context and in several related areas, constitute positive contributions to promoting equality of opportunity;

Whereas implementation of the principle of equal pay for equal work or work of the same value provided for in Article 119 of the Treaty as well as of the resulting principle of equality, in accordance with Community provision, is an essential feature of the construction and operation of the common market;

Whereas the harmonization of the living and working conditions of men and women is essential in the interests of equitable economic and social development; whereas, at its meetings in Madrid and Strasbourg, the European Council stressed the need to pay as much attention to economic and social aspects;

Whereas earlier efforts made in particular in the areas of awareness, education and training and the aid available under the European Social Fund have created conditions favourable to the pursuit of more ambitious future objectives;

Whereas, pursuant to Article 2 of the Treaty, one of the tasks of the Community is to promote a high level of employment;

Whereas provision should be made, while respecting the responsibilities of Member States and bearing in mind the characteristics of the labour market structure in each Member State, including the different types of work, for a sufficient supply of full-time and/or part-time work for both men and women;

Whereas an effective policy of equal opportunities presupposes an integrated, overall strategy allowing for better organization of working hours and greater flexibility, and for an easier return to working life; whereas a strategy of this type must cover qualification opportunities targeted at women and the promotion of self-employment,

I.

- (1) **RECALL** that the legal instruments of the Community constitute the necessary basis for the development of Community action, and emphasize the role of the Commission as the guardian of the Treaties;
- (2) **STRESS** that:
 - (a) equal opportunities depend on men and women being able to support themselves by taking up paid employment;
 - (b) Europe needs a high level of skills;
 - (c) current demographic trends already suggest that the growing number of highly educated women provides a hitherto insufficiently exploited source of skills and innovative capacity which will have to be developed and used more intensively;
 - (d) the female unemployment rate in most Member States far exceeds the rate for men, particularly where long-term unemployment is concerned;
 - (e) while the level of female employment has risen in recent years at Union level, women are still over-represented in the less skilled and lower paid jobs which offer less security and are concentrated in a small number of employment sectors;
 - (f) women are under-represented in management posts and in new areas of employment requiring a high level of technical skills;
 - (g) women wishing to join the labour market face specific structural and practical difficulties;
- (3) **CONFIRM** that if the internal market is to continue to develop dynamically and notably if new jobs are to be created, positive measures in particular will have to be taken to promote equal opportunities between men and women;

- (4) **PUT FORWARD** against this background a number of important objectives without wishing to foreclose discussion within the Union:
- (a) facilitating access by women to the labour market and their progress up the career ladder, in particular by improving opportunities to gain qualifications;
 - (b) overcoming the sex-based segregation of the labour market;
 - (c) promoting the employment of women in decision-making posts in economic, social and political circles and institutions, with the aim of achieving equal employment;
 - (d) removing the discrepancy between men's and women's pay;
 - (e) promoting full-time and part-time work on a voluntary basis;
 - (f) improving the organization and flexibility of working hours;
 - (g) promoting self-employment, and, in particular the creation and recovery of businesses;

Improving the flexibility of working hours

- (5) **NOTE**, while acknowledging the important role and responsibilities of the two sides of industry in this area, that improving the organization and flexibility of working hours within the framework of an active employment policy
- (a) is both a necessity as regards commercial management and the national economy and a social requirement which will offer both men and women an opportunity to reconcile their work responsibilities with their family obligations and personal interests;
 - (b) must be underpinned by adequate structures, such as child-care services;
 - (c) can have positive implications for employment;
- (6) **ARE CONCERNED** that the labour market is segregated on the basis of sex, particularly in the area of part-time work;
- (7) **BELIEVE**, to this end, that it is necessary to:
- (a) introduce flexibility of working hours into working arrangements in both the public and the private sectors;
 - (b) make flexible working arrangements possible in a growing number of areas of employment, qualified jobs, as far as possible, included;

- (c) use the increased flexibility of working hours in such a way as to have a positive effect on employment;
- (d) organize part-time work on a voluntary basis for men and women in order to break down the sex-based segregation of the labour market;
- (e) instruct personnel managers in the organization of working time and in questions involving work preoccupations, with a view to encouraging equal opportunities;

Europe needs a high level of skills

(8) NOTE that:

- (a) new technologies presuppose a high level of skills on the part of workers; it is precisely these technologies which require a basic level of training which can be built on and continuing training;
- (b) the number of training posts available remains largely based on sex and, together with the sex-based obstacles which inhibit access to work and to career advancement, continues to prevent any extension of the range of jobs open to women;

(9) STRESS that if women are to be ready to meet future challenges and to develop their potential in a wide range of jobs at all levels, it is essential that:

- (a) greater numbers of women be given training in non-traditional jobs, particularly technical ones, and have an improved chance of finding work;
- (b) women be prepared for positions of responsibility and for new sectors of employment, in particular in the technical sphere, by means of specific measures which will provide young women with role models;
- (c) the traditionally female jobs be modernized and upgraded and the possibilities for promotion improved;
- (d) the training and vocational training possibilities offered be better tailored to the needs of women within an adequate structural framework (e.g. childcare) and continuing career and professional development planning encouraged;

- (e) women be offered specific further training which will open up new career prospects to them, particularly in rural areas and areas particularly affected by structural change;
- (f) women benefit adequately from national and Community assistance measures, taking into account the proportion of women in all target groups (e.g. young people without training, the unemployed, the long-term unemployed);
- (g) national and transnational strategies designed to combine activities to improve vocational training and the job opportunities for women receive effective support at various levels with a view to putting into practice new prospects and innovations, particularly within undertakings;

Facilitating the continued entry and re-entry of women into the labour market

(10) STRESS that it is therefore advisable to

- (a) maintain the flow of women into the labour market, and
- (b) facilitate their return to work after a career break for family reasons by offering opportunities for guidance and retraining;

Encouraging self-employment

(11) NOTE that:

- (a) in a number of Member States a considerable proportion of businesses are started up by women, and that the creation and recovery of businesses by women can have a positive effect on employment;
- (b) for many women, setting up a business means escaping from unemployment while at the same time creating jobs for others;

(12) ARE CONVINCED that, consequently:

- (a) business creation or recovery programmes should take particular account of the specific needs of women and offer them relevant opportunities for guidance;
- (b) the conditions laid down in business creation or recovery programmes should be examined to see whether they would be equally relevant to action in the services sector;

- (c) Chambers of Commerce, banks, administrative bodies and local authorities:
- should cooperate to pinpoint needs and the possibilities on offer for guidance and retraining so that women who wish to create or recover a business are able to do so, particularly in the framework of new job-creation measures in regions where development has lagged behind;
 - should take account of the fact that many women set up businesses gradually (for instance, beginning as a side-line);

II.

(1) INVITE THE MEMBER STATES to:

- (a) develop policies for reconciling the obligations of family and work, including measures to encourage and facilitate greater involvement by men in domestic life;
- (b) recognize that, apart from the general aim of a high level of employment, measures aimed at promoting the flexibility of working hours, encouraging voluntary part-time work and improving the skills level and their support for the creation or recovery of businesses, as outlined by the Commission in its White Paper on Growth, Competitiveness and Employment, must for the sake of equal treatment, be of benefit to women as well as men;
- (c) make use of the discussions held on the implementation of the said White Paper to increase the integration of policies to help women into the economic, financial, social and labour-market policies of the Union and its Member States while at the same time developing new actions thanks to specific programmes aimed at women and giving effective support to interdisciplinary strategies;
- (d) support the Commission in its preparation of the Fourth Programme of Community medium-term action for equal opportunities for women and men from 1996 to 2000;
- (e) take full account of the responsibilities and powers of both sides of industry in this area;

(2) INVITE THE TWO SIDES OF INDUSTRY to:

- (a) hold collective bargaining on the subject of equal opportunities and equal treatment by endeavouring in particular to ensure that, in undertakings and in the various occupational sectors, the introduction and organization of flexible working hours and voluntary part-time work and the return to work are facilitated;
- (b) ensure that women are adequately represented on in-service training courses in undertakings;
- (c) continue and step up the social dialogue on how work and family responsibilities are to be reconciled as well as on the problem of protecting the dignity of men and women at the work place;
- (d) press during collective bargaining for equal pay and the abolition of discrimination based on sex – where it exists – in pay or job-classification scales;
- (e) take all necessary steps to increase the representation of women on decision-making bodies;

(3) INVITE THE COMMISSION:

- (a) in preparation for the Fourth Action Programme on Equal Opportunities for Women and Men (1996 to 2000):
 - to take a fresh, closer look at the objective of equality between men and women with an eye to an employment-intensive economic growth strategy,
 - to develop initiatives designed to improve flexibility, promote part-time work and the acquisition of new skills or qualifications and encourage the creation or recovery of businesses;
- (b) when drawing up and implementing the policies and action programmes in the employment field, to ensure that the goals of equality of opportunity and equal treatment continue to take priority, and pursue with greater intensity the action already initiated."

MISCELLANEOUS DECISIONS
(Adopted without discussion)

Legal protection of the Communities' financial interests

At its meeting on 30 November and 1 December 1994, the Justice and Home Affairs Council approved the text of the Resolution on the legal protection of the Communities' financial interests (See press release No 11321/94 Presse 252). Following legal/linguistic editing, the Council has now formally adopted this Resolution.

Fisheries

The Council adopted the Regulation on the conclusion of a Protocol setting out the fishing opportunities and financial compensation provided for in the Agreement between the European Community and the Government of the Republic of Angola on fishing off Angola for the period 3 May 1994 to 2 May 1997.

The Protocol, the provisional application of which was approved by the Council on 19 September 1994, defines the fishing possibilities for the Community fleet off the coast of Angola as follows:

- shrimp vessels: 6.550 GRT per month, as an annual average (maximum 22 vessels);
- demersal trawlers: 1.900 GRT per month, as an annual average;
- bottom set longliner, fixed gillnet: 900 GRT per month, as an annual average;
- freezer tuna seiners: 19 vessels;
- surface longliners: 5 vessels.

The financial compensation laid down for the duration of the Protocol is fixed at 13,9 MECU. In addition, the Community will contribute 2,8 MECU towards the financing of Angolan scientific and technical programmes.

PRESS RELEASE

12327/94 (Presse 276)

Continuation of the
1813rd Council meeting

LABOUR AND SOCIAL AFFAIRS

Brussels, 21 December 1994

President: **Mr Norbert BLÜM**

Minister for Labour and Social Affairs
of the Federal Republic of Germany

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

Belgium:

Ms Miet SMET
Minister for Employment, Labour and Policy on
Equal Opportunities

Denmark:

Mr Henning OLESEN
State Secretary for Labour

Germany:

Mr Norbert BLÜM
Mr Horst GÜNTHER
Federal Minister for Labour and Social Affairs
Parliamentary State Secretary,
Federal Ministry of Labour and Social Affairs

Greece:

Mr Jean CORANTIS
Deputy Permanent Representative

Spain:

Mr José Antonio GRIÑAN
Minister for Labour and Social Security

France:

Mr Michel GIRAUD
Minister for Labour, Employment and Vocational
Training

Ireland:

Mr Kevin BONNER
Secretary, Department of Enterprise
and Employment

Italy:

Mr Roberto ROSSI
Deputy Permanent Representative

Luxembourg:

Mr Jean-Claude JUNCKER
Minister for Labour

Netherlands:

Mr L.J. HANRATH
Deputy Permanent Representative

Portugal:

Mr José Bernardo VELOSO
FALCAO CUNHA
Minister for Employment and Social Security

United Kingdom:

Ms Anne WIDDECOMBE
Minister of State, Department of Employment

- + -

Commission:

Mr Pádraig FLYNN
Member

The following representatives of the acceding countries also attended:

Austria:

Mr Josef HESOUN

Minister for Labour and Social Affairs

Finland:

Mr Jan STORE

Deputy Head of the Mission to the European Union

Sweden:

Mr Leif BLOMBERG

Minister for Labour

POSTING OF WORKERS

The Council discussed again the proposal for a Directive concerning the posting of workers in the framework of the provision of services.

The discussion focused on a draft compromise from the Presidency concerning the following points:

- the scope of the Directive: it was felt that terms and conditions of employment arising from collective agreements should apply only to the building sector. There was broad agreement that the Directive should not apply to undertakings established in third countries;
- the question whether the list of terms and conditions of employment covered by the Directive should be an open or closed one. A majority of delegations were in favour of allowing Member States, within certain limits, to add other terms and conditions of employment to those mentioned in the Directive;
- a possible "grace period", i.e. the initial period of posting, during which the Directive's provisions on minimum annual paid holidays and minimum rates of pay would not apply. There was still no agreement on this point.

The Labour and Social Affairs Council noted that a common position could not yet be established and agreed to continue discussing the issue at its next meeting.

PRESS RELEASE

11863/94 (Presse 266 - G)

1814th meeting of the Council

- CONSUMERS -

1815th meeting of the Council

- INTERNAL MARKET -

Brussels, 8 December 1994

President: Mr Günter REXRODT
Minister for Economic Affairs
of the Federal Republic of
Germany

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

Belgium:

Mr Luc CARBONEZ Deputy Permanent Representative

Denmark:

Mrs Mimi JAKOBSEN Minister for Industry
Mr Joergen ROSTED State Secretary for Industry

Germany:

Mr Günther REXRODT Minister for Economic Affairs

Greece:

Mr Ioannis ANTHOPOULOS State Secretary for Economic Affairs
Mr Michail CHRYSOCHOIDIS State Secretary for Trade

Spain:

Mr Carlos BASTARRECHE Deputy Permanent Representative

France:

Mr Alain LAMASSOURE Minister with special responsibility for European Affairs

Ireland:

Mr John F. COGAN Deputy Permanent Representative

Italy:

Mr Domenico COMINO Minister for Community Policies

Luxembourg:

Mr Georges WOHLFART State Secretary for Foreign Affairs, External Trade and Cooperation

Netherlands:

Mr Michiel PATIJN State Secretary for Foreign Affairs

Portugal:

Mr Vitor MARTINS State Secretary for European Integration

United Kingdom:

Mr Ian TAYLOR Parliamentary Under-Secretary of State,
Department of Trade and Industry (Trade and Technology)

Baroness BLATCH

Secretary of State for Home Affairs

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Commission

Mrs Christiane SCRIVENER Member
Mr Raniero VANNI D'ARCHIRAFI Member
Mr Martin BANGEMANN Member

Representatives of the acceding countries were in attendance, viz:

Austria:

Mrs Christa KRAMMER

Minister for Health, Sport and Consumer Protection

Finland:

Mr Pertti SALOLAINEN

Minister for Trade and Industry

Sweden:

Mrs Marita ULVSKOG

Minister for the Civil Service

Mr Gunnar LUND

State Secretary for Foreign Affairs

ITEMS DEALT WITH AT THE CONSUMER COUNCIL MEETING

INDICATION OF FOOD PRICES AND PRICES FOR NON-FOOD PRODUCTS

The Council noted a statement by Mrs SCRIVENER on progress at the Commission in the area of consumer protection with regard to the indication of food prices and prices for non-food products.

It emerged from this statement that the Commission had already adopted a Directive extending the transitional period by four years up to 1999 and was preparing to propose an amendment to the existing Directives which would simplify the provisions in force in the interests of the consumer and amounted to a compromise between the unit price indication approach and the pre-packaging range price approach.

FOLLOW-UP TO CONSULTATIONS ON THE GREEN PAPERS

The Council noted the conclusions drawn by the Commission from very wide-ranging consultations with all the circles concerned on the Green papers concerning:

- access by consumers to justice and the settlement of consumer disputes in the single market
- consumer goods guarantees and after sales service.

PRODUCT LABELLING

Mrs Scrivener informed the Council of the draft Commission Recommendation on the labelling of photographic equipment which had resulted from the dialogue between industry and consumer representatives.

DISTANCE CONTRACTS

The Council noted progress on the proposal for a Directive on consumer protection in the field of distance contracts ("distance selling").

While confirming the agreement reached on 17 May on essential elements of the Directive, the Council instructed the Permanent Representatives Committee to press ahead with discussions so as to enable it to act on a common position in the course of the next six months.

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ITEMS DEALT WITH AT THE INTERNAL MARKET COUNCIL MEETING

PROTECTION OF INDIVIDUALS WITH REGARD TO THE PROCESSING OF PERSONAL DATA AND ON THE FREE MOVEMENT OF SUCH DATA

Following a discussion on the basis of a Presidency draft compromise, the Council reached very broad agreement on the solutions to be found for the main outstanding questions.

It instructed the Permanent Representatives Committee to finalize these solutions with a view to the formal adoption of a common position at a later Council meeting.

OPERATION OF THE INTERNAL MARKET

Commissioner VANNI D'ARCHIRAFI presented a summary of the report on the operation of the Internal Market intended for the European Council at Essen. He stressed that the internal market was operating well overall, even if problems remained in specific areas and the legislative framework was not yet complete.

The Commissioner also presented the Commission's customary report on progress with the implementation of the White Paper on the Internal Market. Each Member State had received a detailed individual report; furthermore, the Commission would continue to inform the Internal Market Council of progress at all future meetings. Mr VANNI D'ARCHIRAFI said that the Commission would in future ensure in particular ensure that national measures to implement the White Paper complied with the requirements of the Community acts concerned.

He also informed the Council of the lessons drawn by the Commission from the "Internal Market Weeks" organized in all the Member States during the last year.

HARMONIZATION OF LEGISLATION OF THE COUNTRIES OF CENTRAL AND EASTERN EUROPE

The Council heard an interim report from Mr VANNI D'ARCHIRAFI on the preparation of the Commission White Paper on the harmonization of legislation of the countries of Eastern and Central Europe with the internal market rules. Such harmonization was part of the overall strategy for the preparation of the countries concerned for membership, which would be discussed at the European Council meeting in Essen.

According to the Commissioner the White Paper would set out the "acquis communautaire" in the internal market field which the associated countries would be required to incorporate into their legislation should negotiations for their membership of the Union be opened.

On publication of the White Paper, each associated country could progress with its own programme for incorporating the "acquis communautaire" according to its own priorities and the national conditions obtaining.

LEGISLATIVE AND ADMINISTRATIVE STREAMLINING

Commissioner VANNI D'ARCHIRAFI presented a short report on the progress of the discussions of the group of independent experts responsible for examining the effect of Community and national legislation on employment and the competitiveness of Europe's economy (the "Molitor Group"). His report was followed by a brief exchange of views in the Council.

In accordance with the conclusions of the Corfu European Council, the group's discussions should cover, in particular, the abolition of legal and administrative burdens on undertakings, especially the SMEs. It will hold wide-ranging consultations with professional organizations, employers, trade unions and consumer associations. The Group will submit its report by June 1995.

EXCHANGE OF INFORMATION ON NATIONAL MEASURES DEROGATING FROM THE PRINCIPLE OF THE FREE MOVEMENT OF GOODS

The Council noted a Commission statement on the importance which the Commission attached to the completion as quickly and efficiently as possible of the exercise linked to the questionnaire drawn up by the Commission departments. The purpose of this questionnaire was to clarify the precise scope of the proposed Decision and thus to give a new boost to the Council's discussions. The Council called on the Permanent Representatives Committee to continue discussing the matter so as to enable the Council to arrive at a common position during the first half of 1995.

The objective of this proposal was to ensure greater transparency in the implementation of Article 100b of the Treaty, in particular where a Member State applied exceptions to the principle of the mutual recognition of national measures.

TRANSPARENCY AND EFFICIENCY OF CROSS-BORDER PAYMENTS

Commissioner VANNI D'ARCHIRAFI presented the communication entitled: "European Union fund transfers: transparency, performance and stability". Several delegations welcomed the Commission's initiative and the French delegation said that it would make this one of the priorities of its Presidency in the first half of 1995.

The communication was accompanied by two texts concerning its practical implementation:

- a proposal for a Directive on cross-border payments
- a draft communication (forwarded to the Council for information) in which the Commission indicates the position which it intends to adopt in order to assess the compatibility of cross-border payment systems with the EC Treaty competition rules.

INFORMATION SOCIETY

Commissioners BANGEMANN and VANNI D'ARCHIRAFI called the Council's attention to certain aspects of the introduction of the information society which affected the functioning of the internal market.

This statement followed the Commission's submission of the communication entitled "Towards the information society in Europe: a plan of action", which has already been the subject of joint Industry/Telecommunications Council conclusions on 28 September.

COMMUNITY PATENTS - COUNCIL DECLARATION

In an attempt to reactivate the process of ratification of the Agreement relating to Community Patents signed in 1989 and to speed up its entry into force, the Representatives of the Member States meeting within the Council adopted the following joint declaration:

"The representatives of the Governments of the Member States, meeting within the Council,

Anxious to promote the completion of the internal market and the establishment of a European technological community;

Considering that it is very important for that purpose that the Community patent system should come into operation as soon as possible,

Considering the commitments to be taken on by the new Member States as regards accession to agreements already signed between the Member States;

Considering the declaration by the Heads of State or Government on 29 October 1993 concerning the seat of the Common Appeal Court for Community patents,

Confirm that it is desirable for the Agreement of 15 December 1989 relating to Community patents to enter into force as soon as possible,

Voice the firm belief that the difficulties experienced hitherto in individual signatory States can be overcome;

Express their confidence that entry into force between all 12 signatory States is possible."

It should be noted that the Agreement relating to Community patents is supplemented with a number of Annexes, the most important of which is the Convention on the Community patent, which establishes a unitary patent common to all Community Member States ("Community patent").

The following features reflect the unitary nature of the Community patent:

- the patent produces the same effects in all Member State territories
- it may be issued, transferred or cancelled or may lapse only in respect of all such territories
- it is administered by a central authority, i.e. the European Patent Office in Munich
- there must be a single procedure for Community patent infringement proceedings; certain points of law are adjudicated in the final instance by a common appeal court.

FEES PAYABLE TO THE EUROPEAN AGENCY FOR THE EVALUATION OF MEDICINAL PRODUCTS

Pending a European Parliament Opinion, the Council examined the proposal for a Regulation concerning the structure and amount of fees payable by undertakings to the Agency for obtaining and maintaining Community authorizations to market medicinal products for human and veterinary use. These authorizations will enable pharmaceutical undertakings to market medicinal products in every Member State without the need for further formalities. The fee amounts payable to the Agency which are laid down in the Regulation will need to be reviewed after two years in the light of experience.

A Presidency compromise having brought positions substantially closer, the Council instructed the Permanent Representatives Committee to continue examining the Regulation so as to permit its adoption by the Council before 1 January 1995, the date on which the Agency is due to commence operations.

NOVEL FOODS AND NOVEL FOOD INGREDIENTS

Discussion of this item was put back to a later Council meeting.

DANGEROUS SUBSTANCES

By a qualified majority, the German, Danish and Netherlands delegations having voted against (see attached the explanation for the Netherlands delegation's vote, published at the latter's request), the Council adopted the Directive amending for the 14th (formerly 13th) time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions relating to restrictions on the marketing and use of certain dangerous substances and preparations.

The aim of this Directive is to restrict the marketing and use of three types of substances and preparations constituting a consumer health hazard, viz:

- carcinogenic, mutagenic and toxic substances for reproduction,
- creosote and its derivatives, and
- chlorinated solvents.

Creosote is a sub-product of the manufacture of coke from coal which is used in its various forms in the treatment of wood for external use.

Chlorinated solvents, which are effective and cheap, are used mainly for cleaning objects of all types, sizes of materials.

MEASURING INSTRUMENTS

In response to a memorandum from the German delegation, the Commission stated its intention to press ahead with discussions with a view to the preparation of a proposal for a Directive on measuring instruments, to be submitted towards the end of 1995.

LOCAL DIMENSION OF THE INTERNAL MARKET

The Portuguese delegation outlined the main policy guidelines contained in its memorandum on the local dimension of the Internal Market which had earlier been forwarded to Council members.

It pointed particularly to the need to implement local initiatives for creating jobs, developing the SMUs and promoting local products and services with a view to the development of urban and rural regions, tourism and the environment.

The Council noted the Portuguese delegation's request to the Council and the Commission to study the questions contained in the aforementioned memorandum in greater depth.

14th (formerly 13th) amendment to Directive 76/769/EEC (carcinogenic substances, creosote and chlorinated solvents) – explanation of the Netherlands delegation's vote

"The Netherlands delegation voted against this proposal for a Directive amending for the 14th time Directive 76/769/EEC, which, with regard to creosote, does not comply with the basic principle of the EC Treaty of ensuring a high level of protection for the environment and for the health of consumers. The Netherlands delegation therefore reserves the right, in the case of creosote, to apply national provisions on grounds of major needs referred to in Article 36, or relating to protection of the environment or the working environment, as provided for in Article 100a(4) of the EC Treaty. "

OTHER DECISIONS IN THE INTERNAL MARKET FIELD AND MISCELLANEOUS DECISIONS

(adopted without debate)

Safety of the occupants of buses and coaches

The Council adopted a common position on the proposal for a Directive on the approximation of the laws of the Member States relating to the burning behaviour of materials used in interior construction of certain categories of motor vehicles.

The proposed Directive, which is based on Article 100a of the Treaty (co-decision procedure), is aimed at providing increased safety for the occupants of buses and coaches carrying more than 22 passengers, with the exception of those designed to carry standing passengers or for urban use. It lays down minimum requirements for the materials used in vehicle interiors which are designed to prevent or, at the very least, to retard the spread of flames so that occupants may vacate the vehicle in the event of fire.

Research

After finalization of the text, the Council formally adopted the Decision adopting a specific programme of research and training in the field of controlled thermonuclear fusion (1994-1998). This programme is part of the 4th Framework Programme of the Community in the field of Research, Technological Development and Demonstration (see also press release No 9565/94 – Presse 201).

Simplification and harmonization of customs procedures

The Council decided, with certain reservations, to accept on behalf of the Community Annexes E.7 and F.4 to the International Convention on the Simplification and Harmonization of Customs Procedures (Kyoto Convention). These Annexes concern the duty-free replacement of goods and customs formalities in respect of postal traffic.

Textiles

The Council adopted the Regulation amending Regulation (EEC) No 636/82 regarding outward processing traffic.

This Regulation introduces the changes considered necessary by the Council and the Commission to bring the Outward Processing Traffic (OPT) regime into line with the single market. In effect this involves introducing Community management of textile and clothing OPT quotas in order to guarantee the uniform application of certain criteria by all Member States and to harmonize the implementation of Regulation No 636/82.

The Regulation also translates into legal form the tariff concessions decided by the Copenhagen European Council in favour of Eastern and Central European countries (duty-free import of OPT products).

Anti-dumping

The Council adopted the Regulation amending Regulation (EEC) No 830/92 by repealing the anti-dumping duty on imports of certain polyester yarns originating in India.

This decision takes into account the fact that Indian producers were able to prove in the course of a reexamination that they had not exported the product in question during the initial enquiry period and that they had begun to export it only after the period's expiry.

Since the reexamination concerned Indian producers only, Regulation No 830/92 is in no way amended in respect of producers from the other countries, i.e. Taiwan, Indonesia, China and Turkey.

Fisheries

The Council adopted the Regulation amending for the second time Regulation (EEC) No 3676/93 fixing, for certain fish stocks or groups of fish stocks, total allowable catches for 1994 and certain conditions under which they may be fished.

The amendments may be summarized as follows:

- an increase in herring availabilities for the Community in CIEM Division III(a) to take account of a transfer of 375 tonnes from Sweden;

- an increase in cod availabilities for the Community in the Skagerrak (CIEM Division III(a)) to take account of a transfer of 300 tonnes from Sweden;
- a reduction in deepwater prawn availabilities for the Community in the Skagerrak (CIEM Division III(a)) as compensation to Sweden for the aforementioned transfers;
- an increase in the interim TAC for sprats in the North Sea (CIEM Divisions II(a) and IV) to 174,000 tonnes to take account of a transfer of 4,000 tonnes to Norway, which will be compensated by an increase in the Community's "other species" quota in Norwegian waters;
- an increase in cod availabilities for the Community in the Baltic Sea (CIEM Division III(b), (d) and (e)) to take account of a transfer of 150 tonnes from Lithuania and a transfer of 100 tonnes from Latvia obtained by the Community in the course of negotiations for 1995;
- an increase in the TAC for Norway lobster in the North Sea (CIEM Divisions II(a) and IV) in accordance with the latest scientific information.

Privatization and restructuring of EKO Stahl

The Council gave its assent, pursuant to Article 95, 1st paragraph of the ECSC Treaty, to the privatization and restructuring plan for EKO Stahl GmbH, Eisenhüttenstadt, requested by the Commission in its communication on 28 October, subject to the two following amendments:

- the loan guarantee to be provided by the Treuhand Anstalt will be limited to 60 mio DM; and
- the addition of the following words in respect of this loan guarantee:

"Liabilities in the form of loans which have been provided or guaranteed by the State are an integral element of the cost of EKO Stahl to its new owner. Accordingly, such liabilities will not be reduced or eliminated other than in accordance with German laws or regulations generally applicable to privately owned companies situated in the Federal German Republic."

It is recalled that this privatization and restructuring plan provides for the takeover by Cockerill Sambre, S.A. of the whole operation of EKO Stahl.