COUNCIL OF THE EUROPEAN UNION

PRESS RELEASES

PRESIDENCY: GREECE

JANUARY-JUNE 1994

Meetings and press releases January-March 1994

Meeting number	Subject	Date
1729 th	Agriculture	24 January 1994
1730 th	General Affairs	7-8 February 1994
1731 st	Economics/Finance	14 February 1994
1732 nd	Agriculture	21 February 1994
1733 rd	General Affairs	21-22 February 1994
1734 th	Research	4 March 1994
1735 th	General Affairs	7-8 March 1994
1736 th	Internal Market	10 March 1994
1737 th	Economics/Finance	21 March 1994
1738 th	Justice and Home Affairs	23 March 1994
1739 th	No record of a meeting	
1740 th	Environment	24-25 March 1994
1741 st	General Affairs	15 March 1994
1742 nd	Agriculture	28-29 March 1994
1743 rd	Health	30 March 1994
1744 th	General Affairs	22 March 1994
Special meeting	Environment/Transport	24 March 1994



COUNCIL OF THE EUROPEAN UNION GENERAL SECRETARIAT

PRESS RELEASE

4119/94 (Presse 8)

1729th Council meeting

AGRICULTURE

Brussels, 24 January 1994

President: Mr George MORAITIS,

Minister for Agriculture of the Hellenic Republic

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

Belgium:	
Mr André BOURGEOIS	Minister for Agriculture
<u>Denmark</u> : Mr Bjørn WESTH	Minister for Agriculture and Fisheries
<u>Germany</u> : Mr Jochen BORCHERT Mr Franz-Josef FEITER	Federal Minister for Food, Agriculture and Forestry State Secretary, Federal Ministry of Food, Agriculture and Forestry
<u>Greece</u> : Mr George MORAITIS Mr Floros CONSTANTINOU	Minister for Agriculture State Secretary for Agriculture
Spain: Mr Vicente ALBERO SILLA	Minister for Agriculture, Fisheries and Food
<u>France</u> : Mr Jean PUECH	Minister for Agriculture and Fisheries
<u>Ireland</u> : Mr Joe WALSH	Minister for Agriculture, Food and Forestry
<u>Italy</u> : Mr Alfredo DIANA	Minister for the Co-ordination of Agricultural, Food and Forestry Policies
<u>Luxembourg</u> : Ms Marie-Josée JACOBS	Minister for Agriculture, Viticulture and Rural Development
Netherlands: Mr Piet BUKMAN	Minister for Agriculture, Nature Conservation and Fisheries
<u>Portugal</u> : Mr Arlindo CUNHA	Minister for Agriculture
United Kingdom: Mrs Gillian SHEPHARD	Minister for Agriculture, Fisheries and Food

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Commission Mr René STEICHEN

Member

The Council first heard a statement by its President outlining the Greek Presidency's work programme with particular reference to:

- the agricultural aspect of accession negotiations and relations with the countries of Eastern Europe,
- the 1994/1995 price proposals and related measures,
- the extension of reform to include products not yet covered,
- the veterinary and plant-health sector,
- the adjustment of structures for the production, processing and marketing of agricultural products,

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- the problems of young farmers,
- budgetary resources.

IMPLEMENTATION OF THE OVERALL COMPROMISE REACHED IN DECEMBER 1993

Following the overall compromise reached at its meeting on 14 to 17 December 1993, the Council adopted unanimously - except in the oilseed sector (¹) - a final series of Regulations giving legal form to the political agreement.

These Regulations were as follows:

(a) arable crops

- amending Regulation No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops;
- (b) <u>oilseeds</u>
 - amending Regulation No 1765/92 of 30 June 1992 establishing a support system for producers of certain arable crops (oilseeds);

(c) sugar

 amending Regulation No 1785/81 on the common organization of the markets in the sugar sector;

Portugal and the United Kingdom confirmed the negative vote already indicated to the Council in December 1993. Portugal explained its vote as follows:
 "The Portuguese delegation is voting against the new arrangements for oilseeds since it considers that the system of national quotas is causing situations which are not in conformity either with the meaning of the agreement concluded with the United States or with the legitimate expectations of Portuguese farmers.".

(d) sheepmeat and goatmeat

 amending Regulation No 3013/89 on the common organization of the market in sheepmeat and goatmeat and Regulation No 3493/90 establishing the general rules for the granting of the premium to sheepmeat and goatmeat producers;

(e) <u>tobacco</u>

 amending Regulation No 2076/92 fixing the premiums for leaf tobacco by group of tobacco varieties and the guarantee thresholds allocated by group of varieties and by Member State;

(f) remote sensing checks

 on the part-financing by the Community of remote sensing checks and amending Regulation No 3508/92 establishing an integrated administration and control system for certain Community aid schemes.

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MILK PROMOTION PROGRAMMES

The Commission proposal on this was prompted by a request made by the Council as part of the compromise on the 1993/1994 price package.

In the past, such promotion programmes were financed through the co-responsibility levy, which was abolished on 1 April 1993.

The Council unanimously adopted the Regulation enabling Member States to apply a levy to the milk price paid to producers in order to continue financing promotional programmes in this sector. The levy will promote milk consumption in the Community, expansion of the markets in milk and milk products and improvements in quality.

EUROPEAN APICULTURE

The Council held an exchange of views on the problems of European apiculture.

The discussion was introduced by the Presidency, which stressed the importance of apiculture in helping to preserve biological diversity and maintain a good ecological balance.

The special attention paid on several occasions to apiculture both by the European Parliament and by the COPA and the Cogeca was also stressed as were the new initiatives taken by those organizations.

The importance of apiculture for the environment was recognized by a great majority of the delegations.

Following the discussion, the Commission took stock of the possibilities offered by the structural arrangements which already existed in various programmes and were not yet being sufficiently exploited.

In conclusion, the Council requested the Commission to submit a discussion report on this in the near future accompanied if necessary by appropriate measures.

COMMISSION REPORT ON THE SITUATION OF THE MARKET IN SHEEPMEAT

Following its presentation by the Commission, the above report on the sheepmeat sector was examined by the Council, which had requested the report when adopting the price package for the 1993/1994 marketing year.

This report analysed the short, medium and long-term market prospects. It concluded that market prices should remain stable at a reasonable level since, in the Commission's view, the market had absorbed the effects of the 1989 reform at Community level. The Commission did not therefore accompany its report with proposals.

The Council's exchange of views enabled delegations to state their reactions and make known their various concerns in this sector.

Following its discussion, the Council requested the Commission to consider delegations' reactions and examine any adaptation measures which could be taken; the Commission said that it was in any case prepared to see that management of the arrangements was greatly simplified.

GRANT OF AGRI-MONETARY AID

The Council examined the Commission proposal making the necessary provisions for implementation of the agri-monetary aid decided on by the Council's adoption in December 1992 of basic rules in the agri-monetary sector (Regulation No 3813/92).

This aid is intended to compensate for any fall in prices in national currencies which may occur

- on the one hand, in Member States with floating currencies following their revaluation (aid for Community part-financing),
- on the other hand, in Member States with fixed currencies following the 25% reduction at the beginning of the following marketing year (switch-over effect - national aid).

In the meantime, the general monetary context has been radically altered by the decision taken on 2 August 1993 by the Ministers for Finance and the Governors of the Central Banks to widen the margins of fluctuation within the EMS. This has led to application of switch-over in practice being suspended, all currencies being regarded as floating currencies.

In December 1993, as part of an overall compromise, the Council adapted agri-monetary rules to take account of the new monetary situation.

The Council was accordingly asked to re-examine the proposal in question.

During the discussion, delegations gave their reactions and it emerged that certain technical aspects of the proposal required more detailed examination.

In conclusion, the Council instructed the SCA to continue discussion of this so that the Council could take a decision later.

OTHER AGRICULTURE DECISIONS

(adopted without debate and unanimously unless otherwise indicated)

The Council adopted, with the abstention of the Irish delegation, the Regulations:

- opening a Community tariff quota for high-quality, fresh, chilled or frozen meat of bovine animals falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91 (1994). This involves an amount of 34 300 tonnes with a duty fixed at 20% and a zero levy;
- opening and providing for the administration of a Community tariff quota for frozen meat of bovine animals falling within CN code 0202 and products falling within CN code 0206 29 91 (1994). This involves an amount of 53 000 tonnes with a duty fixed at 20% and a zero levy;
- opening a Community tariff quota for frozen buffalo meat falling within CN code 0202 30 90 (1994). This involves an amount of 2 250 tonnes with a duty fixed at 20% and a zero levy;
- opening a Community tariff quota for frozen thin skirt of bovine animals falling within CN code 0206 29 91 (1994). This involves an amount of 1 500 tonnes with a duty fixed at 4% and a zero levy.

It also adopted the estimates concerning imports into the Community of:

- young male bovine animals weighing 300kg or less and intended for fattening for the period 1 January to 31 December 1994 (198 000 head);
- beef and veal for the processing industry for the period 1 January to 31 December 1994 (zero tonnes).

The Council also adopted the Regulation amending Regulation No 386/90 on the monitoring carried out at the time of export of agricultural products receiving refunds or other amounts. This is a measure to strengthen controls in the fight against fraud. At its meeting in November, the Council reached a common position on the Commission proposal (see Press Release 10019/93 Presse 187).

MISCELLANEOUS DECISIONS

(adopted unanimously without debate)

Transfrontier broadcasting by satellite

The Council adopted the Decision concerning the participation of the Community in the Council of Europe with regard to the elaboration of a "European Convention relating to questions on copyright and neighbouring rights in the framework of transfrontier broadcasting by satellite".

Research, development and innovation

The Council adopted the Decision establishing a multiannual programme for the development of Community statistics on research, development and innovation, which will finish on 31 December 1997. The Community financial resources deemed necessary for implementation of the programme are ECU 2,9 million under the 1993-1997 financial perspectives.

Textiles

The Council adopted the Regulation amending Regulation No 3951/92 on the arrangements for imports of certain products originating in Taiwan.

Steel

The Representatives of the Governments of the Member States meeting within the Council adopted the Decision extending Decision 92/585/ECSC on certain measures applicable with regard to the 12 Republics of the former USSR concerning trade in certain steel products covered by the ECSC Treaty.

Pending negotiation of an arrangement with the main producer countries of the former USSR, the aim of this Decision is to extend, with a 3% increase in quotas, the 1993 import arrangements for certain steel products coming from the 12 Republics of the former USSR until 30 June 1994. The Decision also contains measures which take account of traditional patterns of trade between these countries and the new Länder in Germany.

Relations with Syria

Since the European Parliament gave its assent on 15 December 1993 to the conclusion of the 4th EEC-Syria Financial Protocol signed on 17 July 1991, the Council adopted the Decision concluding the Protocol.

As the exchange of notifications of completion of the internal procedures which are necessary for both parties is planned for the near future, it should be possible for this Protocol to enter into force on 1 March 1994.

It should be noted that this Protocol involves an overall amount of ECU 158 million, of which ECU 115 million is an EIB loan from the latter's own resources and ECU 43 million is from the Community's budgetary resources, consisting of ECU 41 million in the form of non-refundable aid and ECU 2 million in the form of a contribution to risk-capital formation.

Relations with the Czech Republic and Slovakia

The Council adopted:

- the Regulation amending Regulation No 3918/92 opening and providing for the administration of Community tariff quotas and ceilings for certain agricultural and industrial products and establishing a reduced variable component for certain processed agricultural products originating in Hungary, Poland and the territory of the former Czech and Slovak Federal Republic. (Division as from 1 January 1994 of quotas and ceilings between the Czech Republic and Slovakia following the partition of the CSFR).
- the Decision establishing separate responsibilities for the Czech Republic and Slovakia regarding the loan granted to Czechoslovakia pursuant to Decision 91/106/EEC. Under the new Decision, the Czech Republic and Slovakia will take separate responsibility for two-thirds and one-third respectively of all payments to be made to refund the principal and pay the interest and ancillary costs relating to the ECU 375 million loan granted to the CSFR in February 1991.

Relations with the ACP States

The Council adopted the amendments to Regulation No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States.

These amendments involve:

- technical adaptations to this Regulation with the inclusion of pineapples, avocados, guavas, mangoes and mangosteens in the table of products which can be imported into the Community free of customs duties;
- the addition of Eritrea, following its independence, to the list of ACP States which are eligible under this Regulation.

Amendments to the Protocols to the EEA Agreement

The Council, on behalf of the Community, approved four draft Decisions of the EEA Joint Committee:

- amending Protocol 1 on horizontal adaptations: simplification of the procedure within the EFTA pillar for communicating certain types of information. There is, for example, where an EC Member State has to communicate information to the EC Commission, provision for an EFTA State to communicate that information to the EFTA Surveillance Authority, which will then transmit it to the Standing Committee of the EFTA States. The present version of paragraph 4(a) of Protocol 1 also provides for such information to be communicated directly to the EFTA Standing Committee;
- amending Protocol 21 on the implementation of competition rules applicable to undertakings by adding Regulation No 2410/92 of 23 July 1992 amending Regulation No 3957/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sectors to the list of acts in Article 3(1) of this Protocol;
- amending Protocol 30 on specific provisions on the organization of co-operation in the field of statistics by ensuring the participation of the EFTA countries in the Community's new framework statistical programme (1993-1997) set up by Decision 93/464/EEC of 22 July 1993. In particular, an EEA statistical programme has been set up as an aspect of the Community programme. The Decision also updates certain financial and administrative provisions of Protocol 30;

- amending Protocol 37 and Annex VII by adding to the list of Committees in this Protocol the Co-ordinating Group on Mutual Recognition of Higher-Education Diplomas set up by Directive 89/48/EEC. The list contains those Community Committees with whose work experts from EFTA States may exceptionally be associated, in accordance with Article 101 of the EEA Agreement. The addition in question was provided for in an agreed minute annexed to the Final Act of the EEA Agreement. The amendment to Annex VII defines the procedure for associating EFTA experts with the work of this Committee.

Trade policy

The Council adopted:

- the Regulation opening and providing for the administration of a Community tariff quota for table cherries originating in Switzerland (1 000 tonnes at zero duty from 1 January to 31 December 1994);
- the Regulation opening and providing for the administration of Community tariff quotas and ceilings and establishing Community surveillance for certain fish and fishery products originating in the Faroe Islands (76 850 tonnes at zero duty from 1 January to 31 December 1994);
- the Decision concerning the conclusion and signature of an agreement between the EEC and Australia on trade in wine. This agreement is intended to facilitate and promote trade in wine between the two parties;
- the Regulation extending for a period of two months the provisional anti-dumping duty on imports of isobutanol originating in the Russian Federation.



COUNCIL OF THE EUROPEAN UNION

PRESS RELEASE

4426/94 (Presse 16)

1730th meeting of the Council

- GENERAL AFFAIRS -

Brussels, 7 and 8 February 1994

President: Mr Karolos PAPOULIAS, Minister for Foreign Affairs

> Mr Théodoros PANGALOS Deputy Minister for Foreign Affairs

of Greece

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

<u>Belgium</u>: Mr Willy CLAES Mr Robert URBAIN

<u>Denmark:</u> Mr Niels HELVEG PETERSEN Mr Jorgen ØSTRØM MØLLER

Germany: Mr Klaus KINKEL Ms Ursula SEILER-ALBRING Mr Dieter von WÜRZEN

<u>Greece</u>: Mr Karolos PAPOULIAS Mr Théodoros PANGALOS

Spain: Mr Javier SOLANA Mr Carlos WESTENDORP Mr Apolonio RUIIZ LIGERO

France: Mr Alain JUPPE Mr Alain LAMASSOURE

Ireland: Mr Dick SPRING Mr Tom KITT

Italy: Mr Beniamino ANDREATTA Mr Paolo BARATTA

Luxembourg: Mr Jacques POOS

<u>Netherlands</u>: Mr P.H. KOOIJMANS Mr Piet DANKERT

Portugal: Mr José Manuel DURAO BARROSO Mr Vitor MARTINS

United Kingdom Mr Douglas HURD Mr David HEATHCOAT-AMORY

<u>Commission</u>: Mr Henning CHRISTOPHERSEN Mr Manuel MARIN Sir Leon Brittan Mr Hans VAN DEN BROEK Minister for Foreign Affairs Minister for Foreign Trade and European Affairs

Minister for Foreign Affairs State Secretary for Foreign Affairs

Federal Minister for Foreign Affairs Minister of State for Foreign Affairs State Secretary for Economic Affairs

Minister for Foreign Affairs Deputy Minister for Foreign Affairs

Minister for Foreign Affairs State Secretary for Relations with the European Communities State Secretary for Foreign Trade

Minister for Foreign Affairs Minister with special responsibility for European Affairs

Minister for Foreign Affairs Minister of State at the Departments of the Taoiseach and Foreign Affairs with special responsibility for European Affairs

Minister for Foreign Affairs Minister for Foreign Trade

Minister for Foreign Affairs

Minister for Foreign Affairs State Secretary for Foreign Affairs

Minister for Foreign Affairs State Secretary for European Affairs

Secretary of State for Foreign and Commonwealth Affairs Minister of State, Foreign and Commonwealth Office

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Vice-President Vice-President Member Member

PRIORITIES OF THE GREEK PRESIDENCY

The Council held a public debate - relayed by radio and TV - on the priorities of the Greek Presidency's work programme. As well as giving their reactions to the programme, Members of the Council outlined their own priorities and stated their views on current issues.

WHITE PAPER: FOLLOW-UP PROGRAMME

The Council heard a statement by Mr CHRISTOPHERSEN, Vice-President of the Commission, on the Commission's plan for implementing the White Paper, and took note of the Presidency's programme on the same subject with regard to the work that was to be done by the Council, as variously constituted, during the first half of 1994.

On a proposal from the Commission, the Council appointed the members of the high-level group - the Bangemann Group - which the European Council had envisaged for the purpose of drawing up a report on the specific measures to be considered by the Community and the Member States when laying down precise means of action in the field of new information technologies.

A list of the members of the Group is attached.

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FORMER YUGOSLAVIA

The Council held a detailed discussion of the situation in the former Yugoslavia in the presence of Lord Owen and Mr Stoltenberg.

It adopted the following statement on the question of Sarajevo:

"The European Union expresses its revulsion at the renewed brutal shelling of civilians in Sarajevo which has taken place in recent days.

Bearing in mind the relevant resolutions of the United Nations, the decisions of the North Atlantic Alliance most recently reiterated at the NATO Summit of 11 January and the recent request of the Secretary-General of the United Nations, it supports a very early meeting of the North Atlantic Council. In concert with the Secretary-General of the United Nations, the aim should be to bring about the immediate lifting of the siege of Sarajevo, using all the means necessary including the use of airpower.

The measures taken would be the first step in the implementation of the action plan of the European Union. The European Union reiterates its support for the efforts of the co-Chairmen to place the administration of Sarajevo under the authority of the United Nations."

Regarding the other aspects of the crisis in the former Yugoslavia, the Council emphasized that:

- the only realistic path, short of a military solution, was to continue the negotiations;
- the Union's plan of action continued to be the basis for negotiations. The Union was willing to consider any changes that might be needed to achieve a negotiated result and it was ready to promote the idea of international arbitration to facilitate a territorial settlement;
- in implementing the plan of action, priority had to be given to lifting the siege of Sarajevo and establishing the district's international status;

- the progress made on the question of Srebenica and the reopening of Tuzla confirmed the effectiveness of the European Union's approach and the value of showing the necessary resolve towards all the parties;
- the progress made on achieving a modus vivendi in Krajina, in accordance with the plan of action, was an encouraging development and the efforts to ensure full implementation should be continued;
- -- in Bosnia it was necessary to pursue and encourage an improvement in relations between Croats and Muslims, especially on questions concerning access to the sea and a viable territorial solution in central Bosnia;
- the presence in southern Bosnia-Herzegovina of regular troops from the Republic of Croatia was a violation of international law. As requested by the President of the Security Council, the European Union demanded that Croatia withdraw these troops and their equipment without delay. The European Union emphasized that the disputes between Croats and Muslims could only be resolved at the negotiating table;
- there was a need to maintain close contact with the United States and to examine with that country any adjustments that had to be made to the plan of action. The same would apply to Russia. The Union would also remain in contact with the Islamic countries;
- humanitarian aid continued to be a matter of priority. The Union would intensify its efforts to implement the various aspects of the joint action decided on in December;
- UNPROFOR had an important role to play in the humanitarian field and in avoiding a sudden deterioration of the situation on the ground. The Council condemned the attacks on UNPROFOR and the obstacles placed in its way which could undermine the fulfilment of its mandate.

RELATIONS WITH RUSSIA

The Council noted the final report of the European Union election observation unit set up in Moscow in accordance with the joint-action decision taken on 8 November 1993.

The Council also approved the following statement on Russia and the Council of Europe:

"The European Union welcomes the decision of the Parliamentary Assembly of the Council of Europe to proceed with consideration of the application for membership of the Russian Federation. The European Union reaffirms its desire to see Russia admitted to the Council of Europe at the earliest possible date when all the criteria for membership have been met."

The Council agreed to take stock of the negotiations on the partnership agreement at its next meeting.

RELATIONS WITH UKRAINE

The Council welcomed the progress made in updating the negotiating brief and hoped that the negotiations would be concluded at an early date.

The Council noted that the European Union would take part in the monitoring of the parliamentary elections on 27 March and that the necessary practical arrangements were being made by the Presidency, which would also ensure co-operation with the European Parliament and the other international institutions concerned.

The Council adopted the following statement on the vote which had taken place in the Ukrainian Parliament.

"The European Union warmly welcomes the vote of approval by the Ukrainian Parliament of the tripartite nuclear weapons agreement, the decision to remove their reservations on Article 5 of the Lisbon Protocol and to authorize the Government to exchange instruments of ratification of the Start I Treaty. The European Union remains concerned about the position of the Rada on the NPT and reiterates the importance it attaches to the immediate accession of Ukraine to this Treaty.

The European Union, which wants to develop further and enhance its relations with Ukraine, announces its willingness in principle to revise the PCA mandate and to organize an observer mission to the forthcoming parliamentary elections. In this context, the Presidency and the Commission are ready to make an early visit to Kiev."

RELATIONS WITH THE BALTIC COUNTRIES

The Council decided to authorize the Commission to negotiate new agreements aimed at creating free trade areas with Estonia, Latvia and Lithuania and adopted the necessary negotiating directives.

The Council and the Commission adopted the following statement:

"The Council notes with satisfaction continuous political and economic progress in Estonia, Latvia and Lithuania.

At the same time, the Council acknowledges the importance of further strengthening integration between those countries and the European Union and reaffirms its determination to accomplish this objective.

The prospect of the creation of free trade areas between the Union and each of the Baltic States by 1 January 1995, on the basis of a mandate adopted by the Council, following the decisions of the Copenhagen Summit, is an important step to this end. In this context an enhanced political dialogue could also be agreed with Estonia, Latvia and Lithuania.

The Council will take all necessary steps with the aim of negotiating and concluding Europe Agreements as soon as possible in recognition of the fact that Estonia, Latvia and Lithuania's ultimate objective is to become members of the European Union through Europe Agreements.

The Commission agrees to present proposals at an early stage in order to ensure that the process of negotiating Europe Agreements may be started."

RELATIONS WITH THE EUROPEAN PARLIAMENT

- LEGISLATIVE PROGRAMME - COUNCIL STATEMENT

"THE COUNCIL OF THE EUROPEAN UNION,

Referring to the interinstitutional Declaration of 25 October 1993 on democracy, transparency and subsidiarity, and in particular paragraph 2 thereof,

Having noted the Commission proposal concerning the legislative programme for 1994 and the European Parliament's Resolution of 19 January 1994 concerning the said draft programme,

Affirms the need to give appropriate priority to implementing the Treaty on European Union, for which time limits in 1994 are laid down by that Treaty, and to giving practical effect to the conclusions of the most recent European Councils which set similar time limits and for which provisions of a "legislative" nature must be adopted by the institutions of the Union in accordance with the Treaties.

Among the abovementioned priority matters, particular emphasis will be laid on the following:

- Conclusion of the enlargement negotiations with Austria, Finland, Norway and Sweden, with the assent of the European Parliament being given during the current parliamentary term;
- Adoption of the Fourth Research Framework Programme (1994-1998) and the specific programmes;
- Realization as soon as possible of the objectives of the Commission White Paper in accordance with the conclusions of the Brussels European Council on 10 and 11 December 1993;
- Strengthening of economic and social cohesion through adoption and implementation of the appropriate measures and above all the definitive establishment of the Cohesion Fund, as well as promotion of Community initiatives in the framework of the Structural Funds;
- Completion of the trans-European networks and adoption of the guidelines in the fields of traditional railway infrastructure, airport and port infrastructure, energy and gas;
- Completion of the legislative programme relating to the establishment of the internal market and promotion of measures for its consolidation and dynamic development;

- Implementation of Article 8b(1) of the Treaty on Union (right to vote and eligibility to stand as a candidate in municipal elections);
- Full implementation of the conclusions of the Edinburgh European Council concerning in particular:
 - the financing of the Community, through the adoption of texts relating to the own resources system, budgetary discipline and the Guarantee Fund, and
 - = application of the principle of subsidiarity;
- Adoption of the negotiating directives and conclusion of the negotiations in progress concerning agreements in the field of external relations."

RELATIONS WITH ALGERIA

The Council established the position to be taken by the European Union at the 4th meeting of the EC-Algeria Co-operation Council, which was held in the evening of Monday 7 February (see joint press release CE-AL 3102/94 Presse 18).

RELATIONS WITH THE ACP STATES

The Council approved the negotiating directives for the partial review of the Fourth ACP-EEC Convention due to start in May.

In accordance with the Convention, the Council will notify the ACP States by the end of February of the provisions of the Convention which the Community will seek to review.

REGULATIONS AND GENERAL CONDITIONS GOVERNING THE PERFORMANCE OF THE OMBUDSMAN'S DUTIES

The Council approved the draft Decision of the European Parliament on the regulations and general conditions governing the performance of the Ombudsman's duties. The Decision reproduces the terms of the agreement reached by the three Institutions at the Interinstitutional Conference on 25 October 1993.

The Council also decided to send the President of the European Parliament a letter indicating

those provisions of the Parliament's Rules of Procedure which the Council deemed incompatible with the Ombudsman's regulations as approved at today's meeting.

APPOINTMENT OF MEMBERS OF THE COURT OF AUDITORS

Having consulted the European Parliament, the Council appointed the following persons as members of the Court of Auditors for the period 10 February 1994 to 9 February 2000: Mr Patrick EVERARD (B), Mr Ole WARBERG (DK), Mr Giorgio CLEMENTE (I), Mr Armindo de Jesus de SOUSA RIBEIRO (P), Mr Barry DESMOND (IRL) and Mr Antoni CASTELLS OLIVERES (E).

APPOINTMENT OF A EUROPEAN OBSERVER FOR THE CYPRUS PROBLEM

The Council appointed Mr Serge ABOU, a Commission official, as a European observer for the Cyprus problem.

Prior to the review scheduled for January 1995 of the question of Cyprus's accession to the European Union, the mandate of the European Union observer to the intra-Community talks on Cyprus provides for him to report periodically to the Council on the implications of political developments in Cyprus for the Union's "acquis communautaire", including the progress of the United Nations Secretary-General's good offices mission for Cyprus.

TRADE POLICY INSTRUMENTS

In line with its conclusions of 15 December 1993, the Council reached agreement, with the United Kingdom voting against, on all the texts designed to complete the internal market as regards Community trade policy. With this agreement, the Council will be able in the very near future to formally adopt the Regulations and Decisions providing, among other things, for:

- the abolition of more than 6 000 national quantitative restrictions and their replacement by a very small number of Community quotas (seven for China, plus a number of textile

quotas in respect of certain countries whose products are not covered by bilateral textile agreements);

- simplified uniform rules and formalities on importation to be fulfilled by economic operators;
- measures to increase the efficiency of the anti-dumping and anti-subsidy investigation procedures that will apply not later than 1 April 1995 when the necessary budget funds have been made available;
- a more efficient decision-making procedure for initiating, conducting and concluding an international dispute-settlement procedure;
- more efficient administration of textile products not covered by bilateral agreements;
- 1 March 1994 as the date on which the transfer of powers on dumping and subsidies to the Court of First Instance will take effect.

The aim of this set of measures is to establish a balance between, on the one hand, a Community market that is open to the world and, on the other, speedier and more efficient decision-making procedures that will enable trade measures to be applied when the Community is faced with unfair trading practices.

ENLARGEMENT

The Council prepared for the accession negotiation meetings at ministerial level with Austria, Sweden, Finland and Norway, which were held on Tuesday 8 February.

Among other things, the Council decided on the Union's common positions concerning transit in the case of Austria, and agriculture (transitional arrangements), regional policy and structural instruments in the case of all four applicant countries.

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The items remaining on the agenda which the Council was unable to discuss at today's meeting were held over until a special meeting - on enlargement - on 21 February 1994.

<u>ANNEX</u>

Members of the High Level Group "Bangemann Group"

Bonfield, Peter L.	Chairman and Chief Executive ICL
Davignon, M. Etienne	President SGB
Davis, Peter J.	Chairman Reed Elsevier
De Benedetti, M. Carlo	Presidente Amministratore Delegato Olivetti
Ennis, Brian	Managing Director IMS
Knutsen, Anders	Bang & Olufsen
Makropoulos, Constantin	Former Managing Director of Elsyp (Hellenic Information System)
Maragall, Pascual	Alcalde de Barcelona Vicepresidente de Polis
Dr Hunsel, Lothar	Vorsitzender der Geschäftsführung der DeTeMobil GmbH
Prodi, Romano	Presidente Direttore General IRI
Rousselet, André	Président Directeur Général Canal Plus
Suard, Pierre	Président Alcatel
Thorn, Gaston Egmont	Président du Conseil d'Administration de la CLT
Timmer, Jan D.	Voorzitter, Philips Electronics
Velazquez, Candido	Presidente Telefónica
Cabral da Fonseca, Eurico	Presidente das Comunicações Nacionais
Von Pierer, Heinrich	Vorsitzender des Vorstandes Siemens
Gyllenhammer, Pehr G.	Former Executive Chairman of AB Volvo
Henkel, Hans Olaf	Chairman and Chief Executive Officer IBM Europe

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MISCELLANEOUS DECISIONS

(adopted unanimously without debate, unless otherwise stated)

Trade policy

The Council adopted Regulations:

- opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Israel (1994);
- opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Algeria, Morocco, Tunisia and Egypt (1994);
- opening and providing for the administration of Community tariff quotas for certain agricultural products originating in Cyprus (1994);
- establishing Community statistical surveillance for imports of certain agricultural products originating in Cyprus, Egypt, Jordan, Israel, Tunisia, Syria, Malta and Morocco which are subject to reference quantities (1994);
- opening and providing for the administration of Community tariff quotas and ceilings for certain agricultural and industrial products originating in Romania and Bulgaria (1994);
- reducing the variable components applicable to certain goods originating in the Slovak Republic resulting from the processing of agricultural products referred to in the Annex to Regulation No 3448/93;
- amending Regulation No 3918/92 opening and providing for the administration of Community tariff quotas and ceilings for certain agricultural and industrial products and establishing a reduced variable component for certain processed agricultural products originating in Hungary, Poland and the territory of the former Czech and Slovak Federal Republic (1993);
- extending for two months the provisional anti-dumping duty on imports of television camera systems originating in Japan.

The Council also adopted a Regulation laying down special measures for the import of olive oil originating in Tunisia.

The preferential arrangements laid down in the Additional Protocol to the Co-operation Agreement with Tunisia for a period of two years relate to a quantity of 46 000 tonnes of olive oil per marketing year in return for the collection of a levy equal to ECU 7,8 per 100 kg and will apply until 31 October 1995.

Free Trade Agreement between the EEC and Austria

The Council adopted a Regulation repealing the Regulation adopted on 20 December 1993 withdrawing tariff concessions in accordance with the provisions of Articles 23(2) and 27(3)(a) of the Free Trade Agreement concluded between the Community and Austria (Grundig Austria GmbH).

At its meeting on 20 December 1993 (see Press Release 11394/93 - Presse 250) the Council had adopted a Regulation reinstating a 14% duty on television sets produced by Grundig Austria GmbH to deal with the distortion of competition and the impact on trade caused by aid which the Vienna Municipal Council had granted in May 1991 and June 1992.

The firm had repaid part of the aid (ÖS 67 million) to the Vienna Municipal Council, the sum repaid being the amount of aid which the Commission had deemed incompatible with Article 23 of the Free Trade Agreement. The Commission regarded the repayment as having eliminated the distortion of competition and had accordingly proposed that the Regulation be repealed.

Cocoa

The Council adopted a Decision concerning the signing and provisional application by the Community of the International Cocoa Agreement 1993.

European Economic Area

The Council approved, as regards the European Community, draft Decision No 1/94 of the Joint Committee of the European Economic Area adopting the rules of procedure of the EEA Joint Committee.

Convention on the establishment of Europol - Progress report

The Council noted a progress report from the Presidency on the discussions relating to the draft Europol Convention and requested, in line with the European Council's conclusions of 29 October 1993, that the discussions be continued, on the basis of the provisional text as it now stood, with all due speed.

Telecommunications and postal services

Following the agreement reached at the Telecommunications Council meeting on 7 December 1993 (see Press Release 10891/93 - Presse 224), the Council formally adopted Resolutions on:

- universal service principles in the telecommunications sector;
- the development of Community postal services.

Coal industry - Commission report for 1992

The Council noted the Commission's report on the application of Community rules for State aid to the coal industry in 1992.

Biotechnological inventions

Following the political agreement reached at its meeting on 16 December 1993 (see Press Release 11194/93 - Presse 241), the Council formally adopted by a qualified majority (Denmark, Spain and Luxembourg voted against) its common position on the Directive on the legal protection of biotechnological inventions. The Danish, Spanish and Italian delegations' explanations of their votes will be found in Annex I.

This Directive seeks to harmonize the conditions for issuing patents for biotechnological inventions and certain other related provisions, for example the scope of the protection conferred by such patents, in view of the so-called farmer's privilege, or the possibility of granting compulsory licences on such patents.

The conditions for issuing patents include strict criteria for the patentability of procedures and methods which interfere with the physical integrity of man or animals; the effects of harmonization will be felt most as regards national patents issued by national patent offices; it will be less noticeable with European patents, which will continue to be issued by the European Patent Office using similar criteria set by the Munich Convention. However, even with European patents, the effects of harmonization will be felt at the post-issue stage, if the patents are contested in proceedings for infringement or revocation before the national courts.

According to the common position, Member States are to put the Directive into national law by the end of 1996 at the latest.

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MISCELLANEOUS DECISIONS ADOPTED BY THE WRITTEN PROCEDURE

Anti-dumping

On 1 February 1994 the Council adopted by the written procedure a Regulation imposing definitive anti-dumping duties on imports into the Community of ethanolamine (with the exclusion of salt of ethanolamine) originating in the United States of America, and collecting definitively the provisional duties.

The amount of the duty is the difference between the CIF price Community frontier per tonne, exclusive of duty, when lower, and the following levels:

- (a) in the case of monoethanolamine ECU 606
- (b) in the case of diethanolamine ECU 584
- (c) in the case of triethanolamine
 - with a content of less than 99% ECU 609
 - with a content of 99% or more ECU 652

ANNEX I

Legal protection of biotechnological inventions - Explanation of votes

Statement by the Danish delegation:

"The Danish delegation is not satisfied with the content of this proposal for a Directive and is therefore voting against it.

The Danish delegation is opposed to the granting of patents for products for animals. It considers it artificial, in the patent field, to make a distinction between animals and breeds of animals and that the European Patent Convention did not originally intend to add this distinction.

So as to safeguard both ethical and economic interests concerning animal patents, the Danish delegation proposed that in certain circumstances patents be granted for processes for animals while introducing, as far as the outcome of these processes was concerned, the principle of the farmer's privilege with regard to the animals. This proposal by the Danish delegation did not obtain the requisite support.

Moreover, the proposal for a Directive is not sufficiently clear regarding the limitation of the possibilities for obtaining a patent concerning the human body. Above all, the text of the provision concerning the genetic modification of the human body implies a position of which it is impossible to evaluate all the consequences at present."

Statement by the Spanish delegation:

"The Spanish delegation considers that any process for modifying the genetic identity of the human body must be excluded from patentability. It is not possible to draw distinction between processes which are contrary to the dignity of man and processes which are not since, in essence, imperative ethical considerations dictate that no process for modifying genetic identity should be patentable.

Secondly, not just on ethical grounds but also for technical patent-law reasons, the Spanish delegation does not consider it acceptable for methods of treatment by surgery or therapy, more specifically processes of gene therapy, to be patentable.

The Spanish delegation takes the view that the Treaty establishing the European Community does not provide any powers for action regarding patents and therefore this proposal cannot be based on Article 100a but would in any event have to be adopted on the basis of Article 235 of the Treaty.

The Spanish delegation is therefore voting against the proposal and reserves the right to exercise such legal remedies as the Treaty affords in order to have the Directive based on what it considers to be the proper legal basis."

Statement by the Italian delegation:

"While in favour of the text of the common position, the Italian delegation considers it necessary to draw attention to the ethical aspect of the problems dealt with under this Directive.

The Italian delegation reaffirms in particular its position that germ cells and products resulting from conceptions are unpatentable. In addition, the Italian delegation wishes to make it clear that germ gene therapy cannot be recognized as patentable and legitimate, under the 13th recital of the common position.

From a technical point of view, the Italian delegation regrets the fact that Article 16 of the common position does not provide for the reversal of the burden of proof in the case of existing products as well.

The Italian delegation hopes that, in the further course of proceedings for the Directive's adoption, the European Parliament and the Council will be able to give closer consideration to these points."





COUNCIL OF THE EUROPEAN UNION DENERAL SECRETARIAT

PRESS RELLASE

4853/94 (Presse 19)

1731st Council meeting

ECONOMIC AND FINANCIAL QUESTIONS

Brussels, 14 February 1994

President: Mr Giannos PAPANTONIOU Deputy Minister for Economic Affairs of the Hellenic Republic The Governments of the Member States and the European Commission were represented as follows:

Belgium: Mr Philippe MAYSTADT

Denmark: Mrs Marianne JELVED

Germany: Mr Johann EEKHOFF

<u>Greece</u>: Mr Giannos PAPANTONIOU

Spain: Mr Pedro SOLBES MIRA Mr Alfredo PASTOR BODMER

France: Mr Pierre de BOISSIEU

Ireland: Mr Bertie AHERN

<u>Italy</u>: Mr Enzo PERLOT

Luxembourg: Mr Jean-Claude JUNCKER

Netherlands: Mr Wim KOK

Portugal: Mr Eduardo CATROGA

United Kingdom: Mr Kenneth CLARKE

Commission: Mr Jacques DELORS Mr Henning CHRISTOPHERSEN Mr Peter SCHMIDHUBER Minister for Finance

Minister for Economic Affairs

State Secretary, Federal Ministry of Economic Affairs

Deputy Minister for Economic Affairs

Minister for Economic Affairs and Finance State Secretary for Economic Affairs

Ambassador, Permanent Representative

Minister for Finance

Ambassador, Permanent Representative

Minister for Finance

Minister for Finance

Minister for Finance

Chancellor of the Exchequer

President Vice-President Member

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The following also attended: Sir Nigel WICKS

Chairman of the Monetary Committee

4853/94 (Presse 19 - G)

PRIORITIES OF THE GREEK PRESIDENCY - PUBLIC DEBATE

The Council held a public debate - retransmitted via radio/TV - on the Greek Presidency's priorities in the ECOFIN area. The debate focused inter alia on the following themes: implementation of the White Paper, broad economic guidelines, the second stage of economic union, financial assistance to the countries of Central and Eastern Europe, and certain aspects of enlargement.

During the debate, the members of the Council gave unqualified support to the Presidency's work programme.

PORTUGUESE REVISED CONVERGENCE PROGRAMME - COUNCIL CONCLUSIONS

"The Council examined the Portuguese revised Convergence Programme covering the period from 1993 to 1997. The Council welcomed the presentation of the programme which reaffirms the determination of the Portuguese government to pursue the convergence effort according to the Treaty on European Union.

The Council noted that the macro-economic scenario underlying the programme is based on realistic assumptions. Achieving the programme's target of a budget deficit below 3% in 1997 will require a thorough and vigorous implementation of all aspects of the fiscal consolidation strategy. Ensuring the improvement of tax collection and the widening of the tax base is essential. Continued restraint on non-interest current expenditure and the respect of the spending ceilings will be important in order to make room for the necessary increase in public investment without jeopardizing the achievement of the fiscal objectives. In this regard, the Council welcomed the commitment of the Portuguese government to adopt additional measures, if necessary, to compensate for any adverse budgetary developments which could

put at risk the achievement of the programme's targets.

The Council noted the structural reform aspects of the programme and encourages the government to continue implementing measures to increase the flexibility of the economy and to support fiscal consolidation.

Finally the Council noted the substantial progress already accomplished in reducing inflation and encouraged the Portuguese authorities to pursue a policy of exchange-rate stability, indispensable to obtain further gains towards lower inflation. Wage developments will also be crucial and the implementation of the wage policy geared to maintaining external competitiveness as prescribed in the programme is fundamental. The Council stressed the importance of the leadership role which wage settlements in the public sector should play in this domain. The elimination of the inflation differential remains more than ever an important part of the overall convergence strategy, especially since without it nominal interest rates would not fall sufficiently and budgetary adjustment would become more difficult."

WHITE PAPER: FOLLOW-UP PROGRAMME

The Council took note of the ECOFIN aspects of the Presidency's work programme - already approved by the General Affairs Council on 7 February - concerning implementation of the conclusions of the European Council in Brussels on the White Paper.

It also heard a statement by Vice-President CHRISTOPHERSEN on the work carried out at the Commission and by the Working Party - which bears his name - made up of personal representatives of the Heads of State and Government, which is to assist the Commission "in order to implement the infrastructure programmes efficiently, consistently and as soon as possible". During the discussion on this subject, the co-ordinating role which the ECOFIN Council will have to play in this area was particularly emphasized. The President also pointed out that it would be for the ECOFIN Council, in particular, to deal with the question of funding for the trans-European networks and information infrastructures and macro-economic questions linked to the implementation of the White Paper.

The Council asked the Commission to report back at each ECOFIN Council on the progress of work on the White Paper.

IMPLEMENTATION OF THE TREATY ON ECONOMIC AND MONETARY UNION

The Council heard an oral report by the President of the Monetary Committee on his Committee's work on how to combine and schedule the various procedures for monitoring economic developments in the Member States and the Union and on the convergence programmes as set out in the Treaty and other legal texts.

It held a debate on these subjects at the end of which it approved the following recommendations prepared by the Monetary Committee:

- Economic policies will be co-ordinated and multilateral surveillance will be conducted in the Council on two principal occasions each year, one in the early Summer and the other towards the year-end.
- At the first of these normally in June the Council will adopt its draft for the broad guidelines of the economic policies of the Member States and of the Community in accordance with Treaty Article 103(2), for submission to the European Council. This procedure will involve a review of the implementation of the existing broad guidelines.
- The second main exercise normally at the end of the year will centre on the multilateral surveillance procedures under Article 103(3). It will focus particularly on developments in each of the Member States.

- This multilateral surveillance will include a review of the execution of convergence programmes and an evaluation of updated and revised programmes.
- The Commission is invited to make the Annual Economic Report on its own responsibility in future; this report will assist the Council in drafting the broad economic guidelines.

The Council also endorsed a "code of conduct" prepared by the Monetary Committee for the content and format of convergence programmes to indicate the basis on which it will conduct future assessments.

LEGAL PROTECTION OF THE FINANCIAL INTERESTS OF THE COMMUNITIES

The Council heard a statement by Commissioner SCHMIDHUBER on the Commission's work regarding the legal protection of the financial interests of the Communities and the initiatives which the Commission intends to take following, notably, the Resolution adopted by the Justice and Home Affairs Council on 29 November 1993.

Under the terms of the Resolution, the Council is to examine, during the second half of 1994, a report on the subject which the Commission will be submitting to it shortly; the report will aim among other things to propose measures to achieve greater coherence and compatibility of Member States' laws, regulations and administrative provisions in the fight against fraudulent action prejudicial to the financial interests of the Community.

INTRODUCTION OF NEW COINS

The Council gave instructions to a Working Party of Directors of Member States' Mints to work out different scenarios for the introduction of new coins, including studies on users' requirements, production costs, distribution, storage and other technical questions.

OTHER ECOFIN DECISIONS

(Adopted unanimously without discussion)

Travellers' allowances and reliefs from customs duty

Following the agreement reached at the ECOFIN Council on 25.X.93, the Council adopted the texts (a Directive amending Directives 69/169/EEC and 77/388/EEC) increasing the level of tax-free allowances for travellers from third countries and the limits on tax-free purchases in intra-Community travel.

The purpose of these arrangements is to:

- increase, as from 1 April 1994 at the latest, the allowance for travellers coming from third countries from ECU 45 to ECU 175 (and from ECU 23 to ECU 90 for travellers under 15 years of age) and the limits on tax-free purchases in intra-Community travel from ECU 45 to ECU 90. The latter figure will be reviewed in 1995 for the period up to 30 June 1999; after that date, this facility will be abolished for good;
- authorize Germany to defer until 1 January 1998 application of the new amounts for third-country allowances in regard to travellers coming from non-EFTA third countries sharing a common border with Germany and entering German territory by a land frontier or via coastal shipping;
- authorize Spain to apply, until 31 December 2000, an ECU 600 allowance (with the option of reducing the allowance to ECU 150 for travellers under 15 years of age) in respect of goods imported by travellers entering Spanish fiscal territory from the Canary Islands, Ceuta and Melilla.

At the same time, the Council adopted a Regulation amending Regulation No 918/83 in order to increase the reliefs from customs duty for travellers coming from third countries by the same amounts as the tax-free allowances.

7th VAT Directive - value added tax applicable in the field of second-hand goods, works of art, antiques and collectors' items

Following the agreement on the substance of the issue reached on 13 December 1993, the Council adopted a Directive supplementing the common system of value added tax and amending Directive 77/388/EEC - Specific arrangements applicable in the field of second-hand goods, works of art, antiques and collectors' items.

This Directive lays down special VAT arrangements applicable to second-hand goods, works of art, antiques and collectors' items, consisting in taxing on purchase the profit margins of taxable professional dealers instead of the full price of the goods in question. Sales between private individuals are not subject to VAT and can be carried out throughout the Union without formalities.

In addition, in respect of the import of works of art, antiques and collectors' items, the Member States may apply a reduced rate of at least 5%. The United Kingdom may, until 30 June 1999, apply an effective rate of 2,5% in respect of imports of works of art, antiques and collectors' items which qualified for exemption in the United Kingdom on 1 January 1993.

As regards supplies of works of art, antiques and collectors' items Germany may, until 30 June 1999, offer its operators the choice between taxation of their margins and application of the reduced rate of VAT.

As regards second-hand cars, Member States which, on 31 December 1992, applied special tax arrangements different from those laid down in this Directive may retain these arrangements under certain conditions. Finally, the Directive amends the criteria defining new cars in terms of "less than 6 months" and "less than 6 000 kilometres" (if the two limits are exceeded the car is second-hand).

The Member States must take the necessary steps so that the new arrangements can enter into force on 1 January 1995 at the latest.

MISCELLANEOUS DECISIONS

(Adopted unanimously without discussion, except where otherwise stated)

Transport

The Council adopted its common position on the proposal for a Regulation amending Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport. In its common position, the Council accepts the Commission proposal to extend for a further five years, until 28 April 1999, the temporary measures adopted by the Council to curb investment in renewed overcapacity in inland waterway transport.

The text also clarifies the concept of a "vessel belonging to the active fleet" so as to prevent vessels which have not participated in traffic for a long time from benefiting from a scrapping premium or being accepted as compensation tonnage under the "old for new" rule.

In the light of forecasts indicating that the overcapacity is likely to persist for a considerable time, it is intended that the situation will be re-examined before the end of 1996.

Industrial projects in Poland - ECSC loans

The Council gave its assent pursuant to Article 95 of the ECSC Treaty to the granting of ECSC loans for industrial projects in Poland (Huta Katowice).

This is a loan of US\$ 50 million (approximately ECU 42 million) to part-finance a continuous bloom-casting machine at Huta Katowice SA, Dabrowa Gornicza (Poland) pursuant to Commission Decision E/134/90 of 5 March 1990.

EEC-Cyprus Association

The Council approved, in respect of the European Community, draft Decision No 1/94 of the EC-Cyprus Association Council (continuation of a derogation from the rules of origin).

Trade policy

The Council adopted the Regulation opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community surveillance for imports thereof (1994).

The Council also adopted, by a qualified majority (the United Kingdom delegation abstained), a Regulation opening and providing for the administration of Community tariff quotas for certain agricultural and fishery products originating in Austria, Norway and Sweden.

Fisheries

The Council adopted a Regulation on the conclusion of the Protocol establishing for the period 16 June 1993 to 15 June 1995 the fishing rights and financial compensation provided for in the Agreement between the Community and the Government of Guinea-Bissau.

The Decision on the provisional application of the Protocol was adopted on 29 October 1993; the Protocol lays down the following fishing rights:

- freezer shrimp trawlers: 11 000 GRT per month, annual average;
- freezer fin fish and cephalapod trawlers: 4 000 GRT per month, annual average;
- freezer tuna seiners: 22 vessels;
- pole-and-line tuna vessels and surface longliners: 10 vessels.

Compensation is set, for the duration of the Protocol, at ECU 12,45 million, including ECU 450 000 for scientific research.

Agriculture

The Council adopted a Regulation amending Regulation No 4007/87 extending the period referred to in Articles 90(1) and 257(1) of the Act of Accession of Spain and Portugal.

Its aim is to extend, until 31 December 1994, the legal basis enabling the Commission to take certain transitional measures to overcome specific technical difficulties in the application of the market rules, particularly in the wine sector, in those Member States.

Appointment to the Economic and Social Committee

The Council decided, on a proposal from the Irish Government, to appoint Mr Michael LYNCH as a member of the Economic and Social Committee in place of Mr Tomas ROSEINGRAVE for the remainder of the latter's term of office, i.e. until 20 September 1994.

Appointments to the General Secretariat of the Council

The Council adopted Decisions appointing to the General Secretariat of the Council:

- Mr Brian L. CROWE as an A1 official Director-General (DG: External Economic Relations, Common Foreign and Security Policy);
- Mr Charles ELSEN as an A1 official Director-General (DG: Justice and Home Affairs).



1732nd Council meeting

AGRICULTURE

Brussels, 21 February 1994

President: Mr George MORAITIS,

Minister for Agriculture of the Hellenic Republic

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4857/94 (Presse 23 - G)

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COUNCIL OF THE EUROPEAN UNION **GENERAL SECRETARIAT**

PRESS REFEASE

4857/94 (Presse 23)

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

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<u>Belgium</u> : Mr André BOURGEOIS	Minister for Agriculture
<u>Denmark</u> : Mr Bjørn WESTH	Minister for Agriculture and Fisheries
<u>Germany</u> : Mr Jochen BORCHERT Mr Franz-Josef FEITER	Federal Minister for Food, Agriculture and Forestry State Secretary, Federal Ministry of Food, Agriculture and Forestry
<u>Greece</u> : Mr George MORAITIS Mr Floros CONSTANTINOU	Minister for Agriculture State Secretary for Agriculture
<u>Spain</u> : Mr Vicente ALBERO SILLA	Minister for Agriculture, Fisheries and Food
<u>France</u> : Mr Jean PUECH	Minister for Agriculture and Fisheries
<u>Ireland</u> : Mr Joe WALSH	Minister for Agriculture, Food and Forestry
<u>Italy</u> : Mr Alfredo DIANA	Minister for the Co-ordination of Agricultural, Food and Forestry Policies
Luxembourg: Ms Marie-Josée JACOBS	Minister for Agriculture, Viticulture and Rural Development
Netherlands: Mr Piet BUKMAN	Minister for Agriculture, Nature Conservation and Fisheries
<u>Portugal</u> : Mr Arlindo CUNHA	Minister for Agriculture
<u>United Kingdom</u> : Mrs Gillian SHEPHARD	Minister of Agriculture, Fisheries and Food
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Commission Mr René STEICHEN

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Member

AGRICULTURAL PRICES AND RELATED MEASURES 1994/1995

In line with the Edinburgh European Council's conclusions on transparency, the Council held an open debate on the Commission proposals concerning agricultural prices and related measures for 1994/1995.

The debate was introduced by the Commission representative, who stated that the general thrust of the Commission proposals was tailored to three factors: reform of the CAP, the need to ensure continuity and stability in the agricultural sector and the existence of budgetary constraints.

The Ministers gave their initial reactions to the proposals which, although they were in line with the reform of the CAP, nevertheless raised a number of specific problems in various agricultural sectors. Some delegations stressed yet again the urgent need for Commission proposals in the sectors which had not yet been reformed (especially the wine sector and the fruit and vegetable sector).

Following its discussions the Council instructed the Special Committee on Agriculture to start examining the proposals without delay and to report back to the Council at its next meeting in March.

GRANTING OF AGRI-MONETARY AID

The Council continued its discussion of the Commission proposal on the granting of agri-monetary aid.

^{*} The purpose of the proposal is to lay down the limits, conditions and procedures applicable both to the compensatory aid eligible for Community part-financing and to the national compensation aid that Member States may grant in the event of a fall in agricultural prices expressed in national currency as a result of the monetary arrangements applicable to Community agriculture.

The Council concentrated its discussion on two kinds of problems, relating to:

- the conditions for granting aid;
- the economic effects of granting aid.

Other questions were also raised during the discussion and it emerged that certain points would require further examination;

The Council therefore instructed the Special Committee on Agriculture to continue examining the matter and to report back to the Council at its next meeting.

NATIONAL AID FOR THE DISTILLATION OF TABLE WINES IN FRANCE AND ITALY

The Council adopted decisions on the granting of additional aid for the distillation of certain wines in these two countries.

In the case of France, it is a matter of additional national aid for preventive distillation of a maximum of 3 million hectolitres of table wine produced in the 1993/1994 wine year.

The aid, totalling FF 250 million, will be paid under certain conditions to producers whose yield does not exceed 90hl/ha and may not cover, for any one producer, more than 9hl/ha of wine for distillation.

In the case of Italy, additional national aid will be granted for the compulsory distillation of a maximum of 3 million hectolitres of table wine produced in the 1993/1994 wine year.

The aid covers a maximum amount equal to the difference between the minimum purchase price for preventive distillation and that for compulsory distillation.

OTHER AGRICULTURAL DECISIONS

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(Adopted unanimously without debate unless otherwise stated)

The Council adopted (with France abstaining) a Regulation concerning specific measures for dried grapes.

This Regulation is designed to improve marketing opportunities for dried grapes in Greece by providing for a number of specific measures. The Community will contribute up to ECU 12,2 million towards implementation of the measures.

The Council adopted by a simple majority – the United Kingdom voted against and Germany abstained – a Regulation extending Regulation (EEC) No 1615/89 establishing a European Forestry Information and Communication System (EFICS).

Regulation (EEC) No 1615/89, which expired on 31 December 1992, is being extended so that work on setting up the information and communication system can continue, since there is still an overriding need for appropriate information in the forestry sector.

The Council adopted a Decision laying down the minimum requirements to be met with regard to structure and equipment by certain small establishments situated in areas of Greece subject to particular supply constraints and ensuring the distribution of fishery products in those areas.





COUNCIL OF THE EUROPEAN UNION SITE GENERALS SECRETABLAT

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5044/94 (Presse 24)

1733rd meeting of the Council

- GENERAL AFFAIRS -

Brussels, 21/22 February 1994

President:

Mr Theodoros PANGALOS Deputy Minister for Foreign Affairs of the Hellenic Republic The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium: Mr Robert URBAIN

Denmark: Mr Niels HELVEG PETERSEN Mr Jorgen ØSTRØM MØLLER

Germany: Mr Jürgen TRUMPF

<u>Greece</u>: Mr Theodoros PANGALOS Mr Georges PAPANDREOU

Spain: Mr Carlos WESTENDORP Mr Apolonio RUIZ LIGERO

France: Mr Alain LAMASSOURE

<u>Ireland:</u> Mr Dick SPRING Mr Tom KITT

<u>Italy</u>: Mr Paolo BARATTA

Luxembourg: Mr Jacques POOS

Netherlands: Mr Piet DANKERT

Portugal: Mr Vitor MARTINS

United Kingdom: Mr David HEATHCOAT-AMORY Minister for Foreign Trade and European Affairs

Minister for Foreign Affairs State Secretary for Foreign Affairs

State Secretary for Foreign Affairs

Deputy Minister for Foreign Affairs State Secretary for Foreign Affairs

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

Minister with special responsibility for European Affairs

Minister for Foreign Affairs Minister of State at the Department of the Taoiseach with special responsibility for European Affairs

Minister for Foreign Trade

Minister for Foreign Affairs

State Secretary for Foreign Affairs

State Secretary for European Affairs

Minister of State, Foreign and Commonwealth Office

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Commission: Mr Jacques DELORS Mr Hans VAN DEN BROEK Mr Peter SCHMIDHUBER Mr René STEICHEN

President Member Member Member

FINANCING OF THE CFSP

On the basis of a note from its General Secretariat reflecting the preliminary discussions of the Permanent Representatives Committee, the Council held a policy debate on the question of financing future joint actions under the Common Foreign and Security Policy and in particular Article J.11 on the Treaty on European Union, which lays down that the Council may, either decide that operational expenditure on such actions is to be charged to the Community budget or determine that it shall be charged to the Member States.

Following the debate, the Council noted that there was broad convergence in the views of Member States on certain general guidelines to be followed in this area, namely:

- action under CFSP forms part of the overall external activities of the Union comprising diplomatic, security, economic, commercial and development aspects (¹). In most cases CFSP action will be complemented by Community measures in support of the overall objective of the Union. A clear distinction should however be made between CFSP action and supporting Community measures in order to avoid the second pillar "contaminating" the first pillar and to ensure that the Council's executive role under the Common Foreign and Security policy is respected.
- given the very nature of foreign policy, a framework for the financing of CFSP will have to allow for rapid mobilization of the necessary resources, in order to be able to respond to unforeseen events.

⁽¹⁾ Cf. Article C of the Treaty:

[&]quot;The Union shall in particular ensure the consistency of its external activities as a whole in the context of its external relations, security, economic and development policies. The Council and the Commission shall be responsible for ensuring such consistency. They shall ensure the implementation of these policies, each in accordance with its respective powers."

when the Council decides on a joint action it must specify the "means" for implementing the action (cf. Article J3.), including the "financial means". In order to permit the Council to decide in full knowledge of the consequences of its decision it must have at its disposal a "fiche financière", setting out the costs involved for the Union itself in carrying out the joint action. The text of the decision shall also specify in precise terms how these costs are to be financed.

The Council instructed the Permanent Representatives Committee to prepare a general framework covering all aspects of this problem so that, if possible, the Council could approve it at its meeting on 7 and 8 March 1994.

TRADE-POLICY QUESTIONS

- Uruguay Round: Preparation for the Ministerial meeting in Marrakesh

The Council held an in-depth exchange of views on the procedural and substantive problems posed by the Ministerial meeting in Marrakesh (12 to 15 April 1994).

The Council agreed to resume examination of these questions at its meeting on 7 and 8 March 1994 with a view to adopting a final position.

In preparation for its discussions, the Council requested the Commission to provide it with a report on finalization of the market access negotiations and certain other matters still to be settled as part of the Uruguay Round, together with proposals for the position to be adopted in Marrakesh and in particular the Ministerial declaration to be made.

The Council also instructed the Permanent Representatives Committee to examine in greater detail the problems arising from the nature of the agreement and the means of solving them, and to report back to its next meeting.

- <u>Conclusion of an agreement with the United States on the mutual recognition of certain spirit</u> <u>drinks</u>

By a qualified majority, with Greece and Italy voting against, the Council adopted the Decision on the conclusion of an agreement between the EC and the United States on the mutual recognition of certain spirit drinks.

This agreement protects:

- in the United States, the use of the designations "Scotch Whisky", "Irish Whiskey"/"Irish Whisky", "Cognac", "Armagnac", "Calvados" and "Brandy de Jerez" for products manufactured by the Member States in accordance with the relevant Community provisions;
- in the Community, the use of the designations "Tennessee Whisky"/"Tennessee Whiskey" and "Bourbon Whisky"/"Bourbon Whiskey" and "Bourbon" for products manufactured in the United States in accordance with the provisions of that country.

In a statement made when the Decision was adopted, the Council and the Commission undertook to do their utmost in future agreements to see that other traditional European Union designations, in particular Korn, Kornbrand, ouzo, grappa and pacharan, are also protected. In this connection, the Council took note of the Commission's undertaking to rapidly resume negotiations with the United States on extending the scope of the agreement with that country to other designations of the European Union.

PROCEDURE FOR IMPLEMENTING THE AGREEMENT ON THE EUROPEAN ECONOMIC AREA

The Council held an exchange of views on the problems raised by the internal Community Regulation implementing the EEA Agreement.

It concluded the discussion by noting that there were still differences on the procedure to be followed for implementing the safeguard clauses provided for in the EEA Agreement.

The Council therefore instructed the Permanent Representatives Committee to continue looking for a solution and to report back at its next meeting.

RELATIONS WITH SWITZERLAND

The Council took note of the outcome of the referendum in Switzerland on Sunday 20 February concerning a ban on road transit through Switzerland for lorries from third countries as from the year 2004.

The Council requested the Commission to examine the situation which had thus arisen and the consequences and difficulties which the Community could face as a result.

ACCESSION NEGOTIATIONS

The Council embarked on discussion of the final stage in the accession negotiations with Austria, Sweden, Finland and Norway, which covers all the fundamental issues still outstanding and is planned for 21 and 22 February and 25 to 28 February.

In particular, it prepared for the ministerial meetings with the four applicant countries, which are to be held on 22 February.

MISCELLANEOUS DECISIONS

(Adopted unanimously without debate, unless otherwise indicated)

Relations with Poland

The Council adopted the Decision on the conclusion of an exchange of letters with Poland amending certain provisions of the Interim Agreement on the quota for Community cars imported into that country.

This involves:

- freezing the non-catalytic proportion of the car quota at 25 000 units as of 1 January 1994,
- increasing the quota of 8 500 units for cars fitted with catalytic equipment by 1 750 vehicles a year from 1 January 1995,
- introducing a flexibility clause whereby, in the event of exhaustion of the quota for vehicles with catalytic equipment, such vehicles can be imported under the quota for cars without catalytic equipment.

Surveillance operations on air and sea traffic

The Council approved the programme for 1994 of joint surveillance operations on air and sea traffic. The exercises involved in this programme were created under the Customs Mutual Assistance Group in 1986 as a Community-wide exercise aimed at drugs smugglers who make use of European airport transit facilities to disguise their true point of departure from a drugs source country. The exercise aims to identify persons in transit at their first point of arrival in Europe.

The objective of participating administrations is to identify, on a risk analysis basis, such persons travelling from a drugs high-risk country using transit facilities at their airports before going to another European airport.

ITER Agreement (International Thermonuclear Experimental Reactor)

After examining the ITER Outline Design Report submitted by the ITER Director and taking account of the opinion of the Consultative Committee of the Fusion Programme (CCFP), the Council approved conclusions intended to help the Commission to draw up its proposal for signing the Protocol in question.

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It should be noted that the Council adopted the relevant negotiating directives to the Commission on 10 December 1993.

Agreement relating to scientific and technical co-operation between the EC and Australia

The Council recorded its agreement to the Community signing an Agreement relating to scientific and technical co-operation between the EC and Australia, which is intended to provide a more formal framework for collaboration between the two parties in this area taking account of the positive experience acquired with the Arrangement concluded in 1986.

Protection of wild birds

By a qualified majority, with Denmark voting against (¹), the Council adopted the common position on the proposal for an amendment to Directive 79/409/EEC on the conservation of wild birds.

This amendment entails the inclusion in Annex II.2 of the Directive of certain species for which Member States have the option of authorizing hunting.

Hazardous waste

Following the political agreement reached at the Environment meeting on 2, 3 and 15 December 1993, the Council adopted the common position on the amendment of Directive 91/689/EEC on hazardous waste.

The aim of this proposal is to amend the date of implementation of Directive 91/689/EEC on hazardous waste and the date of repeal of Directive 78/318/EEC on toxic and dangerous waste in order to deal with the practical and legal difficulties caused by the fact that the list of hazardous waste provided for in Directive 91/689/EEC is not available.

 ⁽¹⁾ Explanation of the Danish delegation's vote:
 "Denmark is able to support the Commission's initial proposal but cannot accept the transfer of the Sturnida Sturnus vulgaris to the list of species which can be hunted.

The Danish delegations considers that Community policy on hunting should not be moving towards an intensification, but on the contrary towards a restriction on the hunting of song birds and small birds.

As regards the problems which a sizeable flock of Sturnidae might post for agriculture, in the view of the Danish delegation such problems should be resolved by applying Article 9 of the Directive, which allows derogations from the Directive's provisions under certain conditions.".

Protection of the Baltic Sea

The Council adopted the Decisions on the accession of the Community to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (Helsinki Convention - 1974) - the Commission has already been participating since 1991 in the meetings of the Baltic Marine Environment Protection Commission as an observer - and on the conclusion, on behalf of the Community, of the Convention as revised in 1992, which, when it comes into force, will replace the 1974 version. Accession will enable the Community to contribute fully to the objectives of the Convention, i.e. the ecological rehabilitation of the Baltic Sea with a view to the self-regeneration of its marine environment and the preservation of its ecological balance.

Anti-dumping

The Council adopted an amendment to Regulation No 3433/91 imposing a definitive anti-dumping duty on imports of gas-fuelled, non-refillable pocket flint lighters originating in Japan, the People's Republic of China, the Republic of Korea and Thailand and authorizing the definitive collection of a provisional anti-dumping duty (withdrawal of an exemption from duties granted to the undertaking Thai Merry Co. Ltd).

Appointments

- Economic and Social Committee

At the proposal of the Belgian Government, the Council appointed Mr Juan FERNANDEZ a member of the Economic and Social Committee to replace Mr Xavier VERBOVEN for the remainder of the latter's term of office, which expires on 20 September 1994.

- Bangemann Group

In an amendment to the list of members of the High-Level Bangemann Group on Information Technologies approved at the General Affairs meeting on 7 and 8 February 1994 (see Press Release 4426/94 Presse 16), the Council on a proposal from the Commission appointed Mr DECARPENTRIE (President of Bull) a member of this Group to replace Mr SUARD. 146 and a state of

COUNCE OF AD FURCHERS INCOM GERRAL DECUTATION

5048/94 (Presse 28)

1734th Council meeting

- RESEARCH -

Brussels, 4 March 1994

President: Mr Constantin SIMITIS,

Minister for Industry, Energy and Technology of Greece

5048/94 (Presse 28 - G)

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

Belgium: Mr Jean-Maurice DEHOUSSE

Mr Luc VAN den BRANDE*

Denmark: Mr Knud LARSEN

Germany: Mr Jochen GRÜNHAGE

<u>Greece</u>: Mr Constantin SIMITIS Mr Nikos CHRISTODOULAKIS

Spain: Mr Elias FERERES

France: Mr Pierre SELLAL

<u>Ireland</u>: Mr John F. COGAN

Italy: Mr Umberto COLOMBO

Luxembourg: Mr Jean-Marc HOSCHEIT

Netherlands: Mr M. J. COHEN

Portugal: Mr Luis VALENTE DE OLIVEIRA Mr Manuel FERNANDES THOMAZ

United Kingdom: Mr David DAVIS Minister for Science Policy and Scientific and Cultural Institutions Minister-President of the Flemish Community Executive

State Secretary, Ministry of Research and Technology

Deputy Permanent Representative

Minister for Industry, Energy and Technology Secretary-General, Ministry of Industry, Energy and Technology

State Secretary for the Universities and Research

Deputy Permanent Representative

Deputy Permanent Representative

Minister for Scientific Research

Deputy Permanent Representative

State Secretary, Ministry of Education

Minister for Territorial Planning and Management State Secretary for Science and Technology

Parliamentary Under-Secretary of State, Office of Public Service and Science (Office of the Chancellor of the Duchy of Lancaster)

<u>Commission</u>: Mr Antonio RUBERTI

Member

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* Head of delegation

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4TH RESEARCH FRAMEWORK PROGRAMME (1994-1998)

Following a discussion on the European Parliament's amendments concerning the 4th framework programme of Community activities in the field of research, technological development and demonstration (1994-1998), and after noting the impossibility of accepting the European Parliament's amendments, the President of the Council announced, in agreement with the President of the Parliament, that the Conciliation Committee provided for in Article 189b(3) of the Treaty would be convened in this connection.

An initial meeting of the Conciliation Committee composed of members of the Council or their representatives and representatives of the Parliament was held today.

The Council will continue its meeting on 21 March 1994 to prepare for the next meeting of the Conciliation Committee on this matter, which will be held on the same day.

FOLLOW-UP TO THE WHITE PAPER

The Council noted the information given by Mr RUBERTI, Member of the Commission, on the follow-up to the White Paper: Growth, Competitiveness, Employment in the field of research.

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Alongside the Council meeting, an informal meeting was held between the Ministers for Research of the countries of the European Union and the EFTA countries that are parties to the EEA Agreement (Finland, Iceland, Liechtenstein, Norway, Austria and Sweden).

MISCELLANEOUS DECISIONS (Adopted unanimously without debate unless otherwise stated)

Anti-dumping

The Council adopted a Regulation imposing definitive anti-dumping duties on imports of fluorspar originating in the People's Republic of China and collecting definitively the provisional anti-dumping duty.

The duty on imports of fluorspar (presented in cake form) is equal to the difference between a minimum price of ECU 113,50 per tonne (dry net weight) and the net, free at Community frontier price, before customs clearance.

Relations with EFTA countries

For the Community side, the Council approved the draft Decisions of the EEC-EFTA countries Joint Committees amending Protocol No 3 to the Free Trade Agreements between the European Community and each of the EFTA countries, concerning the definition of the concept of "originating products" and methods of administrative co-operation, and the draft Decision of the EEA Joint Committee amending Protocol No 4 to the Agreement on the European Economic Area.

The main purpose of these draft Decisions is to make the amendments necessitated by Switzerland's non-participation in the EEA to the origin rules contained in the Community's free-trade Agreements with the EFTA countries and in the EEA Agreement.

Occupied Territories - Financial and technical co-operation

The Council adopted its common position, to be sent to the European Parliament under the co-operation procedure, on the two draft Regulations on financial and technical co-operation with the Occupied Territories.

It is pointed out that, in view of the progress made in the peace process, and following the European Council's discussions on 29 October 1993, the Community had decided to step up considerably Community aid to the Palestinians in the form of a five-year programme, through which ECU 250 million will be channelled in the form of grants. This amount will come from the Community budget and will be matched by European Investment Bank loans from own resources out of the amount of the existing ECU 1 800 million lending for horizontal co-operation under the New Mediterranean Policy.

The Regulation lays down detailed arrangements and rules for the administration of aid financed by the Community budget.

Listing particulars for the admission of securities to stock-exchange listing

The Council adopted its common position on the proposal for a European Parliament and Council Directive amending Directive 80/390/EEC co-ordinating the requirements for the drawing up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock-exchange listing, with regard to the obligation to publish listing particulars.

The aim of this Directive is, in particular, to simplify cross-border procedures by providing in certain cases for partial or total exemption from the obligation to publish listing particulars for issuers whose securities are already admitted to official stock-exchange listing in another Member State in the case of known companies on which information is widely disseminated and available throughout the Community or where equivalent disclosure requirements exist.

Summer time

The Council adopted the common position on the seventh Directive on summer time arrangements.

The common position provides for 1995, 1996 and 1997, that summer time will begin at 1 a.m. Greenwich Mean Time on the last Sunday in March and will end at 1 a.m. Greenwich Mean Time:

- in 1995, on the last Sunday in September in ten Member States and on the fourth Sunday in October in Ireland and the United Kingdom;
- in 1996 and 1997, on the last Sunday in October in all Member States.

The harmonization of summer time arrangements which is planned from 1995 onwards is aimed at facilitating transport and communications in the internal market and reducing the related costs.

Dangerous substances

Following the agreement in principle of 16 December 1993, the Council formally adopted its common position on the Directive amending for the fourteenth time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of ceratin dangerous substances and preparations.

The amendment is designed to restrict the use of nickel in jewellery and personal items coming into direct contact with the skin, as some people are nickel-sensitive and present allergic reactions. The Annex to the Directive contains an illustrative list of personal items that regularly come into contact with the skin.

Timesharing

Following the agreement in principle reached by the Council at its meeting on 19 November 1993 (see press release 10232/93 Presse 194), the Council adopted by a qualified majority, with the Portuguese delegation voting against (¹) and the Netherlands delegation abstaining (²), a common position on the Directive on the protection of purchasers in timeshare contracts.

It is pointed out that the aim of this proposal is to contribute to the completion of the internal market and, in so doing, given the cross-border character of timeshare contracts and the specific nature of the commercial techniques used to sell those contracts, to increase the protection of purchasers wishing to conclude a contract directly or indirectly relating to the purchase of a right to utilize immovable properties on a timeshare basis.

To this end, the common position essentially contains provisions on:

Consumers would enjoy greater protection under a system of advances in return for effective guarantees as provided for in the legislation of certain Member States."

(²) Explanation of the Netherlands delegations's vote

"At the Consumer Council on 19 November 1993 the Netherlands abstained during the vote on the proposal for a Timeshare Directive. From the outset the Netherlands has had reservations about this proposal with regard to subsidiarity and proportionality. In the view of the Netherlands, the rules concerned are difficult to implement. Moreover, the finalized text does not afford genuine and adequate protection to consumers."

5048/94 (Presse 28 - G)

^{(&}lt;sup>1</sup>) Explanation of the Portuguese delegation's vote

[&]quot;While it subscribes to the objectives of this Directive, the Portuguese delegation cannot approve its present provisions, as the proceedings on the ban on the payment of advances by the purchaser and the withdrawal period have not been conducted in such a way as to allow sufficient examination of a wording more in keeping with market economy principles.

- informing the consumer in advance of the constituent parts of the contract;
- procedures for cancellation and withdrawal;
- the prohibition of advance payments.

Packaging

Following the agreement reached by a qualified majority at the Council meeting on 2, 3 and 15 December 1993 (see press release 11193/93 Presse 240), the Council adopted, with the German, Danish and Netherlands delegations voting against, a common position on the Directive on packaging and packaging waste.

It is pointed out that the aim of the proposal is to harmonize national measures for the management of packaging and packaging waste in order to reduce their impact on the environment, contribute to the functioning of the internal market and to prevent the appearance of barriers to trade and distortions and restrictions of competition in the Community.

When drawing up the common position, the Council endeavoured to ensure the best possible balance between protection of the environment and the functioning of the internal market, and to reconcile the possibilities of Member States which have started to set up infrastructures for the management of packaging waste with the wishes of Member States with more developed infrastructures to achieve more ambitious objectives.

Appointments

The Council made the following replacements:

- on the Economic and Social Committee, Mr Spyridon GIATRAS was replaced by Mr Christoforos KORYFIDIS;
- on the Committee of the Regions:
 - for Germany: Dr Thomas GOPPEL, a member who has resigned, was replaced by Mr Edmund STOIBER;
 - for Belgium: Mr Guy SPITAELS, a member who has resigned, was replaced by Mr Robert COLLIGNON.

The Council also appointed new members and alternate members of the Advisory Committee on Safety, Hygiene and Health Protection at Work.



COUNCIL OF THE EUROPEAN UNION OFNERAL SECRETARIAT

5181/94 (Presse 31)

1735th meeting of the Council

- GENERAL AFFAIRS -

Brussels, 7 and 8 March 1994

Presidents:

Mr Karolos PAPOULIAS Minister for Foreign Affairs of the Hellenic Republic

Mr Theodoros PANGALOS Deputy Minister for Foreign Affairs of the Hellenic Republic

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

Belgium: Mr Willy CLAES Mr Robert URBAIN

Denmark: Mr Niels HELVEG PETERSEN Mr Jorgen ØSTRØM MØLLER

<u>Germany:</u> Mr Klaus KINKEL Ms Ursula SEILER-ALBRING Mr Jürgen TRUMPF

<u>Greece</u>: Mr Karolos PAPOULIAS Mr Theodoros PANGALOS

Spain: Mr Javier SOLANA MADARIAGA Mr Carlos WESTENDORP Mr Apolonio RUÍZ LIGERO

France: Mr Alain JUPPE Mr Gérard LONGUET

Mr Alain LAMASSOURE

Ireland: Mr Dick SPRING Ms Eithne FITZGERALD

<u>Italy</u>: Mr Beniamino ANDREATTA Mr Paolo BARATTA

Luxembourg: Mr Jacques POOS

Netherlands: Mr Piet DANKERT

Portugal: Mr José Manuel DURÃO BARROSO Mr Vitor MARTINS

United Kingdom: Mr Douglas HURD Mr David HEATHCOAT-AMORY Mr Richard NEEDHAM

Commission: Mr Jacques DELORS Mr Hans VAN DEN BROEK Sir Leon BRITTAN Mr René STEICHEN Mr YANNIS PALEOCRASSAS Mr Peter SCHMIDHUBER Deputy Prime Minister and Minister for Foreign Affairs Minister for Foreign Trade and European Affairs

Minister for Foreign Affairs State Secretary for Foreign Affairs

Minister for Foreign Affairs Minister of State, Foreign Affairs State Secretary for Foreign Affairs

Minister for Foreign Affairs Deputy Minister for Foreign Affairs

Minister for Foreign Affairs State Secretary for Relations with the European Communities State Secretary for Foreign Trade

Minister for Foreign Affairs Minister for Industry, Posts and Telecommunications and Foreign Trade Minister with special responsibility for European Affairs

Minister for Foreign Affairs Minister of State at the Office of the Tanaiste

Minister for Foreign Affairs Minister for Foreign Trade

Minister for Foreign Affairs

State Secretary for Foreign Affairs

Minister for Foreign Affairs State Secretary for European Affairs

Secretary of State for Foreign and Commonwealth Affairs Minister of State, Foreign and Commonwealth Office Minister of State (Minister for Trade)

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ENLARGEMENT

The Council continued discussing the final chapters outstanding in the accession negotiations with the four applicant countries, which were, in the case of Norway, the fisheries chapter in particular (¹), and in the case of all four applicants, the institutions chapter (in particular the question of Council voting).

The Council agreed to continue its discussion on the afternoon of Tuesday 15 March.

ASSOCIATION WITH HUNGARY AND POLAND

The Council determined the positions to be taken by the Union at the first meetings of the Hungary and Poland Association Councils under the Europe Agreements which came into force on 1 February 1994.

Those meetings were held at the end of the morning of Monday 7 March (see Conclusions of the Association Council with Hungary: UE-H 1504/94 Presse 32 and Conclusions of the Association Council with Poland: UE-PL 1404/94 Presse 33).

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In this context and further to the initiative launched on 17 December 1993 by Mr Hurd and Mr Andreatta to strengthen ties with the countries of Central and Eastern Europe in the field of CFSP and Home Affairs and Justice, the Council approved conclusions on the reinforcement of the political dialogue with the associated CEECs. That text is attached as an Annex.

^{(&}lt;sup>1</sup>) On the basis of the Council's discussions, agreement was reached with Norway at this meeting in the fields of agriculture, the budget, regional policy, customs union and taxation.

IMPLEMENTATION OF THE WHITE PAPER

The Council heard a statement by President DELORS on progress made by the Commission in implementing the various chapters of the White Paper, namely furthering of the internal market, the creation of major infrastructure networks and the information society and problems relating to employment systems.

After the ensuing exchange of views the Council confirmed its intention to prepare the discussion of this important subject by the European Council in Corfu with particular care, and that it would therefore be included on the agenda for every General Affairs Council between now and the end of June.

IMMIGRATION AND ASYLUM

The Council heard a statement by President DELORS presenting the Commission's communication on immigration and asylum, representing an adjunct to the action plan adopted by the Council on 29-30 November 1993 which was intended to stimulate discussion of this subject within the institutions of the Union.

FINANCING OF THE CFSP

The Council noted the progress made in the Permanent Representatives Committee in drawing up a general framework for financing the common foreign and security policy. It instructed the Permanent Representatives Committee to continue its work with all due diligence so that the Council could reach a final conclusion at its meeting in April.

FORMER YUGOSLAVIA

The Ministers held a detailed exchange of views on the situation in the former Yugoslavia. They reached the following conclusions:

- The EU welcomes the agreement reached in Washington on 1 March. Such agreements constitute an important step on the path to a negotiated settlement in Bosnia-Herzegovina. The EU hopes that the negotiations in Vienna will produce an early result.
- The negotiations held under the aegis of the United States are complementary to the Union's efforts in the context of the international conference on the former Yugoslavia.
 However, the EU notes that further efforts will be needed to reach an overall solution of the crisis in the former Yugoslavia. Those efforts should be based on the results and aims of the EU's action plan, which constitutes the only existing framework for an overall settlement.
- Any solution to the conflict must have the agreement of all parties involved, including the Serbs. Russia's contribution to the process is particularly important in this respect.
- The EU has been involved in the efforts to resolve the conflict for a long time. The EU will continue to assume its responsibilities, in co-operation with the United States and Russia, by playing a role commensurate with its interests in the region and the scale of its aid. The possibility of convening a high-level trilateral meeting with the United States and Russia was raised in this context.
- The EU calls on the Moslems and Croats of Bosnia to comply with the ceasefire concluded on 23 February through the intermediary of UNPROFOR. Full compliance will facilitate the urgent task of bringing humanitarian aid to those regions which have hitherto been practically impossible to reach.

- The EU is extremely concerned at the continued fighting in certain parts of Bosnia-Herzegovina, particularly the Bihac region.
- The EU welcomes the UN Security Council's adoption of Resolution 900.
- The agreement reached between the UN Secretary-General's Special Representative for the former Yugoslavia, Mr Y. AKASHI, and the Bosnian Serbs, concerning the opening of Tuzla airport for delivery of humanitarian aid supplies, a longstanding aim of the EU, is particularly encouraging.
- A fact-finding mission of the Troika, assisted by technical experts, will shortly be dispatched to Mostar. The mission will demonstrate to all parties the Union's continued desire to help in reaching a settlement of the conflict and will establish the aid that the EU is prepared to provide for the administration of Mostar.
- The EU stressed that UNPROFOR must be provided with additional resources as a matter of urgency, in view of its increased workload resulting from the present situation. It pointed out that this matter was currently being given close consideration by certain partners and that contributions from outside the EU, in particular from associated countries of Central and Eastern Europe, were expected.

SUPPORT FOR THE CONVOYING OF HUMANITARIAN AID IN BOSNIA-HERZEGOVINA

The Council decided to extend until 30 September 1994 the joint action on support for the convoying of humanitarian aid in Bosnia-Herzegovina.

It also agreed that in view of developments in the situation since the adoption of the action in December, a new assessment of priority needs on the ground was urgently required, in order to provide the victims of the war in that country with the best possible assistance.

The Council also instructed the Permanent Representatives Committee to continue its work on the outstanding questions: cost-sharing formula, administrative procedures etc.

STATEMENT ON THE MIDDLE EAST

Whereas the recent tragic events in Hebron, which the European Union has already condemned, should not interrupt the peace process in the Middle East, the Council of the European Union:

- encourages the resumption of the peace process negotiations between all parties and appeals to the Security Council to adopt an appropriate Resolution swiftly;
- 2. while welcoming the measures recently adopted by the Israeli Government to ensure the safety of Palestinians, notes that Israel is responsible for the safety and protection of all inhabitants in the Occupied Territories;
- 3. appeals to the parties to discuss the question of the safety of Palestinians, including the issue of certain settlements, and to agree on appropriate measures;
- 4. supports the establishment, by the Security Council, in the Occupied Territories of an international presence in which the European Union declares its willingness to participate.

WITHDRAWAL OF THE RUSSIAN ARMY FROM THE BALTIC COUNTRIES

Following the statement by Russia that 31 August 1994 no longer applied as the date for the withdrawal of Russian troops from the territory of Estonia, the Presidency reaffirmed that the European Union expected Russia to honour its commitment to the complete withdrawal of its troops by that date. The Union cannot accept the linkage of withdrawal to other questions.

The Union considers that the withdrawal of Russian troops from the Baltic countries will help to create the climate of mutual confidence which is vital for the security and stability of the region.

URUGUAY ROUND - PREPARATION OF THE MINISTERIAL CONFERENCE IN MARRAKESH

The Council heard a statement by Sir Leon Brittan on the different aspects of the preparations for the Ministerial Conference in Marrakesh on 15 April 1994 such as the latest state of play in the market access negotiations and on the question of an "agreed Ministerial Declaration".

The Council held an exchange of views on this subject at the end of which it approved the conclusions below; in this context, the Council also adopted conclusions on the announcement of the United States' intention to resuscitate the Super 301 procedures of the 1974 Trade Act.

Market access negotiations

The Council heard a detailed report by Sir Leon Brittan on the finalization of market access negotiations and the difficulties resulting from certain technical problems which have delayed the presentation in the agreed format of the final list of offers by the United States. The Council shared the Commission's concerns that these final offers might compromise the expected balance of mutual concessions agreed to on 15 December and therefore need readjustment of the Community's schedules.

Such readjustment should be of a limited character and bear in mind the need to avoid being held responsible for any unravelling of the tariff negotiations results. Any such adjustment should be undertaken by the Commission in close co-operation with the Article 113 Committee targeting products where the USA is the supplier of 90% of EU imports.

Signature of the Uruguay Round agreements in Marrakesh

The Council decided that its President and Sir Leon Brittan will sign - on behalf of the Community in Marrakesh on 15 April 1994 - the Final Act of the Uruguay Round negotiations and the agreement establishing the World Trade Organization.

Representatives of Member States will also sign this Final Act and the WTO agreement on behalf of their governments.

Ministerial Marrakesh Declaration

The Council has taken note of the positions of Member States and the Commission on a possible agreed Ministerial Declaration in Marrakesh and its content.

The Council has asked the Commission to monitor closely developments in the preparatory work in Geneva in this respect, taking account of delegations' positions, and, if appropriate, take the necessary initiatives. The Commission should do this in close co-operation with the Article 113 Committee.

The Council reserves the possibility of finalizing, if necessary, the position of the European Union in co-ordination on the spot at the beginning of the Marrakesh Conference.

US Super 301 Legislation

The Council expressed its concern at the announcement last Thursday by the United States of its intention to resuscitate the Super 301 procedures of the 1974 Trade Act. The Council repeated its firm opposition to the use of unilateralism in international trade disputes. The Council, while noting the assurance of the US, stressed the need for all trading partners to act in full conformity with the process and rules of the GATT, including the trade obligations the United States has agreed to in the Uruguay Round. The Council requested the Commission to scrutinize the legality and implementation of these provisions to ensure that the European Community's GATT rights are not violated and to report to the Council.

SIR LEON BRITTAN'S VISIT TO CHINA

Sir Leon Brittan reported to the Council on his recent visit to China. Among the items he raised with his counterparts were human rights, economic reform as well as questions related to China's future status in the GATT and non-discrimination among Member States.

BUDGETARY DISCIPLINE

The Council examined the draft Decision on budgetary discipline and in particular Article (voting procedure for increasing EAGGF-Guarantee Fund financing beyond the guideline a the contingency margin, whether or not to insert deadlines for monetary realignments to taken into account for the monetary reserve, financing the reform of the common market organizations for Mediterranean products).

The Council will resume its discussion of this matter at its meeting on 15 March, with the aim of reaching agreement on the draft Decision which is intended to give legal form to the conclusions of the Edinburgh European Council on financial matters.

NEW DECISION ON OWN RESOURCES

The Council examined the issues outstanding in connection with the new decision on ow resources, also intended to give legal form to the provisions of the Edinburgh financial package.

The discussion enabled substantial progress to be made, which should in turn enable the Council to reach agreement on the text of the draft Decision at its meeting on 15 March.

EEA AGREEMENT - INTERIM PACKAGE

The Council reached political agreement - as regards the Community side - on the draft Decision of the EEA Joint Committee amending Protocol 47 and certain Annexes to the EEA Agreement. After formal adoption by the Council, this text must be approved by the EEA Joint Committee and then receive the assent of the European Parliament and parliamentary ratification in the EFTA countries.

This "interim package" is intended to supplement the EEA Agreement by incorporating in it the "acquis communautaire" adopted be ween 1 August 1991 (cut-off date for incorporation of acts of Community law in the EEA Agreement itself) and 1 January 1994 (date of entry into force of the EEA Agreement). It involves almost 400 acts of Community legislation concerning in particular the internal market, the application of which will thereby be extended to the EFTA partners.

ARRANGEMENTS FOR APPLYING THE EEA AGREEMENT

The Council noted that differences remained as to the procedure to be followed for implementing the safeguard clause provided for in the EEA Agreement and that, in the circumstances, it was unable to approve the internal Community implementing Regulation concerning the Agreement.

IMPORTATION OF STEEL PRODUCTS FROM RUSSIA, UKRAINE AND KAZAKHSTAN

The Council instructed the Permanent Representatives Committee to continue to seek agreement on the mandate to be given to the Commission to negotiate bilateral agreements with Russia, Ukraine and Kazakhstan concerning imports of certain ECSC steel products.

REINFORCEMENT OF THE POLITICAL DIALOGUE WITH CENTRAL AND EASTERN EUROPEAN COUNTRIES WHICH HAVE CONCLUDED A EUROPEAN ASSOCIATION AGREEMENT

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COUNCIL CONCLUSIONS

In accordance with the conclusions of the June 1993 Copenhagen European Council wl called for a structured relationship between the Associated Central and Eastern Europea countries and the institutions of the European Union, the Council agrees that the follow modalities shall be adopted for establishing an enhanced dialogue on foreign and securit policy issues with the six Central European countries which have at present signed Europe Agreements:

- a meeting should be organized between the President of the European Council and the President of the Commission with the Heads of State or Government of the Associat countries in principle once a year;
- the Presidency of the European Union will brief the Ambassadors of the Associated countries following each European Council;
- meetings provided for by the European Council with Ministers of Foreign Affairs of Associated countries will be held in the form of meetings of a special Council with th Associated countries once per Presidency, in order to discuss CFSP matters. The ag will be thoroughly prepared in order to cover matters of common interest with a view arriving as far as possible at common operational conclusions and to accommodating specific concerns of the Associated countries. Further meetings in Troika format ma be held at the discretion of the Presidency;

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- in the same manner, political directors' meetings provided for by the Copenhagen European Council will be held in the format of a special session of the Political Committee during each Presidency, preferably in the run-up to each regular European Council. Further meetings in Troika format may also be held at the discretion of the Presidency on specific items of an urgent character;
- meetings at expert level with the Associated countries once per Presidency will be extended to other groups including security, terrorism, planners and human rights working groups. These meetings may be in Troika format, or with all partners present immediately after regular sessions. In every case the agenda should be organized so as to focus on matters of common interest;
- in appropriate cases the Associated countries will be invited through an agreed mechanism publicly to align themselves jointly with European Union declarations on a particular subject;
- when certain démarches are made by the Troika, Associated countries could be invited to support them;
- the Associated countries could be invited to associate themselves jointly with the implementation of joint actions, if appropriate;
- co-operation with the Associated countries in international organizations and in the run-up to and during international conferences should be intensified. They will be invited to co-ordinate their position with the European Union whenever appropriate;

- to facilitate co-ordination between themselves and the European Union, the Associated countries are invited to appoint Shadow European Correspondents. In addition they should be invited to nominate contact points for CFSP issues in their missions to the European Union which should establish regular contacts with their counterparts in the Member States' missions and the Commission as well as with the Council Secretariat;
- regular contacts between EU missions in third countries and at headquarters of international organizations and conferences and missions of the Associated countries shall be encouraged;
- the European Union shall examine the possibility of further co-operation between the administrations of the diplomatic services of Member States, the Commission and of the Associated countries.

The European Union notes that in some cases the modalities of co-operation between the Associated countries and the European Union might require the Associated countries to nominate a single representative. In particular, the Associated countries are invited to establish a system providing for a single representative on rotation for co-ordination purposes.

The European Union considers that the meetings provided for should focus on specific questions which need an in-depth discussion.

MISCELLANEOUS DECISIONS

(Adopted unanimously, without debate, unles; otherwise specified)

Arms embargo against Sudan

The Council decided to impose an embargo or arms, ammunition and military equipment to Sudan.

Ukraine

Further to the Council's conclusions of 7 February 1994, the Council approved revised negotiating directives enabling the Commission to continue negotiations with Ukraine for the conclusion of a partnership and co-operation agreement.

Relations with the CIS countries other than Russia and Ukraine

The Council, which had already adopted revised directives for the negotiation of partnership and co-operation agreements with Russia (8.XI.1993) and Ukraine (see previous item), also approved certain guidelines for acceleration of the establishment of contractual relations with the other CIS Republics.

Trade policy

Further to the political agreement reached on 15 December 1993 concerning the strengthening of the Community's trade policy instruments (see Press Release 11192/93 Presse 239),

- the Council adopted by a qualified majority (the United Kingdom voting against) Regulations concerning:
 - common rules for imports from certain third countries and repealing Regulations (EEC) Nos 1765/82, 1766/82 and 3420/83;
 - the streamlining of decision-making procedures for certain instruments of commercial defence and amending the relevant Regulations;
 - common rules for imports of textile products from certain third countries not covered by bilateral agreements, protocols or other arrangements, or by other specific Community import rules;

and adopted unanimously Regulations on:

- = common rules for imports and repealing Regulation No 288/82;
- = establishing a Community procedure for the administration of quantitative quotas;
- the introduction of time limits for investigation procedures carried out against dumped or subsidized imports from countries not members of the European Community and amending the relevant Regulation.

At the same time, the Council adopted a Decision on the date of entry into force (15.3.1994) of the transfer to the Court of First Instance of the Court's jurisdiction in matters relating to measures to protect trade in the case of dumping and subsidies.

GATT

The Council adopted the Regulation extending until 31 December 1994 the measures taken under the Agreement between the EC and the United States for the conclusion of negotiations under GATT Article XXIV.6.

Anti-dumping

The Council adopted the Decision not to terminate the anti-dumping proceeding concerning imports into Spain of certain Portland cement originating in Turkey, Romania and Tunisia. On 9 February the Commission had proposed termination of this proceeding, but the Council decided unanimously not to agree to that proposal.



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5392/94 (Presse 34)

1736th Council meeting

- INTERNAL MARKET -

Brussels, 10 March 1994

President: Mr Yiannos PAPANTONIOU

Deputy Minister for Economic Affairs of the Hellenic Republic The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium: Mr Robert URBAIN

Denmark: Mrs Mimi JAKOBSEN Mr Jörgen ROSTED

Germany: Mr Dieter VON WÜRZEN

<u>Greece</u>: Mr Yiannos PAPANTONIOU Mr Alexandros BALTAS

<u>Spain</u>: Mr Carlos WESTENDORP

France: Mr Pierre SELLAL

Ireland: Mr John F. COGAN

Italy: Mr Livio PALADIN

Luxembourg: Mr Jean-Marc HOSCHEIT

Netherlands: Mr Piet DANKERT

Portugal: Mr Vitor MARTINS

United Kingdom: Mr Neil HAMILTON Minister for Foreign Trade and European Affairs

Minister for Industry State Secretary for Industry

State Secretary, Federal Ministry of Economic Affairs

Deputy Minister for Economic Affairs State Secretary for Trade

State Secretary for the European Communities

Deputy Permanent Representative

Deputy Permanent Representative

Minister for Community Policies

Deputy Permanent Representative

State Secretary for Foreign Affairs

State Secretary for European Integration

Minister of State, Department of Trade and Industry

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Commission:

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

5392/94 (Presse 34 - G)

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OPERATION OF THE INTERNAL MARKET

The Council held a wide-ranging discussion on the various Commission communications and proposals concerning implementation of the strategic programme for the internal market and also discussed the Danish delegation's note on the elimination of technical barriers to trade.

The discussions specifically covered:

- two communications on the development of administrative co-operation for implementing and applying Community legislation in the context of the internal market and on the handling of urgent situations in the context of implementation of Community rules;
- a communication on the management of the mutual recognition of national rules after 1992 and a proposal for a European Parliament and Council Decision establishing a procedure for the exchange of information on national measures derogating from the principle of the free movement of goods within the Community;
- a communication on legislative consolidation to enhance the transparency of Community law in the area of the internal market (follow-up to Sutherland report);

These four communications and the proposal for a Decision form part of the follow-up to the strategic programme on the internal market adopted by the Commission in December 1993 and which prompted the European Council in December 1993 to ask the Council and the Commission to continue their work in order to ensure that the single market was fully exploited.

At the close of the discussion, the Council instructed the Permanent Representatives Committee to:

- examine in more detail the communications on administrative co-operation and urgent situations and continue discussing the proposal for a Decision in order to enable the Council to reach formal conclusions in June;
- give further consideration to the recommendations contained in the Danish delegation's note, which was very favourably received by the delegations;
- on the question of legislative consolidation, seek ways of expediting discussion of the various proposals currently before the Council.

The Council also noted an oral statement by the Commission on the progress made in activities relating to trans-European networks.

PROHIBITION OF THE RELEASE FOR FREE CIRCULATION, EXPORT OR TRANSIT OF COUNTERFEIT GOODS

The Council signified its political agreement to the content of the Regulation laying down measures to prohibit the release for free circulation, export or transit of counterfeit and pirated goods. It instructed the Permanent Representatives Committee to continue discussing the legal basis for the Regulation so that it could be formally adopted as soon as possible.

The main aim of the proposal is to strengthen the procedure set up in Regulation No 3842/86 for combating the scourge of counterfeit goods and to extend its scope, currently limited to the protection of trademarks, to cover the protection of other intellectual property rights (copyright, designs, models).

NOVEL FOODS AND NOVEL FOOD INGREDIENTS

The Council held a policy discussion on the amended proposal for a Regulation on novel foods and novel food ingredients.

The purpose of the proposal is to provide a framework of rules for the placing on the market of novel foods or novel food ingredients following the recent arrival in this sector of a series of new raw materials, new processes and new technologies whose aim is to improve the nutritional and dietetic qualities of foodstuffs or to improve the technical and economic effectiveness of their processing and distribution.

At the close of the discussion, the Council instructed the Permanent Representatives Committee to continue its work with a view to the adoption of a common position at the Internal Market meeting in June.

OTHER BUSINESS

The Council noted two oral communications by the Commission concerning:

- Directive 89/106/EEC on construction products, and
- the Commission's intentions with regard to increasing coach safety.

On the question of Directive 89/106/EEC, the Commission stated that following:

- the review of the procedures laid down in the Directive which it was obliged to carry out pursuant to Article 23 of the Directive;
- the review of the conformity assessment procedures in response to the Council's request in 1993,

it had come to the conclusion that no amendment of the Directive was appropriate at the present time.

As regards coach safety, the Commission announced that it had adopted a comprehensive approach covering not only the question of seat-belts but also the following aspects: vehicle stability (anti-roll devices), body strength, particularly that of the roof, flammability of materials used in vehicle construction, strength of the seats and their anchorages, seat-belt anchorages.

The Commission emphasized in particular its intention of carrying through this approach with a view to putting forward a comprehensive strategy before the end of 1994.

OTHER INTERNAL MARKET DECISIONS

(Adopted unanimously without debate unless otherwise indicated)

Food additives

Following the political agreement reached at the meeting on 16.XII.93, the Council formally approved, with the Danish and Italian delegations abstaining, the common position on the Directive on food additives other than colours and sweeteners. The reasons behind the Danish delegation's abstention are set out in the Annex hereto. The Directive, which is based on Article 100a of the Treaty (co-decision procedure in Article 189b), forms part of a general Directive on specific food additives which is being compiled in stages on the basis of the framework Directive on additives 89/107/EEC.

It should be noted that with the general Directive in view, the Council adopted on 11 November 1993 common positions on the Directive on sweeteners and colours and also one amending the framework Directive.

The general Directive will contain a positive list of food additives and their conditions of use, and will specify the foodstuffs in which their use is authorized and the maximum doses.

The common position on the "other additives", is the final element in the general Directive. It removes a major regulatory barrier to the free movement of foodstuffs in the Community and, as already confirmed by the Scientific Committee for Food, constitutes an improvement in consumer safety.

Extraction solvents

The Council adopted the common position on the proposal for a Directive amending for the second time Directive 83/344/EEC on the approximation of the laws of the Member States on extraction solvents used in the production of foodstuffs and food ingredients.

The purpose of this amendment is to reinstate the use of cyclohexane with a maximum content of 1 mg/kg in the Annex to Directive 88/344/EEC.

Equipment and protective systems intended for use in potentially explosive atmospheres

The Council, under the co-decision procedure in Article 189b and following approval of its common position by the European Parliament, approved the Directive on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres. This Directive will be submitted for joint signing by the European Parliament and the Council at a ceremony arranged for 23 March 1994.

This is a "new approach" Directive which applies to equipment and protective systems intended for use in potentially explosive atmospheres, as well as to safety devices outside potentially explosive atmospheres but having an impact on equipment installed in such atmospheres.



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5746/94 (Presse 40)

1737th Council meeting

ECONOMIC AND FINANCIAL QUESTIONS

Brussels, 21 March 1994

President: Mr Yiannos PAPANTONIOU,

Deputy Minister for Economic Affairs of the Hellenic Republic

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

Belgium: Mr Philippe MAYSTADT

Denmark: Ms Marianne JELVED

<u>Germany:</u> Mr Théo WAIGEL Mr Gert HALLER Mr Franz-Christoph ZEITLER

Greece: Mr Yiannos PAPANTONIOU

<u>Spain:</u> Mr Pedro SOLBES MIRA Mr Alfredo PASTOR BODMER

France: Mr Edmond ALPHANDERY Mr Nicolas SARKOZY

Ireland: Mr Bertie AHERN

Italy: Mr Piero BARUCCI

Luxembourg: Mr Jean-Claude JUNCKER

Netherlands: Mr B.R. BOT

Portugal: Mr Eduardo CATROGA

United Kingdom: Mr Kenneth CLARKE

Commission Mr Jacques DELORS Mr Henning CHRISTOPHERSEN Mr Peter SCHMIDHUBER Ms Christiane SCRIVENER

The following also attended: Mr André J. MIDDELHOEK Sir Nigel WICKS Minister for Finance

Minister for Economic Affairs

Federal Minister for Finance State Secretary for Finance State Secretary for Finance

Deputy Minister for Economic Affairs

Minister for Economic Affairs and Finance State Secretary for Economic Affairs

Minister for Economic Affairs Minister for the Budget

Minister for Finance

Minister for the Treasury

Minister for Financa

Ambassador, Permanent Representative

Minister for Finance

Chancellor of the Exchequer

President Vice-President Member Member

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President of the Court of Auditors Chairman of the Monetary Committee

5746/94 (Presse 40 - G)

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COURT OF AUDITORS' REPORT FOR 1992 AND DISCHARGE TO BE GIVEN TO THE COMMISSION ON IMPLEMENTATION OF THE 1992 BUDGET

The Council heard a statement by Mr André Middelhoek, President of the Court of Auditors, outlining the salient points of the Court's annual report on implementation of the general budget of the European Communities for the financial year 1992.

In his statement, the President of the Court of Auditors stressed in particular a number of aspects of the management of the common agricultural policy, the structural funds and financial aid to third countries. He also stressed a number of major problems relating to supervision of the Community's financial activities at both Community and national level.

The Council held an exchange of views on the main topics raised in the context of the discharge for 1992. The Council agreed that effective supervision of the Community's financial management was of the utmost importance; it also emphasized the need to continue making every effort to step up the fight against irregularities and fraud which damaged the Community budget.

The Council also stressed the new provisions of the Union Treaty which reinforce the Council's role in the discharge procedure.

In conclusion the Council adopted the recommendation to be sent to the European Parliament for the discharge to be given to the Commission on implementation of the general budget of the European Communities for the financial year 1992.

FIGHT AGAINST FRAUD

The Council heard a statement by Commissioner Schmidhuber on the broad lines of the communication which the Commission was to adopt on Wednesday 23 March on improving the legal protection of the Community's financial interests.

BUDGETARY DISCIPLINE

Following the progress made on 15 March on the text of the Decision on budgetary discipline, and in particular Article 10 thereof relating to the procedures for dealing with the budget cost arising from monetary realignments, the Council resolved the last remaining problems in this connection, i.e. the period of application of Article 10 – up to and including the financial year 1997 – and a statement on the adjustment of the agricultural guideline following enlargement.

The Council would therefore be able to formally adopt its joint guideline on 22 March and to forward it to the European Parliament with a view to conciliation as soon as possible.

OWN RESOURCES

The Council noted that the Italian delegation still maintained a general reservation on the text of the new Decision on own resources. This reservation would be discussed in talks between Italy and the Commission with a view to finding a rapid solution enabling the Council to adopt the own resources text as a joint guideline and to hold conciliation with the European Parliament.

FINANCIAL ASSISTANCE TO THE COUNTRIES OF CENTRAL AND EASTERN EUROPE

The Council

- agreed in principle to financial assistance for Bulgaria of up to MECU 110, subject to approval of the new stand-by arrangement between Bulgaria and the IMF on Bulgaria's economic programme for 1994;
- noted the Commission's intention of submitting a proposal to increase that amount by MECU 40.

DENMARK'S CONVERGENCE PROGRAMME - COUNCIL CONCLUSIONS

At its meeting on 21 March the Council examined the convergence programme of Denmark, which covers the period 1994-2000. The Council welcomed the presentation of the programme and, in particular, the Danish government's commitment to achieving the programme's targets as indicated by the fact that the convergence programme had already been discussed by the Danish parliament.

The Council applauded the aim of the Danish authorities to fulfil the convergence criteria outlined in the Treaty on European Union in 1996, although Denmark is not formally committed to participating in stage III of EMU. It took note of the fact that the programme, which contains measures for improving medium-term economic growth and for fiscal consolidation, was based on the Danish economic recovery plan which was adopted in May of 1993 in accordance with the Edinburgh growth initiative.

The Council raised questions on some elements of the programme. These included, in particular, the slightly optimistic assumptions regarding the revival of private sector expenditure in Denmark. These assumptions play an important role in the achievement of the programme's main targets, which include a reduction in unemployment and a reduction in the fiscal deficit following an initial temporary loosening. In this context, the Council urged the Danish authorities to be vigilant in their monitoring of the implementation of the programme and, in particular, to prepare contingency measures buttressing the budgetary position to be put into effect, should any slippage become evident.

FOLLOW-UP TO THE WHITE PAPER

The Council took note of information supplied by the Commission on progress of work on the White Paper on growth and employment.

TAXATION OF SAVINGS

The Council heard an initial report from Mrs Scrivener on the contacts she had had with Austria, Finland and Switzerland further to the Council's conclusions of 13 December 1993 on the taxation of savings. The Council agreed to return to this item at its June meeting when the Commission's final report would be available.

CORPORATE TAXATION

- Withholding tax on interest and royalties

The Council took note of a request by Mrs Scrivener stressing that it was urgent for companies that the proposal on withholding tax applicable to interest and royalty payments between parent companies and subsidiaries in different Member States be approved. The President undertook to make very effort to ensure that the proposal was adopted by the Council before the end of June.

COMMISSION RECOMMENDATION ON THE TAXATION OF NON-RESIDENTS

Mrs Scrivener drew the Council's attention to the Commission's recent recommendation on the taxation of non-residents. She asked the Member States to follow up the recommendation with national measures.

UNITED STATES PROPOSAL TO CHARGE FOREIGN BANKS FEES-REPRESENTATIONS BY THE EUROPEAN UNION

The Council and the Commission agreed to make joint representations to the United States' authorities, at both governmental and parliamentary level, expressing their concern at the United States Congress's intention of obliging the United States Federal Reserve to levy a charge exclusively on foreign banks.

This levy, which would be payable for the specific examination by the Federal Reserve of foreign banks, would be in addition to the fees which such banks already pay their customary examiner in their country of origin.

The Member States and the Commission considered that such a step was contrary to the principles of equal treatment and of national treatment hitherto applied to foreign banks in the United States. It also ran counter to the principle of standstill adopted within the OECD and prejudged the spirit of the Uruguay Round negotiations to be held in Geneva, particularly as regards the liberalization of financial services.

The representation is addressed to Mr Lloyd BENTSEN, US Secretary of Treasury, Mr GREENSPAN, Chairman of the US Federal Reserve, Senators Donald W. RIEGLE and Alfonse M. D'AMATO and Congressmen Mr Henry GONZALEZ and Mr James S.A. LEACHE, respectively Chairmen and members of the parliamentary committees concerned.

The representation is accompanied by other representations by the European Commission and by the Member States.

OTHER DECISIONS

(Adopted unanimously without debate, unless otherwise specified)

EURATOM borrowings for the safety and efficiency of nuclear power stations in certain nonmember countries

The Council adopted the Decision amending Decision 77/270/Euratom to authorize the Commission to contract Euratom borrowings in order to contribute to the financing required for improving the degree of safety and efficiency of nuclear power stations in the following non-member countries: Bulgaria, Hungary, Lithuania, Romania, Slovenia, the Czech Republic, Slovakia, Russia, Armenia and Ukraine.

Company law

- Revision of amounts expressed in ecus

The Council adopted the Directive amending Directive 78/660/EEC as regards the revision of amounts expressed in ecus.

This concerns the 4th company law Directive (78/660/EEC) which introduced, for all limited companies, harmonized rules on the drawing-up, audit and publication of annual accounts. It allows the Member States to provide for derogations for certain companies on the basis of their minor economic importance. The companies eligible for such derogations ("small and medium-sized companies") are defined on the basis of three criteria: balance sheet total, net turnover and number of employees.

The same parameters also serve as a reference in the 7th company law Directive (83/349/EEC) for the definition of small groups which may be exempted from the obligation to draw up consolidated accounts.

Article 53 of the 4th Directive lays down that every five years the Council is to examine and, if need be, adjust the amounts expressed in ecus on the basis of economic and monetary trends.

The adjustment just adopted provides for a 25% increase in these amounts.

Import arrangements for the former Yugoslavia

The Council adopted two Regulations - with Greece voting against - on the import arrangements applicable to certain products originating in certain Republics of the former Yugoslavia (1994): certain textile products and certain vegetables, fruits, wines and tobaccos.

Transitional tariff measures for 1994 to take account of German unification

The Council adopted the Regulation on the introduction, to take account of German unification, of transitional tariff measures for 1994 for the Central and East European countries and the ex USSR.

Agreement on the European Economic Area

The Council adopted a joint guideline on the draft Regulation concerning arrangements for implementing the agreement on the European Economic Area. This joint guideline will be forwarded to the European Parliament for its assent.

Following the substantive agreement reached at the General Affairs meeting on 7 March, the Council agreed to adoption by the EEA Joint Committee of the draft Decision amending Protocol 47 and a number of Annexes to the EEA Agreement - the interim package. The Council also decided to ask for the European Parliament's assent to the draft Decision.

Antidumping

The Council adopted by a simple majority - Denmark and the United Kingdom voting against - the Council Regulation amending Regulation (EEC) No 3068/92 in respect of definitive antidumping duties on imports of potassium chloride originating in Belarus, Russia and Ukraine.

The amount of duty is equal to a fixed amount per tonne of KCI per type and grade, or the difference between the prices indicated in the Regulation and the net, free-at-Community-frontier price per tonne of KCI, before customs clearance for the corresponding type and grade, whichever is the higher.

Internal market

Following approval of its common position the European Parliament under the Art. 189B co-decision procedure, the Council approved by a qualified majority (Germany voting against), the Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to labelling of the materials used in the main components of footwear for sale to the consumer.

The aim of the Directive is to ensure the free movement of footwear in the Community while at the same time providing the consumer with reliable information by means of a system for labelling the materials used in the main components of such articles. Information on the composition of footwear will be conveyed by means of labelling as specified in the Directive.

The labelling system adopted offers the manufacturer a choice between the use of pictograms and written indications as stipulated in Annex I to the Directive. It must not be possible for the labelling to mislead the consumer.

<u>Research</u>

The Council adopted the Decision concerning the conclusion by the Commission, of Protocol 2 to the Agreement among the European Atomic Energy Community, the Government of Japan, the Government of the Russian Federation and the Government of the United States of America on co-operation in the Engineering Design Activities (EDA) for the International Thermonuclear Experimental Reactor (ITER).

Committee of the Regions

The Council appointed Mr Renzo TRAVANUT, President of the Friuli Venezia Giulia region in place of Dr Pietro FONTANINI, who has resigned.



COUNCELOF THE EUROPEAN UNION GENERAL SECRETARIAT

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5790/94 (Presse 45)

1738th Council meeting - JUSTICE AND HOME AFFAIRS -

Brussels, 23 March 1994

Presidents:

Mr Georgios KOUVELAKIS Minister for Justice

Mr Stelios PAPATHEMELIS Minister for Public Order

of the Hellenic Republic

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

Belgium Mr Louis TOBBACK Mr Melchior WATHELET

Denmark Mr Gunnar RIBERHOLDT

<u>Germany</u> Mrs Sabine LEUTHEUSER-SCHNARRENBERGER Mr Kurt SCHELTER Mr Alwin ZIEL

Greece Mr Georgios KOUVELAKIS Mr Stelios PAPATHEMELIS Mr Constantin GEITONAS

Spain Mr Antonio ASUNCION HERNANDEZ Mr Alberto BELLOCH JULVE

France Mr Pierre MEHAIGNERIE Mr Daniel HOEFFEL

Ireland Mrs Máire GEOGHEGAN-QUINN

Italy Mr Saverio D'AQUINO

Luxembourg Mr Marc FISCHBACH

Netherlands Mr E. VAN THIJN

Portugal Mr Manuel DIAS LOUREIRO Mr Álvaro LABORINHO LÚCIO

United Kingdom

Mr Michael HOWARD

Minister for the Interior Deputy Prime Minister and Minister for Justice

Ambassador, Permanent Representative

Minister for Justice State Secretary, Ministry of the Interior Minister for the Interior, Brandenburg

Minister for Justice Minister for Public Order State Secretary for Public Order

Minister for the Interior Minister for Justice

Minister for Justice Minister attached to the Minister for the Interior

Minister for Justice

State Secretary for the Interior

Minister for Justice

Minister for the Interior

Minister for the Interior Minister for Justice

Secretary of State for the Home Department

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<u>Commission</u> Mr Pádraig FLYNN Mr Peter SCHMIDHUBER

5790/94 (Presse 45 - G)

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Member

Member

IMMIGRATION AND ASYLUM

The Council heard a statement by Commissioner FLYNN introducing the Commission communication on immigration and asylum policies, which centres on three main topics, viz. reducing migration pressure, controlling migration flows and integrating legal immigrants, and which suggests a common framework for future action in the various areas.

The Council held an initial discussion on the communication, enabling Ministers to give their general reactions regarding the various points which it raised. All delegations thought the communication a sound basis for further work in this important field, while pointing to the need to implement the work programmes agreed on in late 1993.

The Council instructed the Permanent Representatives Committee to arrange for more detailed consideration of the different aspects in the Council's subordinate bodies, bearing in mind the internal allocation of responsibility for the various subject areas.

The Ministers for the Interior are to hold a more detailed discussion on controlling migration flows at their informal meeting on 6 and 7 May 1994 in Thessaloniki.

EUROPEAN INFORMATION SYSTEM - EIS

The Council discussed the main issue still to be resolved in drawing up the Convention on the EIS, viz. whether or not the Convention should include provisions on police and judicial co-operation.

The Council instructed the Permanent Representatives Committee, assisted by the Article K.4 Committee, to discuss the matter further in order in particular to try and resolve that issue with a view to reaching agreement on the Convention at the Justice and Home Affairs Council meeting scheduled for 20 and 21 June 1994.

EUROPOL/EUROPOL DRUGS UNIT

The Council took note of progress on the draft Europol Convention and appealed to all Member States to show a willingness to compromise in this difficult matter so that work on the Convention could be completed on schedule by October.

In addition, the Council agreed to appoint as soon as possible the Co-ordinator and Assistant Co-ordinators of the Europol Drugs Unit (the forerunner of Europol proper during the pre-convention stage). Pending those appointments, the Council extended the term of office of the present caretaker team.

TELECOMMUNICATIONS

The Council discussed the question of retaining, as telecommunications develop, the technical possibility of intercepting them in cases provided for under national legislation.

In practice, the idea is to have some technical studies carried out so as to ensure that telecommunications developments and standardization do not make it technically impossible to resort to that device where provided for by law in order to combat serious crime.

COMBATING TERRORISM

The Council approved a report from the Article K.4 Committee on arrangements for operational co-operation between the Twelve in this field and in particular means of developing and stepping up such co-operation on the basis of the present system, i.e. developing the system of liaison officers, increasing the frequency of meetings and contacts between police forces, organizing specialist seminars, optimum use of the communications network, etc.

EXTRADITION

On the basis of a report from the Permanent Representatives Committee, the Council discussed three aspects of the matter.

First, it noted that in the preparatory work guidelines had been established on a number of points which might, after further examination, form the basis for a future agreement improving co-operation between Member States on extradition. The issues in question were as follows:

- (a) the level of the imprisonment threshold required in order for extradition to be considered;
- (b) extradition for fiscal offences relating to excise, value added tax and customs duties;
- (c) measures relating to life sentences and permanent detention measures;
- (d) renunciation by the requested State of the speciality rule with the consent of the person concerned, accompanied by guarantees when that consent is obtained;
- (e) reference to the Convention on Human Rights and the 1951 Geneva Convention on Refugees, whereby the Member States reaffirm their commitment to those Conventions.

The Council then turned to two political issues in order to explore possible solutions: the treatment of political offences and the extradition of a country's own nationals.

The discussions, which showed that there was considerable willingness to make progress, enabled the Council to focus more clearly on the various problems arising as regards the two issues and to arrive at some pointers to guide the experts in further work on the matter.

COMBATING FRAUD

The Council heard a statement by the United Kingdom Minister introducing an initiative by his Government for joint action regarding the protection of the financial interests of the Communities under Member States' criminal law. The draft stipulates in essence that fraud against the financial interests of the Communities, or knowingly assisting in or inducing the commission of such fraud, is to be punishable by the Member States.

In that connection the Council also heard a statement by Commissioner Schmidhuber on the broad lines of action which the Commission envisaged on the issue.

The Council held an initial discussion on these initiatives and once again highlighted the importance to it of stepping up action against fraud affecting the Community's financial interests.

In conclusion, the Presidency stated that it would be pressing ahead with work on the matter, in the light of the United Kingdom initiative, the intentions stated by the Commission and the comments made by Member States during discussions, so that a report could be submitted for the meeting on 20 and 21 June 1994.

ACCESSION BY THE COMMUNITY TO THE EUROPEAN CONVENTION ON HUMAN RIGHTS

The Council was briefed on progress regarding the request to be made to the Court for an opinion on the compatibility with the Community Treaties of accession by the Community to the European Convention on Human Rights.

That request is shortly to be submitted for the Council's approval.

There is no record of a 1739th meeting

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COMPCIE OF THE FUNCTEAN UNION CLIMPHAL SECRETARIAT

5795/94 (Presse 50)

1740th Council meeting

- ENVIRONMENT -

Brussels, 24 and 25 March 1994

President:

Ms Elizabeth PAPAZOI

State Secretary for the Environment, Regional Planning and Public Works of the Hellenic Republic The Governments of the Member States and the European Commission were represented as follows:

Belgium: Mr Jacques SANTKIN

Denmark: Mr Svend AUKEN Integration

Minister for Health, the Environment and Social

Minister for the Environment

Minister for the Environment

<u>Germany</u>: Mr Klaus TOEPFER

<u>Greece</u>: Ms Elizabeth PAPAZOI

<u>Spain</u>: Ms Cristina NARBONA

France: Mr Michel BARNIER

Ireland: Mr Michael SMITH

Italy: Mr Rocco Antonia CANGELOSI

Luxembourg: Mr Alex BODRY

Netherlands: Mr J.G.M. ALDERS

<u>Portugal</u>: Ms Teresa GOUVEIA

United Kingdom: Mr John GUMMER Mr Robert ATKINS State Secretary for the Environment, Regional Planning and Public Works

State Secretary for the Environment

Minister for the Environment

Minister for the Environment

Deputy Permanent Representative

Minister for the Environment

Minister for Housing, Planning and the Environment

Minister for the Environment and Natural Resources

Secretary of State for the Environment Minister of State, Department of the Environment

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Commission: Mr Yannis PALEOKRASSAS

Member

5795/94 (Presse 50 - G)

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LANDFILL OF WASTE

The Council discussed the proposal for a Directive concerning landfill of waste.

The proposal, called for by the Council Resolution of 7 May 1990, is part of the Community strategy for waste management, which makes landfill the last resort for waste disposal.

In practical terms, the Directive provides for measures, procedures and guidance to prevent or reduce as far as possible negative short and long-term effects on the environment, in particular the pollution of surface water, groundwater, soil and air, as well as the resulting risks to human health from landfilling of waste.

The discussion revealed that difficulties remain, mainly in connection with:

- the possibility of joint disposal (hazardous waste mixed with non-hazardous waste);
- preferential treatment (exemption) for small landfills or landfills with difficult access;
- waste acceptance criteria.

Following discussion, the Council instructed the Permanent Representatives Committee to continue work in order to reach agreement as soon as possible.

LIMITATION OF POLLUTION CAUSED BY LARGE COMBUSTION PLANTS

The Council reached unanimous agreement on the substance of the common position on the proposal amending Directive 88/609/EEC on the limitation of emissions of certain pollutants into the air from large combustion plants.

The amendment concerns a category of new plants (between 50 and 100MWth) on which the Council, when adopting the Directive concerning large combustion plants, reserved the right to decide later following closer study.

The common position, which takes into account the availability of low-sulphur solid fuel for use by the plants in question, sets an emission limit value of 2 000mg SO2/m3 for all new plant within the meaning of Directive 88/609/EEC, i.e. plant licensed after 1 July 1987.

However, Member States will be free to grant plant licensed between 1 July 1987 and the deadline for incorporation of this Directive into national law an extra year to comply with the limit value.

The common position will be formally adopted once the various texts have been finalized.

LIMITATION OF NOISE EMITTED BY EARTHMOVING MACHINERY

The Council reached unanimous agreement, with the United Kingdom delegation abstaining, on the substance of the common position on the proposal amending Directive 86/662/EEC on the limitation of noise emitted by earthmoving machinery.

Directive 86/662/EEC fixed until December 1994 the permissible sound power levels of earthmoving machinery, with the corresponding certificates expiring one year later.

The common position provides for a two-stage reduction in the noise emitted by certain types of earthmoving machinery. During the first stage, from 30 December 1996 onwards, the current limit values are to be reduced by about 4dB; a further 3dB reduction will take place during the second stage, which commences on 30 December 2001.

As the start of the first stage does not coincide with the deadline set by Directive 86/662/EEC, provision is also made for extending the applicability of the current limit values and the period of validity of certificates granted under those values until 29 December 1996 and 29 December 1997 respectively.

The common position will be formally adopted once the various texts have been finalized by the usual procedure.

FOUR-YEAR PROGRAMME (1994-1997) TO DEVELOP STATISTICS ON THE ENVIRONMENT

The Council reached agreement on a common position concerning the proposal for a Decision adopting a 4-year programme (1994-1997) to develop regular official statistics on the environment and to facilitate co-ordination between the work of national statistical services and other Community information systems in this area.

The implementation of a Community environment policy requires information on the state of the environment, on its vulnerability, and on the pressures and the risks resulting from human activities. The aim of the programme is to contribute to the process of building up this information and of making it available, as a harmonized complement to the work programme of the European Environment Agency.

The main thrust of the programme is to develop an environmental component within the Community statistical system and to reinforce it where it exists already.

The programme aims at giving an adequate description of those aspects of human activities which affect the environment:

- either negatively by the pressure exerted on the environment and on natural resources,
- or positively by the technical or economic measures taken by society to reduce these pressures and their effects and improve the condition of the environment.

The common position will be formally adopted soon, once the various texts have been finalized.

CONSERVATION OF WILD BIRDS

The Council held a preliminary discussion on the Commission proposal specifying the limits within which Member States may use their discretion in fixing the end of the hunting season for migratory species in accordance with Directive 79/409/EEC.

The purpose of the proposal is to incorporate in the Directive, in the form of an Annex, a method devised by the Committee for Adaptation to Scientific and Technical Progress on the basis of earlier work by scientific experts.

Whilst enabling Member States, in accordance with the subsidiarity principle, to take better account of regional particularities or data specific to the different species, it seeks to guarantee full compliance with the principle of wise use of species established at the time when the Directive was adopted.

Following discussion the Council agreed to continue work in order to reach early agreement on the common position. It accordingly agreed to ask the European Parliament to deliver its Opinion at first reading using the urgent procedure.

INITEGRATED COASTAL-ZONE MANAGEMENT

The Council approved the Resolution on a Community strategy for integrated coastal-zone management as set out below.

THE COUNCIL OF THE EUROPEAN UNION

RECALLS its Resolution of 25 February 1992 on the future Community policy concerning the European Coastal zone;

UNDERLINES once more the need for a Community strategy for the integrated management and development of coastal zones, based on the principles of sustainability and sound ecological and environmental practice;

RECALLS that such a strategy is also provided for under the fifth Community programme of policy and action in relation to the environment and sustainable development (¹), which singles out coastal zone management and conservation as a priority matter, and EMPHASIZES in this connection that this task should be undertaken in a spirit of responsibility-sharing;

WELCOMES the progress already made by several Member States at national level towards the implementation of an integrated coastal-zone management strategy;

RECOGNIZES also the contribution that a number of existing Community measures, including the implementation of the Directive on the conservation of natural habitats and of wild flora and fauna (²), the Directive on the conservation of wild birds (³) and the Directive on the assessment of the effects of certain public and private projects on the environment (⁴), together with the use of certain appropriate financial instruments, could make to such a strategy;

RENEWS its invitation to the Commission to propose within six months at the latest, with a view to strengthening co-ordinated action in this area and in accordance with the principle of subsidiarity, a Community strategy for the integrated management of the whole of the Community coastline that, while taking account of the specific problems and potential of the different zones, will provide a framework for its conservation and sustainable use;

UNDERTAKES to examine such a proposal as soon as it is submitted as a matter of priority

⁽¹⁾ OJ No C 138, 17.5.1993.

⁽²⁾ Directive 92/43/EEC of 21 May 1992 - OJ No L 206, 22.7.1992.

⁽³⁾ Directive 79/409/EEC of 2 April 1979 – OJ No L 103, 25.4.1979.

⁽⁴⁾ Directive 85/337/EEC of 27 June 1985 - OJ No L 175, 5.7.1985.

and with a view to introducing possible additional Community action in the light of that examination;

INVITES the Member States to strengthen their own efforts with a view to further increasing the protection of coastal zones throughout the Community."

COMMUNITY STRATEGY ON CLIMATE CHANGE - COUNCIL CONCLUSIONS

"THE COUNCIL OF THE EUROPEAN UNION,

- Having received a report on progress made so far, REAFFIRMS the commitment of the Community to stabilize CO₂ emissions by the year 2000 at 1990 levels on the terms agreed by the Joint "Energy/Environment" Council held on 29 October 1990 and confirmed by several subsequent Councils.
- 2. RECALLS that, as also agreed in the Council conclusions of 29 October 1990, Member States which start from relatively low levels of energy consumption and therefore low emissions measured on a per capita or other appropriate basis, are entitled to have CO₂ targets and/or strategies corresponding to their economic and social development, while improving the energy efficiency of their economic activities; NOTES in this connection that the abovementioned conclusions also refer to appropriate options and measures based on equitable burden-sharing taking into account the potential and constraints for CO₂ reductions as well as the present situation of emissions in Member States in order to facilitate a co-ordinated participation of Member States.
- REQUESTS Member States to review their national targets in the light of the commitment to collectively stabilize CO₂ emissions, as referred to in paragraph 1, and to

proceed diligently with the implementation of the specific actions outlined in their national plans, making all possible efforts to improve energy efficiency.

- REQUESTS the Commission to prepare an update of 1990 CO₂ emissions per Member State based on the methodology chosen by INC9 for the preparation of the communication to be submitted under the Framework Convention on Climate Change.
- REQUESTS the Commission, with regard to the preparation of the above communication, to prepare for the next Environment Council an assessment of the expected CO₂ emissions from the Community in the year 2000 based on the effectiveness of the measures taken to limit CO₂ emissions.
- 6. FURTHER REQUESTS the Commission to make as far as necessary appropriate proposals to promote increased energy efficiency and renewable energies in the context of progress achieved with the implementation of SAVE and ALTENER, as well as of THERMIE and JOULE.
- 7. NOTES the progress made so far in establishing the monitoring mechanism as well as the need to intensify the efforts to assess Community-wide progress and the effectiveness of CO₂ limitation actions and INVITES Member States to submit their fully updated and, as far as possible, complete national programmes, including an indication of the expected CO₂ emission level for the year 2000 as soon as possible and no later than May 1994.
- 8. SETS UP a high level Working Party on CO₂/Energy Tax to examine the detailed questions on the basis of the Commission's proposal, the documents submitted by the Greek Presidency, progress made in past discussions together with the contributions and comments made in the present Council, and to make proposals in time before the next Council meetings in June 1994. Discussion should include the following points:

- the issue of a gradual approach and the dynamic formulation of any proposed directive;
- conditions for entry into force of any proposed tax for Member States on the basis of equitable burden-sharing;
- details of tax credits and exemptions;
- the CO₂ and energy components of any tax;
- the relation between CO₂/energy tax and excise duties;
- the impact on European competitiveness."

INTEGRATED POLLUTION PREVENTION AND CONTROL

The Council held a policy debate on some fundamental issues arising in connection with the proposal for a Directive on integrated pollution prevention and control.

The proposal is in response to a priority laid down in the Fifth Action Programme. Unlike previous Directives in this area, which distinguished between the different environments (air, water and land), the proposed Directive is based on a horizontal approach aimed at preventing or reducing pollution caused chiefly by emissions from industrial installations.

It is a framework Directive defining the best available techniques (BAT) which will be used by Member States as a basis for setting emission limit values, initially at least. The potential technological imbalance that might result from this would have to be offset by requiring Member States to inform the Commission of any such limit values, of BAT or of environmental quality standards (EQS), that are adopted. This information should help determine future European standards. The Council discussed the following fundamental issues:

- the instrument chosen to achieve an integrated approach;
- the link between the best available technology and environmental quality standards;
- the fixing of emission limit values.

Following the discussion the Council instructed the Permanent Representatives Committee to continue proceedings, taking into account the broad guidelines to emerge from the discussion, with a view to reaching agreement at the meeting planned for June.

BASEL CONVENTION

The Council unanimously adopted the negotiating directives concerning an amendment to the Basel Convention on the control of transboundary shipments of hazardous waste and their disposal. The amendment concerns exports of hazardous waste to developing countries.

The directives seek to introduce a total ban on exports of hazardous waste, including waste intended for recovery, to non-OECD countries. The ban should take effect on 31 December 1997, although this date is open to negotiation. Until that date, transboundary shipments of hazardous waste would be permissible between the OECD and non-OECD countries in order to allow the export/import of hazardous waste intended for recovery.

A supervision procedure will be introduced.

The Council was pleased to note that the Conference of the Parties to the Convention, meeting in Geneva on the same day, subsequently adopted a decision along the lines of the negotiating directives.

WHITE PAPER

The Council noted information provided by the Commission on environmental follow-up, focusing on procedural aspects, to the Commission White Paper on growth, competitiveness and employment.

The Commission confirmed its intention of keeping the Council regularly informed of biotechnology developments.

OTHER BUSINESS

The Council noted information from:

- the Commission, on trade and the environment;
- the Netherlands delegation, on the Netherlands national plan on environmental policy;
- the Commission, on the progress of work on the proposal for a Directive on limiting CO₂ emissions from motor vehicles;

The Council further noted:

- a statement by the Commission on ratification of the amendments to the Montreal Protocol and its request that Member States speed up internal procedures for that ratification;
- a statement by the Portuguese delegation on Portuguese imports of aluminium waste from Switzerland;
- two statements by the German delegation, one on the meeting of the Sustainable
 Development Commission in New York in May 1994 and one on the CFC import quotas
 authorized by the Commission.

MISCELLANEOUS DECISIONS

Third International Natural Rubber Agreement (INRA)

The Council adopted the Decision on Community participation in the negotiations for a Third International Natural Rubber Agreement (INRA) to be held in Geneva from 5 to 15 April 1994. It should be noted that the current Agreement's term of validity has been extended until 28 December 1994. OCUMONE ON THE EQROTE UP TO THE GENERAL SECRETARIA

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5396/94 (Presse 38)

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1741st meeting of the Council

- GENERAL AFFAIRS -

Brussels, 15 March 1994

President:

Mr Theodoros PANGALOS Deputy Minister for Foreign Affairs of the Hellenic Republic The Governments of the Member States and the European Commission were represented as follows:

Belgium: Mr Willy CLAES

Denmark: Mr Niels HELVEG PETERSEN Mr Jorgen ØSTRØM MØLLER

<u>Germany</u>: Mr Klaus KINKEL Mr Jürgen TRUMPF

<u>Greece</u>: Mr Theodoros PANGALOS Mr Georges PAPANDREOU

Spain: Mr Javier SOLANA MADARIAGA Mr Carlos WESTENDORP

France: Mr Alain LAMASSOURE

Ireland: Mr Dick SPRING Mr Tom KITT

<u>Italy</u>: Mr Beniamino ANDREATTA

Luxembourg: Mr Jacques POOS

<u>Netherlands:</u> Mr P.H. KOOIJMANS Mr Piet DANKERT

Portugal: Mr José Manuel DURÃO BARROSO Mr Eduardo DE AZEVEDO SOARES Mr Vitor MARTINS

United Kingdom: Mr Douglas HURD Mr Michael JACK Deputy Prime Minister, Minister for Foreign Affairs

Minister for Foreign Affairs State Secretary for Foreign Affairs

Minister for Foreign Affairs State Secretary for Foreign Affairs

Deputy Minister for Foreign Affairs State Secretary for Foreign Affairs

Minister for Foreign Affairs State Secretary for Relations with the European Communities

Minister with special responsibility for European Affairs

Minister for Foreign Affairs Minister of State at the Department of the Taoiseach with special responsibility for European Affairs

Minister for Foreign Affairs

Minister for Foreign Affairs

Minister for Foreign Affairs State Secretary for Foreign Affairs

Minister for Foreign Affairs Minister for Maritime Affairs State Secretary for European Affairs

Secretary of State for Foreign and Commonwealth Affairs Minister of State, Ministry of Agriculture, Fisheries and Food

Commission: Mr Jacques DELORS Mr Hans VAN DEN BROEK Mr Ioannis PALEOKRASSAS Mr Peter SCHMIDHUBER Mr René STEICHEN

President Member Member Member Member

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ENLARGEMENT

The Council continued its discussions of 7 and 8 March on the remaining chapters of the negotiations with the four applicants for accession. For Norway this was mainly the fisheries chapter; for all four applicants it was the chapter on institutions.

On the basis of the Council's discussions, agreement was reached today with Norway on fisheries, the environment and EMU. On this last point there was agreement with the other three applicants as well.

Thus full agreement was reached with the four applicants on all chapters of the negotiations apart from institutions. The Council will continue discussing this chapter - including the weighting of votes in the Council (blocking minority) - at a special meeting on Tuesday 22 March.

NEW DECISION ON THE COMMUNITIES' OWN RESOURCES

The Council agreed on the text of the new Decision on own resources, which, with the Decision on budgetary discipline, seeks to give legal form to the provisions of the Edinburgh financial package. However, one of the delegations still has a general reservation on this text.

The text will have to be the subject of a conciliation procedure with the European Parliament as soon as possible.

BUDGETARY DISCIPLINE

The Council made substantial progress in finalizing the Decision on budgetary discipline, including Article 10 on the arrangements for dealing with the budget cost arising from monetary realignments.

In this connection the Council and the Commission also agreed a statement on implementing in a non-discriminatory manner and in compliance with the guideline - the reform of the common market organizations for Mediterranean products.

In conclusion the Presidency said it would refer the dossier to the ECOFIN Council meeting on 21 March for a decision on the questions still outstanding (duration of the provisions mentioned above and statement on adjusting the agricultural guideline after enlargement).

If agreement is reached on these questions, the General Affairs Council meeting on 22 March will be able to adopt the common position to be sent to the European Parliament under the conciliation procedure.



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COUNCIL OF THE EUROPEAN UNION GENERAL SECRETARIAT

5798/94 (Presse 53)

1742nd Council meeting

AGRICULTURE

Brussels, 28 and 29 March 1994

President: Mr George MORAITIS,

Minister for Agriculture of the Hellenic Republic

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

<u>Belgium</u> : Mr André BOURGEOIS	Minister for Agriculture	
<u>Denmark</u> : Mr Bjørn WESTH Mr Nils BERNSTEIN	Minister for Agriculture and Fisheries State Secretary for Agriculture	
<u>Germany</u> : Mr Jochen BORCHERT Mr Franz-Josef FEITER	Federal Minister for Food, Agriculture and Forestry State Secretary, Federal Ministry of Food, Agriculture and Forestry	
<u>Greece</u> : Mr George MORAITIS Mr Floros CONSTANTINOU	Minister for Agriculture State Secretary for Agriculture	
<u>Spain</u> : Mr Vicente ALBERO SILLA	Minister for Agriculture, Fisheries and Food	
<u>France</u> : Mr Jean PUECH	Minister for Agriculture and Fisheries	
<u>Ireland</u> : Mr Joe WALSH	Minister for Agriculture, Food and Forestry	
<u>Italy</u> : Mr Alfredo DIANA	Minister for the Co-ordination of Agricultural, Food and Forestry Policies	
<u>Luxembourg</u> : Ms Marie-Josée JACOBS	Minister for Agriculture, Viticulture and Rural Development	
<u>Netherlands</u> : Mr Piet BUKMAN	Minister for Agriculture, Nature Conservation and Fisheries	
<u>Portugal</u> : Mr Arlindo CUNHA	Minister for Agriculture	
<u>United Kingdom</u> : Mrs Gillian SHEPHARD	Minister of Agriculture, Fisheries and Food	

Commission Mr René STEICHEN	Member	

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PRICES FOR AGRICULTURAL PRODUCTS AND RELATED MEASURES 1994/1995

The Council continued its discussion on the prices for agricultural products and related measures for 1994/1995.

It held a policy debate on the whole dossier, i.e. the general and financial aspects on the one hand and the various sectors (plant products, animal products and milk products) on the other. The Ministers concentrated on the main problems raised by these proposals. The sectors concerned included cereals and potato starch, rice, dried fodder, linseed, olive oil, beef and veal, sheepmeat and goatmeat, and milk products.

The Commission emphasized the budgetary constraints, which are particularly severe for the financial years 1994 and 1995.

In conclusion, the Council instructed the Special Committee on Agriculture to continue examining the dossier so that the Council could adopt the price package once the European Parliament had delivered its Opinion.

Meanwhile, the Council extended by three months - until 30 June 1994 - the marketing years for milk and for beef and veal, which were due to end on 31 March 1994.

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MILK QUOTAS

The Council examined the Commission's proposals and reports on the market situation in the milk and milk products sector on one hand and on the implementation of the system of milk quotas by Greece, Spain and Italy on the other.

It considered the various aspects of this dossier, which raises a large number of problems both as regards the proposal for reducing overall quotas by 1% for all Member States and as regards the proposal for reducing the intervention price for butter by a further 3%.

The Council took not of the delegations' positions concerning the additional quotas for Greece, Spain and Italy.

The Council finally agreed that the Presidency and the Commission would give further consideration to the possibilities opened up during today's discussion, with the aim of achieving a positive conclusion once the European Parliament had delivered its Opinion.

DROUGHT IN PORTUGAL

The Council adopted a Regulation on special measures for farmers affected by the 1992/1993 drought in Portugal.

This allows Portugal to grant special aid for producers in the cereals and stock-farming sectors who were particularly affected during the period of drought from autumn 1992 to spring 1993. For this purpose, use will be made of the funds provided for under Regulation No 3312/92 (drought in Portugal in 1991/1992) which have not yet been used (ECU 28 million).

COMMUNITY TARIFF QUOTAS IN THE CONTEXT OF THE COMMUNITY'S AGRICULTURAL COMMITMENTS UNDER THE GATT

The Council adopted by a qualified majority (the Belgian and Irish delegations voted against) a Regulation incorporating into the agricultural rules the Community's GATT commitments resulting from the findings of the Oilseeds Panel. The Regulation concerns the granting of the compensation to be made to countries other than the United States that hold negotiating rights under Article XXVIII of the GATT (Argentina, Brazil, Canada, Poland, Sweden and Uruguay).

The Regulation opens and provides for the administration of certain Community tariff quotas for high-quality beef, pigmeat, poultrymeat, wheat and meslin, and brans, sharps and other residues.

REFUNDS APPLICABLE TO CERTAIN AGRICULTURAL PRODUCTS

The Council adopted by a qualified majority (the Italian delegation voted against) a Regulation concerning the refunds applicable to certain agricultural products exported in the form of goods not covered by Annex II to the Treaty.

This introduces appropriate checks on goods that result from the processing of raw materials – in particular milk products – which have been imported into the Community from third countries with preferential agreements.

COMPENSATION FOR MILK PRODUCERS FOR THE REDUCTION OF REFERENCE QUANTITIES

The Council adopted a Regulation designed to increase the contribution to the financing of national programmes for the discontinuation of milk production by the amount remaining available under the Community financing arrangements provided for as regards the payment of compensation to all producers whose milk quotas have been reduced under Regulation (EEC) No 1637/91.

The point at issue is the option allowed to the Member States to take up the possibility offered to individual producers to opt for a new system of buying back quotas instead of continuing to pay compensation for the across-the-board reduction of overall quotas that was decided in 1991.

The Council noted the requests from a number of delegations for Regulation No 3950/92 to be amended so that under certain conditions 0.6% of the additional quotas decided by the Council in 1993 could be distributed across the board. It also noted that the Commission was willing to resolve these problems in the context of the decisions on the milk-quota system which the Council would be taking in the near future.

PROGRAMMES RELATING TO MEASURES ACCOMPANYING REFORM OF THE CAP

This item was placed on the agenda at the request of the Danish delegation, which wanted to raise the question of the implementation of the programmes submitted by Denmark by way of measures accompanying reform of the CAP but not yet approved by the Commission. Because the Commission was late in taking a decision the implementation of national programmes would also be late for the producers who had been waiting for these measures to be implemented since their adoption by the Council in 1992.

Several delegations stressed that their programmes too had to be adopted by the Commission at an early date.

The Commission was able to reassure the delegations concerned by giving details of the progress of the work, which had speeded up considerably in the last few weeks.

THE RISK OF DISTURBANCE TO TRADE AND THE SINGLE MARKET IN THE BEEF SECTOR

This matter was discussed at the request of the United Kingdom delegation.

This delegation was concerned about the risk that the aims of the single market would be undermined by unilateral measures relating to live animals of the bovine species and beef and veal originating in the United Kingdom, measures that were not based on any scientific evidence. It condemned the disturbance that had already occurred in trade between the United Kingdom and other Member States following articles on BSE which had appeared in the press in one of the countries of the Union and in which such problems had been taken up.

The Commission referred to a series of measures which had been taken at Community level to ensure that, as regards BSE, consumers were protected with the least possible impediment to the free movement of products. The measures had been taken after obtaining the opinion of the Scientific Veterinary Committee and were in conformity with recommendations of the WHO and the OIE (International Office of Epizootics). The Commission would soon be presenting its conclusions concerning the current research into the risks of transmission via meal made from ruminants, and it intended to follow future developments very closely so that the Community measures in force could be adjusted if necessary.

Most of the delegations that spoke on the subject reaffirmed their confidence in the existing measures, which were based on the scientific data currently available. Some delegations wanted a number of additional measures to be adopted at Community level to avoid any risk to human health. All delegations called on the Commission to pay close attention to developments in scientific research on the subject so that further measures could be adopted in the light of any new scientific data.

In conclusion, the President pointed out that this matter would be discussed at a Council meeting on health questions on Wednesday 30 March 1994.

OTHER DECISIONS CONCERNING AGRICULTURE

(Adopted unanimously without discussion unless otherwise stated)

Harmful organisms

The Council adopted a Directive amending Directive 77/93/EEC on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community. Directive 77/93/EEC is thereby extended to cover the Canary Islands and is also adjusted to meet the requirements of the internal market.

Beef and veal

The Council adopted by a qualified majority (the Belgian and Irish delegations voted against) a Regulation opening, for 1994, as an autonomous measure, a special import quota for high-quality, fresh, chilled or frozen beef and veal falling within CN codes 0201 and 0202 and for products falling within CN codes 0206 10 95 and 0206 29 91. This involves a quota of 11 430 tonnes at a duty of 20% with no levy.

MISCELLANEOUS DECISIONS

(Adopted unanimously unless otherwise stated)

EBRD

The Council adopted a Decision on the conclusion of an agreement in the form of an exchange of letters which the Commission had negotiated with regard to a Community contribution of ECU 20 million to the EBRD Nuclear Safety Account for the purpose of improving nuclear safety in the countries of Central and Eastern Europe and of the former Soviet Union.

Anti-dumping

The Council adopted by a qualified majority (the United Kingdom delegation voted against) a Regulation imposing a definitive anti-dumping duty on imports of isobutanol originating in the Russian Federation.

The duty is ECU 102 per tonne.

Appointments

The Council nominated:

- Mr Michele DI PUPPO (Provincia Autonoma di Bolzano) as an alternate member of the Committee of the Regions to replace Mr Giancarlo Bolognini for the remainder of his term of office, which ran until 25 January 1998;
- Mr Juan José GARCIA ESCRIBANO (Comunidad Autónoma de la Región de Murcia) as an alternate member of the Committee of the Regions to replace Mr Enrique Amat Vicedo for the remainder of his term of office, which ran until 25 January 1998.

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COUNCIL OF THE EUROPEAN COMMUNITIES

1743rd meeting of the Council

- Health -

Brussels, 30 March 1994

The official press release was not available. A note about the meeting has been reproduced from the Bulletin of the European Communities, No. 3-1994.

1743rd meeting

1.7.16. Health (Brussels, 30 March).

Previous meeting: Bull. 12-1993, point 1.7.21

President: Mr Kremastinos, Greek Minister for Health.

Commission: Mr Flynn.

Sole item

• Prevention measures against the risk of BSE transmission to humans: exchange of views.

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5789/94 (Presse 44)

1744th meeting of the Council

- GENERAL AFFAIRS -

Brussels, 22 March 1994

President:

Mr Theodoros PANGALOS Deputy Minister for Foreign Affairs of the Hellenic Republic The Governments of the Member States and the European Commission were represented as follows:

Belgium: Mr Willy CLAES

Denmark: Mr Niels HELVEG PETERSEN Mr Jorgen ØSTRØM MØLLER

Germany: Mr Klaus KINKEL Mrs Ursula SEILER-ALBRING Mr Jürgen TRUMPF

Greece: Mr Theodoros PANGALOS

Spain: Mr Javier SOLANA MADARIAGA Mr Carlos WESTENDORP

France: Mr Alain JUPPE

Ireland: Mr Dick SPRING Mr Tom KITT

<u>Italy</u>: Mr Paolo BARATTA

Luxembourg: Mr Jacques POOS

Netherlands: Mr P.H. KOOIJMANS Mr Piet DANKERT

Portugal: Mr José Manuel DURÃO BARROSO Mr Vitor MARTINS

United Kingdom: Mr Douglas HURD Mr David HEATHCOAT-AMORY Deputy Prime Minister, Minister for Foreign Affairs

Minister for Foreign Affairs State Secretary for Foreign Affairs

Minister for Foreign Affairs Minister of State, Foreign Affairs State Secretary for Foreign Affairs

Deputy Minister for Foreign Affairs

Minister for Foreign Affairs State Secretary for Relations with the European Communities

Minister for Foreign Affairs

Minister for Foreign Affairs Minister of State at the Department of the Taoiseach with special responsibility for European Affairs

Minister for Foreign Trade

Minister for Foreign Affairs

Minister for Foreign Affairs State Secretary for Foreign Affairs

Minister for Foreign Affairs State Secretary for European Affairs

Secretary of State for Foreign and Commonwealth Affairs Minister of State, Foreign and Commonwealth Office

Commission: Mr Jacques DELORS Mr Hans VAN DEN BROEK Mr René STEICHEN

President Member Member

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ENLARGEMENT

The Council continued its discussions on the remaining chapter of the negotiations with the four applicants for accession, namely the chapter on institutions and in particular the question of qualified majority voting in the Council.

The Council noted that it was not at the present stage able to reach a conclusion on this question.

It will be continuing its discussion of this at the informal meeting of Ministers to be held on 26 and 27 March at Ioannina in Greece.

MISCELLANEOUS DECISIONS

(Adopted unanimously without debate unless otherwise indicated)

Budgetary discipline

Pursuant to the substantive agreement reached at the ECOFIN meeting on 21 March 1993, the Council adopted its joint guideline for the Decision on budgetary discipline. That joint guideline will be forwarded to the European Parliament so that conciliation can begin in the near future.

It will be remembered that this Decision gives legal form to an important element in the financial package decided on by the European Council in Edinburgh on 11 and 12 December 1992.

Environment

As the European Parliament approved the Council's common position on 9 March 1994, the Council followed the co-decision procedure in adopting the Directive relating to measures to be taken against air pollution by emissions from motor vehicles and amending Directive 70/220/EEC.

The main features of this Directive are (see Press Release 10642/93 Presse 216):

- setting the limit values on pollutant emissions for private cars with petrol or diesel engines which will be compulsory for new type-approvals from 1 January 1996 and for all newly registered vehicles from 1 January 1997;
- the conditions subject to which Member States may grant tax incentives for new vehicles offered for sale on their territories;
- the guidelines which the Commission is to take into account when drawing up the measures it is to submit to the Council, before 31 December 1994, for the period starting from the year 2000.



COURCEL OF THE EUROPEAN GALON CENERAL EFERTERABLE

5794/94 (Presse 49)

Extraordinary meeting of the Council

- ENVIRONMENT AND TRANSPORTS -

Brussels, 24 March 1994

President: Mrs Elizabeth PAPAZOI

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State Secretary for Environment, Town Plannning and Public Works of the Hellenic Republic

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

Belgium : Mr Jacques SANTKIN

Denmark : Mr Niels Henrik SLIBEN

Germany : Mr Klaus TOEPFER

<u>Greece</u> : Mrs Elizabeth PAPAZOI

Mr Georges KATSIFARAS

Spain : Mrs Cristina NARBONA Mr. Manuel PANADERO

France : Mr Bernard BOSSON Mr Michel BARNIER

Irland : Mr Michael SMITH

Italy : Mr Rocco Antonio CANGELOSI

Luxembourg : Mr Jean-Marc HOSCHEIT

Netherlands : Mrs J.R.H. MAIJ-WEGGEN

<u>Portugal</u> : Mrs Teresa GOUVEIA Mr Joao BEBIANO

United Kingdom : Lord MACKAY Mr Robert ATKINS

<u>Commission</u> : Mr Abel MATUTES Mr Ioannis PALEOKRASSAS Minister for Public Health, Environment and Social Integration

Deputy Permanent Representative

Minister for the Environment

State Secretary for the Environment, Town Planning and Public Works Minister for the Merchant Marine

State Secretary for the Environment General Secretary of the Ministry for Transports

Minister for Transport Minister for the Environment

Minister for the Environnement

Deputy Permanent Representative

Deputy Permanent Representative

Minister for Transport

State Secretary for Environment State Secretary for Maritime Affairs

Minister for Aviation and Shipping Minister for Environment

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Member Member

MARITIME SAFETY AND PREVENTION OF MARINE POLLUTION - COUNCIL CONCLUSIONS

Having taken note of the Commission's presentation of a progress report on the common policy on safe seas, the Council adopted the following conclusions:

THE COUNCIL:

- REAFFIRMING the conclusions of the extraordinary Transport/Environment Council on 25 January 1993 on marine safety and pollution prevention, the Council Resolution of 8 June 1993 on a common policy on safe Seas and the conclusions of the Environment Council of 28/29 June 1993 on a common policy on safe seas;
- RECALLING the Commission's Communication of 24 February 1993 on a common Policy on safe seas, and its action programme;
- RECOGNIZING the global role of the International Maritime Organization (IMO) with regard to maritime safety and prevention of marine pollution ; WELCOMING the outcome of the 18th IMO Assembly and the present IMO work programme;
- WELCOMING the convening, in Copenhagen in September 1994, of the next Ministerial Conference of the Memorandum of Understanding on Port State Control;
- RECORDING its great concern about the recent serious casualties off the European coasts with the loss of lives and the occurrence of incidents of marine pollution;
- RECALLING that maritime transport is an important source of marine pollution; that it should therefore continue to be addressed by the Community and the Member States as part of their programmes for the prevention of marine pollution from all sources, including land-based sources;

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- NOTING the progress in the designation of Maritime Environmentally Sensitive Areas (MESA's), on the basis of the criteria established by the Commission services on 14 July 1993;
- A. URGES MEMBER STATES AND, WHERE APPROPRIATE, THE COMMUNITY TO SUPPORT, WITHIN IMO:
 - an amendment to the International Convention for the Safety of Life at Sea (SOLAS) making it obligatory for a ship to report all necessary information when in transit in given areas;
 - a further amendment to the International Convention for the Safety of Life at Sea (SOLAS) to provide for the establishment of mandatory routes on environmental or navigational grounds;
 - 3. proposals to make internationally mandatory the International Maritime Dangerous Goods Code (IMDG) as well as appropriate parts of the Code of Safe Practices for Cargo Stowage and Securing, as part of making resolution A.714 of IMO internationally mandatory, and to strengthen requirements relating to stowage and securing of cargoes,
 - proposals on requirements for solid and packaged dangerous or polluting goods and proposals on the revision of stowage requirements for containers containing dangerous goods bearing in mind their potential danger if they are under deck,
 - the revision of the stability provisions for containers established by IMO as regards containers regulated by the International Convention on Safe Containers (CSC) and the methods of cargo securing on ships,
 - the revision of the STCW Convention, in particular in order to include specific training requirements for officers responsible for cargo handling on board ships carrying dangerous goods with regard to the IMDG Code,
 - the conclusion, in 1996, of a liability Convention for the carriage of hazardous noxious substances (HNS-Convention) with high limits,

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- 8. a substantial increase in the limits of the International Convention on limitation of liability for maritime claims 1976 (LLMC),
- proposals to make it mandatory for ships to have a sole identification number, having due regard to any proposal resulting from the Council's request to the Commission to submit a proposal in this field,
- 10. the study of the need for improving the quality of the fuel of ships in the interest of maritime safety and pollution prevention;
- new traffic separation schemes near coastal areas or amendments to existing ones, at the request of a Member State and on the basis of a case by case assessment
- B. URGES MEMBER STATES:
- 1. TO TAKE MEASURES where necessary to improve search and rescue capability, pilotage services and emergency towing and salvage facilities near their ports and their coasts, as well as to take measures to improve the capabilities for locating lost cargoes and for their retrieval;
- 2. TO RATIFY as soon as possible:
 - . the 1988 Protocol to the SOLAS 1974 Convention,
 - . the 1988 Protocol to the Load-Lines 1966 Convention,
- 3. TO TAKE APPROPRIATE MEASURES SO AS TO RATIFY by the end of 1994:
 - . the 1969 International Convention on civil liability for oil pollution damage (CLC) and its 1992 Protocol,
 - . the 1971 International Convention on the establishment of an International Fund for Compensation for Oil Pollution Damage (FUND) and its 1992 Protocol,
 - . the 1990 International Convention on Oil Pollution Preparedness, Response and Co-operation (OPPRC),
 - the 1989 International Convention on Salvage;

- TO STRENGTHEN, having due regard to the Commission proposal, the Port State control of ships and publish the results within the framework of the Paris Memorandum;
- TO TRANSMIT to the Commission, as soon as possible and not later that 1 June 1994, if they have not already done so, information on Maritime Environmentally Sensitive Areas (MESA).
- TO COOPERATE, to exchange information and to stimulate ongoing research into the feasibility of identification of containers lost overboard aimed at enabling their recovery and to take action if the feasibility study yields positive results;
- 7. TO DETAIN, without prejudice to the relevant international standards, substandard ships in port until major deficiencies have been rectified.

C. URGES THE COMMISSION:

- to submit as soon as possible the proposals that have not yet been transmitted in accordance with the programme established by the Council Resolution of 8 June 1993,
- to submit as soon as possible its study on the financial liability of owners of hazardous cargoes using substandard ships,
- to provide by 1 December 1994, on the basis of information provided by the Member States, a report on the ratification of all existing IMO conventions,
- 4. to encourage work directed towards the introduction of a Community register(Euros) as a register of high-safety standards and competitive conditions for ships,
- 5. to evaluate :
 - how the safety of the transport of dangerous goods by ships can be further developed taking into account the principles laid down in Article 130 R

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subparagraph (2) 1 of the Treaty establishing the European Community, as well as the best available means,

- how national information systems on the transport of dangerous goods can be harmonized within the Community.
- to report to the Council on the Maritime Environmentally Sensitive Areas (MESAs) in the context of the work programme set out in Part D below.
- D. INVITES THE MEMBER STATES AND THE COMMISSION, in particular with the purpose of pursuing the efforts to protect Maritime Environmentally Sensitive areas (MESAs):
 - 1. TO TAKE STEPS, when not already done, to assess the risks to their coasts from maritime traffic;
 - TO REVIEW existing measures already in place, to see how far these satisfactorily address the problems raised by the combination of environment sensitivity and maritime traffic risks;
 - TO DEVELOP on the basis of consistent criteria proposals to be submitted to IMO in accordance with usual procedures for measures, including area-specific standards, to achieve satisfactory coverage for the Community as a whole;
 - TO DEVELOP proposals for national or, where appropriate, Community action to implement, where necessary, IMO-approved measures, particularly with reference to IMO Resolution A. 766(18) relating to Navigation in the Strait of Bonifacio;

E. THE COUNCIL:

1. WELCOMES progress reached so far in developing the action programme, as well as the fact that the Member States and the Commission have during the past months been very active in supporting the work of MOU and IMO, at its various expert meetings and the Assembly;

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- 2 WELCOMES the submission of the Commission's proposal of 16 March 1994 for a Council directive concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions;
- INSTRUCTS the Permanent Representatives Committee to carry forward its work on the existing Commission proposals in the light of the opinions of the European Parliament and the Economic and Social Committee with a view to reaching, if possible, a common position at its next "Transport" meeting on 13/14 June 1994.