

COUNCIL OF THE EUROPEAN UNION

PRESS RELEASES

PRESIDENCY: GREECE

JANUARY-JUNE 1994

Meetings and press releases May 1994

<b>Meeting number</b>	<b>Subject</b>	<b>Date</b>
1754 <sup>th</sup>	Development	6 May 1994
1755 <sup>th</sup>	Economics/Finance	16 May 1994
1756 <sup>th</sup>	General Affairs	16-17 May 1994
1757 <sup>th</sup>	Consumers	21 May 1994
1758 <sup>th</sup>	No record of a meeting	
1759 <sup>th</sup>	Energy	25 May 1994
1760 <sup>th</sup>	Telecommunications	30 May 1994
1761 <sup>st</sup>	Agriculture	30-31 May 1994

PRESS RELEASE

**6449/94 (Presse 83)**

**1754th Council meeting**

**DEVELOPMENT**

**Brussels, 6 May 1994**

**President:**

**Mr Théodoros 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 Erik DERYCKE State Secretary for Co-operation and Development

**Denmark:**

Ms Helle DEGN Minister for Development Co-operation

**Germany:**

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

**Greece:**

Mr Théodoros PANGALOS Deputy Minister for Foreign Affairs

**Spain:**

Mr Camilo BARCIA GARCÍA-VILLAMIL Permanent Representative

**France:**

Mr Michel ROUSSIN Minister for Co-operation

**Ireland:**

Mr Tom KITT Minister of State for European Affairs and Overseas Development Aid

**Italy:**

Mr Enzo PERLOT Permanent Representative

**Luxembourg:**

Mr Jean-Jacques KASEL Permanent Representative

**Netherlands:**

Mr Jan PRONK Minister for Development Co-operation

**Portugal:**

Mr José Manuel BRIOSA E GALA State Secretary for Co-operation

**United Kingdom:**

Baroness Lynda CHALKER Minister for Overseas Development

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**Commission:**

Mr Manuel MARIN Vice-President

## DEVELOPMENT CO-OPERATION POLICY IN THE RUN-UP TO 2000: CO-ORDINATION OF POLICIES

### **- CO-OPERATION WITH THE DEVELOPING COUNTRIES IN THE FIELD OF HEALTH - COUNCIL RESOLUTION**

#### I. INTRODUCTION

1. Following the adoption of the declaration on development co-operation in the run-up to 2000, the Council decided in its conclusions of 25 May 1993 that the health sector was a priority sector for the co-ordination of the policies of the Community and its Member States.
2. Having examined the communication sent to it by the Commission, whose analysis and principal recommendations it agrees with, the Council has adopted the following guidelines.

#### II. HEALTH SITUATION IN THE DEVELOPING COUNTRIES

3. The Council acknowledges the progress achieved in certain health fields in the last decades, which as a whole is considerable. However, it notes that this progress is unevenly distributed geographically and that the situation in sub-Saharan Africa in particular remains very serious.
4. It notes that within a single country there can be major inequalities in health and access to health care between social groups and between urban and rural populations.

5. The developing countries are having to face a major increase in needs, owing to very rapid population growth, increased life expectancy and social and cultural changes. An important factor is that, although certain traditional diseases have been reduced, many others remain and new problems are appearing (resistance to anti-malaria treatments and antibiotics, accidents, drug addiction, AIDS) which are creating new challenges for the health services in those countries. In addition, armed conflicts increase the strain on the medical services in many developing countries.
  
6. In several developing countries the present health systems only partially meet needs. Their health systems have major imbalances and serious malfunctions resulting in particular from:
  - partial inadequacy of the health-development policies followed and, in particular, insufficient attention to primary health care;
  
  - a considerable slowing down of investments from own resources;
  
  - difficulties encountered by a large number of these countries in providing sufficient resources to finance the recurrent costs of equipment installed.

### III. PRINCIPLES AND PRIORITIES

7. Improvements in health are an essential factor in making the best use of human resources and are therefore a major aspect of development.
8. Improving the state of health of populations is one of the main aims and one of the first priorities of development aid.
9. Co-operation in the health field must be seen in a long-term perspective, in the overall context of development policies, human resources and the fight against poverty.
10. External aid should tie in with national health policies laid down by the beneficiary countries themselves. Efforts by donor countries should support those policies.
11. External aid should be directed as a priority to the poorest countries, the least-developed countries and the least-favoured population groups in the developing countries.
12. Women and children are groups which deserve particular attention in the overall health system. Displaced persons, refugees, and victims of war and disaster also need to have access to proper care.

13. Given the importance of the activities of NGOs and local communities in the health sector, and in particular in the provision of primary care, the Council:
  - emphasizes the desirability of involving them in the programmes and plans of action in which they have a direct involvement;
  - reaffirms its intention to strengthen co-operation with them.
  
14. Since there is a close link between poverty and the bad health situation in several of these countries, an improvement in care systems is not sufficient. Countries should be helped to develop a multisectoral approach to health problems, with emphasis on primary prevention and improving living conditions and hygiene.
  
15. The Council acknowledges that there is no universal model for the organization of health systems and points out that co-operation in this area must take account of specific characteristics, human and financial capacities and local wishes.
  
16. While stressing that external aid must not be a substitute for national efforts, the Council considers that its priority objective must be to help the beneficiary countries to:
  - establish and implement viable and effective policies;
  - organize health systems;
  - create an environment favourable to health;

- carry out a reform of care systems so that top-priority goes to the problems of the most vulnerable groups and the most frequent and serious problems.

17. Strategically, this means that, with due regard for national priorities, countries should be particularly helped to:

- increase investments to improve living conditions and hygiene;
- support as a priority the development of basic and first referral services, so as to ensure a more balanced supply of care in the future;
- maintain a level of resources sufficient to finance preventive measures;
- mobilize national resources, including user contributions to the cost of care, in a more rational and fairer way;
- support institutional reform by:
  - = strengthening the technical capacities and resources of the central administrations, particularly in the areas of planning, legislation and control;
  - = supporting the process of decentralization and deconcentration by supporting the development of local and regional capacities for programming and management;
  - = encouraging local initiatives for the development of health-promotion activities.

18. The Council is concerned at the inadequacy of the resources allocated to the health sector. To cope with rising demand, led inter alia by population growth and the incidence of armed conflict, the Community and its Member States agree to examine what additional resources could be found, in particular by reallocating funds between sectors, to develop action health. This increase in resources must take place alongside a focusing of policies to reduce inequalities. It must also be accompanied by increased attention to questions of cost/effectiveness and consequent revision of the policies followed.

While bearing in mind the need for balance between the sectors contributing to human development, the Community and the Member States acknowledge that, as far as possible, a fair division of effort in this area will have to evolve.

As regards the resources which the beneficiary countries allocate to health, the Council recommends that in the dialogue relating to support for structural development the Community and its Member States bear in mind the importance of ensuring a reasonable allocation for health in national budgets.

#### IV. CO-OPERATION AND CO-ORDINATION

19. The Council refers to its Resolution of 2 December 1993 on co-ordination procedures which stressed the importance of co-ordinating the activities of Member States and the Commission on the spot. This strengthening of co-ordination must be continued and increased, by making better use of existing mechanisms and instruments.

20. The Community and its Member States undertake to intensify their efforts to co-ordinate policies, in order in particular to improve approaches to geographical groups or sub-groups and/or to increase co-operation on specific topics.

In addition, regarding operational co-ordination, meetings of Community and Member States' experts should be organized to:

- increase the exchange of information on sectoral development problems and possibly organize a joint sectoral review;
  - identify a sectoral strategy on health and the level of the beneficiary countries;
  - examine specifically the present state of co-operation, particularly the progress of current projects and planned activities.
21. The Community and the Member States could, as an experiment, initially monitor and evaluate this co-ordination in a small number of developing countries. With this in view, the Council calls on the group of experts to propose a list of countries and to work out a monitoring and evaluation method.

The Council invites the Commission, in collaboration with interested Member States, to submit an annual report analysing the implementation of the programme.

22. In the context of the operational co-ordination carried out between the Commission and the Member States at the level of the beneficiary countries, the representations on the spot could if necessary, by common accord and with due regard to individual situations, entrust one Member State or the Commission with the task of leading the on-the-spot co-ordination between the Commission and the Member States on health.
  
23. The European Community and its Member States recognize the importance of the role of the WHO in the field of health and reaffirm the importance of co-operation and co-ordination with other donors.

– THE FIGHT AGAINST HIV/AIDS IN THE DEVELOPING COUNTRIES –  
COUNCIL RESOLUTION

I. INTRODUCTION

1. In its declaration on development-co-operation policy in the run-up to 2000, adopted on 18 November 1992, the Council referred to the spread of AIDS as one of the major public-health problems affecting both developing and developed countries.

The Council would also refer to its conclusions of 27 May 1987 and 21 November 1989 on the fight against AIDS in the developing countries. It noted in particular that the rapid spread of the epidemic, despite the efforts of the international community, called for strengthened co-operation between the developing and the developed countries.

2. In its conclusions of 25 May 1993 the Council expressed the wish that as a first step the co-ordination of the policies of the Community and its Member States in the health sector should be enhanced. Increased co-ordination on HIV/AIDS falls under that heading and within the general framework of the Resolution of 6 May 1994 on co-operation with the developing countries in the field of health.
3. The Council considers it important to heed the lessons learned from seven years' experience in implementing the AIDS Control Programme for Developing Countries and bilateral and multilateral programmes. On the basis of that experience, the strategic priorities and common guiding principles for the action of the European Community and its Member States in this field must be identified.

4. After examining the communication from the Commission, the findings and main recommendations of which it endorses, the Council has defined the following approaches and guidelines for action on HIV/AIDS in the developing countries.

## II. PRINCIPLES AND PRIORITIES

5. The HIV/AIDS epidemic constitutes a serious health and development problem and by its very nature represents a new factor in North/South interdependence. It has helped to highlight weaknesses in health services and social services generally in developing countries and the need to improve them. Foreign aid should be directed primarily at enhancing national efforts and at supporting and encouraging initiatives by people and communities at grass-roots level.
6. The introduction of national strategies involves a political commitment by beneficiary States to ensure respect for the rights of human beings, refraining from any discrimination or exclusion vis-à-vis persons at risk, infected or sick.

Special attention should be paid to those individuals and communities which are socially or economically most vulnerable. Implementing activities should take particular account of the situation of women in the face of the epidemic and the effects on children, in particular orphans.

7. Assistance should relate primarily to the poorest countries, the least-developed countries and the most disadvantaged sectors of the population in developing countries.

8. Social, economic, cultural and ethical realities in all beneficiary population groups should be taken into account in framing national programmes and in implementing international aid, without prejudice to individual religious convictions.
9. Assistance with regard to HIV/AIDS should come within the broader framework of social policy (health and education) and of development co-operation policy generally.
10. Preventive measures remain the chief priority; this means in particular action in the fields of education, awareness, caring for persons affected by STDs (sexually transmitted diseases) and promotion of sexual and reproductive health. In view of the present spread of the epidemic, people affected need to be helped to "live with the virus". In order to achieve this objective, it is essential to act against weaknesses in health systems so as to make them more credible. Among other purposes, measures should be taken to combat discrimination and social exclusion and to support the health sector, particularly in the fields of transfusion and safety from nosocomial infection, training of medical and paramedical personnel, and patient care. It is also important to make allowance for the socio-economic consequences of the epidemic and support efforts by countries and communities in the identification and implementation of measures to lessen the impact of the epidemic.

11. The Community and the Member States stress the importance of targeting assistance in the HIV/AIDS field so as to ensure a more effective response to growing needs in connection with the spread of the epidemic. In this context they will give precedence to the most cost-effective action and will consider how best to utilize existing professional expertise in order to improve planning, monitoring and evaluation of assistance.

In addition, the Community and the Member States recognize that, besides making more effective use of existing resources, it is necessary to provide increased financial and human resources in this field. They undertake to consider making additional means available by reallocating resources among sectors. Such reallocation would be designed to support efforts by beneficiary countries in order to ensure a more appropriate allocation of resources earmarked for the health and social sectors.

The Council is favourably inclined towards the proposed financial allocations for the Community HIV/AIDS programme.

While bearing in mind the need for balance between the sectors contributing to human development, the Community and the Member States acknowledge that, as far as possible, a fair division of effort in this area will have to evolve.

12. The Council points to the importance of the activities of NGOs and local communities in this field in order to ensure lasting action and reaffirms its intention of stepping up co-operation with such organizations.

13. The European Community and its Member States recognize the important role of the WHO/GPA in this area and reaffirm the importance of co-operation and co-ordination with other donors as well as with United Nations agencies and the World Bank. They support United Nations efforts for the drawing-up of a co-sponsored global programme, currently under discussion, and will consider, at the appropriate juncture, the arrangements for a possible financial contribution to that programme.
  
14. The Council sees a need to ensure consistency not just between Member States' initiatives but also between them and those taken at Community level. In this connection the strengthening of co-ordination will have to be pursued through better use of existing co-ordination mechanisms and instruments, as described in the Resolution of 6 May 1994 on co-operation with the developing countries in the field of health.

In order to achieve maximum effectiveness as well as consistency in the response of the European Union as a whole to the AIDS scourge, the basic principles to be observed should be to avoid cumbersome procedures, encourage the conduct of work at expert level and improve on-the-spot co-ordination in beneficiary countries.

**- OTHER POINTS CONCERNING THE "RUN-UP TO 2000" DECLARATION**

The Council reviewed the work being done to continue implementation of the "Run-up to 2000" declaration.

Among other things, it agreed to establish operational conclusions on food security and education at its next meeting in the autumn.

It also discussed the implementation of the Resolution on the fight against poverty adopted in December 1993.

It noted the planned timetable for examining the concept of complementarity between development policies of the Community and the Member States.

It reminded the Commission of the request contained in the "Run-up to 2000" declaration that a report should be drawn up on the linkage between development policy and other Community policies.

**- OPERATIONAL CO-ORDINATION**

**CO-ORDINATION BETWEEN THE COMMUNITY AND THE MEMBER STATES**

The Council approved the following list of developing countries in which, in accordance with the Resolution of 3 December 1993 and on an experimental basis, Community co-ordination could be stepped up further and continued with a view to learning lessons for the improvement of co-ordination throughout the Community's partner developing countries.

At its meeting on 27 April 1994 the Permanent Representatives Committee agreed to suggest that the Council adopt the following list:

- Bangladesh
- Côte d'Ivoire
- Costa Rica
- Ethiopia
- Mozambique
- Peru.

It was also agreed that Council bodies would examine the arrangements for carrying through this experiment at the earliest opportunity.

**CO-ORDINATION IN INTERNATIONAL FORA**

The Council adopted the following conclusions supplementing the relevant provisions of the Resolution of December 1993:

"The Council considers that co-ordination between the Community and the Member States at international conferences and meetings, especially in the United Nations framework, which generally works satisfactorily, should be continued, in particular through regular exchanges of information, contacts between the Member States and the Commission and meetings prior to plenary meetings of the various international bodies.

Bearing in mind the constraints imposed by the representation systems and the working methods within international and regional development banks, the Council recommends informal exchanges of views between the Member States represented on the decision-taking bodies of such institutions. Such exchanges of views could deal with topics on which the Council has adopted common guidelines."

### **SITUATION IN RWANDA**

The Council decided to instruct the competent bodies of the Union to consider the sending of a European Union mission to the countries adjacent to Rwanda to investigate at first hand the problems caused by the flow of hundreds of thousands of refugees and also the risk of the crisis spilling across Rwanda's borders <sup>(1)</sup>.

### **INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT**

The Council reviewed the preparations being made for the Conference on Population and Development to be held in Cairo from 5 to 13 September 1994.

It confirmed the importance it attached to the action programme which would be adopted at the Conference and agreed that the co-ordination which had gone well up to now would be continued intensively during the final stage of the preparations.

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(<sup>1</sup>) With regard to the situation in Rwanda, the President received in the margins of the Council an NGO delegation, which presented a statement to him.

## **LOME IV – MID-TERM REVIEW**

Following an introductory statement by Mr MARIN, Vice-President of the Commission, the Council discussed the various aspects of the negotiations for the mid-term review of the Fourth ACP-EEC Convention, which will begin on 20 May in Mbabane, Swaziland (at the annual meeting of the ACP-EEC Council of Ministers) with the aim of partially revising the Convention to adjust it in the light of experience and the new problems affecting relations between the two parties.

## **RELATIONS WITH SOUTH AFRICA**

Referring to today's EU statement (see P. 46/94), the Council expressed considerable satisfaction at the holding of the first democratic and multiracial elections, which it saw as a particularly felicitous event in the continent of Africa, the results of which opened up a new era not only for South Africa but also for the region.

It confirmed the Union's determination to play an active part in the ongoing process and in the development of the new South Africa, a country whose needs were immense.

Recalling the joint action decided at its meeting on 6 and 7 December 1993, the Council referred in particular to the package of initial measures adopted on 19 April (see Press Release 6294/94 Presse 70) which will shortly be presented to the new South African Government, and to the incoming German Presidency's initiative of a conference on regional co-operation in southern Africa to be held in Berlin on 6 and 7 September.

## HUMAN RIGHTS

On the basis of the annual report from the Commission, the Council discussed the implementation of the policy advocated in its Resolution of November 1991 on human rights, democracy and development.

It noted the scale of the action taken by the Commission in 1993 to support electoral processes, consolidate the rule of law, promote free and independent media and raise awareness of human rights issues.

It noted the reports from certain Member States on the implementation of the Council Resolution in the context of their bilateral aid.

It instructed the Permanent Representatives Committee to consider improvements to the decision-making procedures to enable the Community and the Member States to react promptly and in a co-ordinated manner to serious human rights violations or breaks in the democratic process.

## MIGRATION AND DEVELOPMENT

The Council noted a statement by the Italian delegation presenting a note from its Government on the link between development co-operation policy and migration pressures.

It was observed here that the Commission had recently sent the Council an overall communication on immigration and asylum which was being studied by various Council bodies.

Acknowledging the importance of the question raised by the Italian delegation, the Council asked the Commission to continue studying the follow-up to be given to this initiative, and in particular the request that a timetable of work in this area should be drawn up.

### **FOOD SITUATION IN THE HORN OF AFRICA**

The United Kingdom delegation drew the Council's attention to the likelihood of a tragic famine in the countries of the Horn of Africa as a result of very bad harvests endangering the lives of millions of people. The Commission shared the United Kingdom delegation's anxiety and said that a large-scale emergency and food aid operation would be necessary in the coming months.

### **FOOD SHORTAGE IN ALGERIA**

The Italian delegation drew the Council's attention to a request from the Algerian authorities for a large quantity of food aid.

### **REHABILITATION IN THE DEVELOPING COUNTRIES**

The Danish delegation drew the attention of the Council and the Commission to the need to implement with all due speed the rehabilitation measures already authorized by the Council in the developing countries affected by natural or man-made disasters.

### **SITUATION OF THE FRANC AREA**

The Council noted a statement by the French delegation describing the situation in the countries of West and Central Africa following the recent devaluation of the CFA franc.

**OTHER DECISIONS**

(adopted unanimously without debate unless otherwise stated)

**Justice and Home Affairs**

Following the agreements in principle reached by the Justice and Home Affairs Council at its meeting on 29 and 30 November 1993, the Council:

- approved the organization of training module on the operational analysis of crime;
- adopted the guideline principles to be applied when drawing up readmission agreements with third countries.

**Industry**

Following the agreements in principle reached at its meeting on 22 April 1994 (Industry), the Council gave its assent, as requested by the Commission:

- under the second paragraph of Article 54 of the ECSC Treaty
  - = for the co-financing of an investment project by LKAB, Lulea (Sweden) in Kiruna (Sweden),
  - = to the granting of a global loan to BNL Credito Industriale SPA,
- under the second paragraph of Article 54 of the ECSC Treaty, in respect of the South Yorkshire Passenger Transport Executive,
- under Article 56(2)(a) of the ECSC Treaty, in respect of
  - = Deutsche Genossenschaftsbank, Frankfurt
  - = Westfalenbank AG, Bochum
  - = Bancaja (Caja de Ahorros de Valencia)
  - = Banco Herrero S.A. (Spain)
  - = Westdeutsche Landesbank Europe (France)
  - = Crédit National (France)
  - = Kredietbank S.A.
  - = Efibanca SPA
  - = Istituto Bancario San Paolo di Torina SPA
  - = Kimberley Clark Ltd.

## Environment

Following the substantive agreement reached at its meeting on 24 and 25 March 1994 (Environment), the Council adopted the Resolution on a Community strategy for integrated coastal-zone management (see Press Release 5795/94 Presse 50).

## Fisheries

### **- Direct landings at Community ports by third-country fishing vessels**

Following the substantive approval given at its meeting on 12 April 1994 (Fisheries), the Council adopted by a qualified majority (the Danish, Netherlands and United Kingdom delegations voted against <sup>(1)</sup>), a Regulation setting the terms under which fishing vessels of a third country may land directly and market their catches at Community ports.

The Regulation will help to ensure that direct landings do not disturb Community markets in fishery products. Such landings will be subject to a number of requirements and controls to ensure that measures taken under the common fisheries policy – including the rules on health and commercial quality and on pricing which are applicable to Community production – are also complied with when direct landings are made by third-country vessels.

This system will be reviewed in 1996 (see Press Release 6165/96 Presse 59).

### **- EEA: allocation of certain additional catch quotas**

Following the substantive agreement reached at its meetings on 18 and 19 April 1994 (General Affairs), the Council adopted the Regulation allocating, for 1994, certain additional catch quotas between Member States for vessels fishing in Norwegian waters north of 62 degrees North and in Icelandic waters, quotas that were obtained under the EEA Agreement (see Press Release 6294/94 Presse 70).

The allocation of additional quotas for redfish in Norwegian waters and for cod and herring in Swedish waters was adopted at the Fisheries Council meeting on 12 April 1994.

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(<sup>1</sup>) The Danish, Netherlands and United Kingdom delegations asked for the explanation of their votes to be published, as did the Spanish and Italian delegations (confirming their positive votes) (see Annex).

Explanation of the Danish, Netherlands and United Kingdom votes:

"Denmark, the Netherlands and the United Kingdom have voted against this Council Regulation because they do not consider it to be an appropriate response to the present problems in the Community fisheries market which, as the Council has acknowledged, arise from a range of factors and particularly structural weaknesses. Nor do they consider that the terms of Article 5 and the additional bureaucracy flowing from the Regulation as a whole, including the notification requirements in Article 4, are acceptable. The mechanisms laid down in Article 5 are inconsistent because they compel third-country vessels to follow the rules of a producer organisation; yet Title II of Regulation (EEC) No 3759/92 does not require such compulsion for Community vessels. Also, the requirement that direct landings must respect the producer organisation withdrawal or selling price in the area in which the landing is made is likely to lead to confusion. Withdrawal and selling prices change frequently and several producer organisations may be operating in the same area under different price arrangements. Thus it may not be clear which price system should govern direct landings by third-country vessels."

Explanation of the Spanish and Italian votes:

"While confirming their vote in favour on account of the importance and urgency of this Regulation, the Spanish and Italian delegations express their greatest regret at the non-acceptance of the drafting improvements proposed within the Fisheries Council in order to remove any interpretative doubt as to the scope of the Regulation governing direct landings at Community ports by vessels flying third-country flags.

However, the understanding is that the definition (lacking in legal precision) at present contained in Article 2 covers not only fishing vessels proper but also various other vessels used for the products referred to in Article 2(1) and in any event is not to be construed as amending the meaning of the term "fishing vessel" as used in current national and Community law."

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PRESS RELEASE

6882/94 (Presse 87)

1755th Council meeting

**ECONOMIC AND FINANCIAL QUESTIONS**

Brussels, 16 May 1994

President: Mr Georges ROMEOS  
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 Minister for Finance

Denmark:

Ms Marianne JELVED Minister for Economic Affairs

Germany:

Mr Théo WAIGEL Federal Minister for Finance  
Mr Gert HALLER State Secretary for Finance  
Mr Johann EEKHOFF State Secretary for Economic Affairs

Greece:

Mr Georges ROMEOS Deputy Minister for Economic Affairs

Spain:

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

France:

Mr Edmond ALPHANDERY Minister for Economic Affairs

Ireland:

Mr Bertie AHERN Minister for Finance

Italy:

Mr Mario DRAGHI Director-General at the Treasury

Luxembourg:

Mr Jean-Claude JUNCKER Minister for Finance

Netherlands:

Mr BROUWER Director at the Treasury

Portugal:

Mr Eduardo CATROGA Minister for Finance

United Kingdom:

Mr Kenneth CLARKE Chancellor of the Exchequer

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Commission

Mr Jacques DELORS President  
Mr Henning CHRISTOPHERSEN Vice-President  
Mr Peter SCHMIDHUBER Member  
Ms Christiane SCRIVENER Member

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The following also attended:

Sir Nigel WICKS Chairman of the Monetary Committee

## ECONOMIC SITUATION IN THE COMMUNITY

The Council expressed satisfaction at data from the Commission showing a consolidation of the economic recovery in recent months. It also held an in-depth discussion in order to provide the Commission with the material it needed to prepare its recommendation on broad economic policy guidelines for 1994-1995. On 6 June the Council will be drawing up a draft of these guidelines for submission to the European Council in Corfu.

Background for the Council's discussion was provided by the 1994 annual economic report and a note from the Commission on recent developments in the economic situation.

## PROGRESS REPORT ON THE WHITE PAPER ON GROWTH, COMPETITIVENESS AND EMPLOYMENT

Following President Delors' briefing on progress in implementing the White Paper, the Council expressed the hope that a full Commission report would be ready as soon as possible, so that it could prepare properly for its discussions on 6 June 1994 in the run-up to the European Council in Corfu.

The Ministers also looked at a memorandum from the German delegation submitted at the informal ECOFIN meeting in Athens on 8 and 9 April 1994. The memorandum stresses the need to free the European economy from legal constraints holding back competition, standing in the way of innovation and preventing technical progress, and to remove the barriers preventing market access. The memorandum accordingly suggests that a group of independent experts be set up at the Commission to study ways of simplifying legal and administrative provisions, in order to ease the burden on industry.

The delegations acknowledged that secondary legislation needed to be simplified. However, many of them favoured using existing Union procedures.

The Council agreed to return to the matter at its June meeting.

#### FINANCIAL ASSISTANCE TO THIRD COUNTRIES

##### - Moldova

The Council agreed to the Commission proposal for granting Moldova macro-financial assistance of up to ECU 45 million over 10 years, given the particular political and economic situation in that country.

The Council and the Commission stressed that the Decision was quite exceptional, and in no wise a precedent for granting macro-financial assistance to other countries of the former Soviet Union.

The Council asked the Commission to inform the relevant international financial bodies of this position.

##### - Albania

The Council agreed to re-examine the Commission proposal at its meeting on 6 June.

– Bulgaria

The Council took note of the Commission proposal for granting Bulgaria financial assistance of up to ECU 150 million.

It confirmed its agreement that the Commission should pay up to ECU 110 million to Bulgaria as soon as possible.

The Council would decide later on the additional ECU 40 million proposed by the Commission.

– Romania

The Council took note of the Commission proposal for granting Romania financial assistance of up to ECU 125 million.

It confirmed its agreement that the Commission should pay up to ECU 90 million to Romania as soon as possible.

The remaining ECU 35 million would not be paid until there was unanimous agreement in the Council.

– Algeria

The Council took note of the understanding reached between Algeria and the IMF on a comprehensive adjustment and reform programme to be supported by a stand-by arrangement.

On this basis, the Council agreed in principle that the second tranche (ECU 150 million) of the Community loan granted to Algeria in September 1991 can be released by the Commission.

The Council took note of the intention of the Commission to propose an additional

loan to Algeria of up to ECU 200 million and is ready to consider the proposal favourably on the basis of a satisfactory track record of the macro-economic programme agreed between Algeria and the IMF and on condition that the limits established by the loan guarantee fund are respected.

### 1993 COMMISSION REPORT ON MEASURES TO COMBAT FRAUD

In response to the Council's request of 21 March, the Commission submitted its 1993 report on measures to combat fraud against the Community budget.

The Council also heard a statement by the Danish delegation on the same theme, pointing out the new potential for combatting fraud offered by the Treaty on European Union.

The Council agreed to examine the Commission report in detail and draw up conclusions on the matter at one of the forthcoming ECOFIN meetings.

### OTHER BUSINESS

#### **- Commission communications**

The Council noted Ms Scrivener's presentation of three communications on:

- = a proposal for a Directive on excise duties on biofuels;
- = a proposal for a Directive on new measures to simplify value-added tax;

= implementation of the White Paper in the field of compulsory levies.

Ms Scrivener took the view that the European Parliament's recent favourable Opinions on bio-fuels and simplifying VAT meant that the Council would be able to act soon.

On compulsory levies (tax and compulsory social security contributions), Ms Scrivener pointed out that the White Paper proposed reductions equivalent to 1 or 2% of GDP. The reduction could be financed by revenue from creating new jobs, from budgetary savings and other tax revenue, e.g. excise duties and environment taxes. The Commission had sent the Member States a questionnaire in order to take stock of the measures each Member State had taken in this regard. The data gathered by the Commission would be contained in a summary analysis to be submitted to the European Council in June, to be followed by a second, more detailed analysis that would be submitted to the Council in October 1994.

#### - Transfer prices

Following a request from the German delegation, the Commission declared itself ready to organize a co-ordination meeting between Member States in preparation for OECD negotiations on transfer prices.

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#### Meeting with Ministers for Economic Affairs and Finance from the Eastern and Central European countries

The meeting with the Ministers for Economic Affairs and Finance of the Eastern and Central European countries (Hungary, Poland, Czech Republic, Slovakia, Romania and Bulgaria) will be held at a dinner scheduled for 5 June 1994.

**MISCELLANEOUS DECISIONS****(adopted unanimously, without debate, unless otherwise stated)****Listing particulars for the admission of securities to the stock exchange**

Following European Parliament approval under the co-decision procedure on 20 April 1994, the Council adopted a directive – of the European Parliament and of the Council – 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 Directive seeks, amongst other things, to simplify cross-border procedures by providing that total or partial exemption from the obligation to publish listing particulars may be granted in some cases, where issuers' securities are already admitted to official stock-exchange listing in another Member State, the companies are well known and their particulars are widely circulated and available throughout the Community or where equivalent disclosure obligations already exist.

**Deposit-guarantee schemes**

Following European Parliament approval under the co-decision procedure, on 5 May, of the joint text drawn up by the Conciliation Committee, the Council adopted, by a qualified majority, a Directive – of the European Parliament and of the Council – on deposit-guarantee schemes, with the German delegation voting against.

Adoption of this Directive, following conciliation between the Council and the European Parliament, provides an early illustration of the operational nature of the Union Treaty's provisions on co-decision, a process which has brought out, on both sides, a desire for compromise on this important text in the field of co-ordination of Member States' laws, regulations and administrative provisions.

The Directive seeks to introduce a minimum number of rules, harmonized throughout the Community, in order to protect depositors in the event of a credit institution failing and to prevent sudden withdrawals of funds that could affect the stability of the banking system.

The future harmonized system, which every Member State will have to comply with by 1 January 1995 at the latest, will be based on the following basic features:

- in principle, all credit institutions must belong to a guarantee scheme;
- deposits must as a general rule be repaid in full, up to a minimum standard amount;
- special rules must be laid down for branches of a credit institution located outside the Member State of its principal place of business – the basic principle being that deposits taken by these branches must be guaranteed by the home Member State's scheme;
- provision is made for some exemptions, so that Member States will not have to give up certain recognized practices.

The Directive also contains the following features:

- recognition of alternative schemes protecting credit institutions themselves as being equivalent to deposit-guarantee schemes;
- exemption for certain institutions or categories of institution from the obligation to belong to a deposit-guarantee scheme.

#### Civil aviation

Under the co-operation procedure with the European Parliament, the Council adopted a common position on the proposal for a Directive establishing the fundamental principles governing the investigation of civil aviation accidents and incidents.

The Directive is designed to improve air safety by facilitating the expeditious holding of investigations the sole object of which is the prevention of future accidents or incidents.

The purpose of the common position is to bring Community legislation up to date both in the light of the experience built up in implementing the current Directive (Directive 80/1266/EEC on future co-operation and mutual assistance between the Member States in the field of air accident investigation) and having regard to the development of the single market in civil aviation.

It applies to investigations into civil aviation accidents and incidents which have occurred in the territory of the Community, taking into account the international obligations of the Member States, and to investigations into serious accidents and incidents involving aircraft registered in a Member State, when such investigations are not carried out by another State.

P R E S S   R E L A S E

6883/94 (Presse 88)

1756th Council meeting

- GENERAL AFFAIRS -

Brussels, 16 and 17 May 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 Deputy Prime Minister, Minister for Foreign Affairs  
Mr. Robert URBAIN Minister for Foreign Trade and European Affairs

Denmark:

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

Germany:

Mr Klaus KINKEL Minister for Foreign Affairs  
Mrs Ursula SEILER-ALBRING Minister of State, Foreign Affairs  
Mr Johann EEKHOFF State Secretary, Federal Ministry of Economic Affairs  
Mr Jürgen TRUMPF State Secretary for European Affairs

Greece:

Mr Theodoros PANGALOS Deputy Minister for Foreign Affairs

Spain:

Mr Javier SOLANA MADARIAGA Minister for Foreign Affairs  
Mr Carlos WESTENDORP State Secretary for Relations with the European Communities

France:

Mr Alain JUPPE Minister for Foreign Affairs  
Mr Alain LAMASSOURE Minister with responsibility for European Affairs

Ireland:

Mr Dick SPRING Minister for Foreign Affairs

Italy:

Mr Antonio MARTINO Minister for Foreign Affairs

Luxembourg:

Mr Jacques POOS Minister for Foreign Affairs

Netherlands:

Mr P.H. KOUIJMAN Minister for Foreign Affairs  
Mr Piet DANKERT State Secretary for Foreign Affairs

Portugal:

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

United Kingdom:

Mr Douglas HURD Secretary of State for Foreign and Commonwealth Affairs

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Commission:

Mr Jacques DELORS President  
Mr Manuel MARIN Vice-President  
Sir Leon BRITTAN Member  
Mr Hans VAN DEN BROEK Member

**WHITE PAPER**

The Council heard a report by Mr Delors on the implementation of the White Paper on growth, competitiveness and employment. He described the satisfactory progress made in most of the areas covered, and in particular the work of the Christophersen and Bangemann Groups, although he expressed concern about the field of employment, where further progress was needed, especially on the flexibility of the labour market, given that the structural situation of employment was still very serious despite the recent economic upturn.

The Council held a broad exchange of views on this subject. It noted that during the coming weeks a number of Council meetings - Environment, Transport, Energy, Telecommunications, Internal Market and ECOFIN - would give further consideration to the various aspects of the White Paper.

It agreed that at its meeting on 13 and 14 June it would assess the work done by all these groups and specialized Councils and prepare, on this basis, a substantive report for the European Council's deliberations at Corfu, when it is intended that specific guidelines should be drawn up, especially on the major infrastructure networks, the information society and research and vocational training.

**ACCESSIONS**

The Council adopted a Decision on the admission of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union.

It may be noted here that:

- the accession negotiations of Norway, Austria, Finland and Sweden were formally closed on 30 March 1994;
- the final text of the Treaty of Accession was approved by the Parties on 12 April 1994;
- the Commission's opinion on the applications for accession to the European Union by the aforementioned States was delivered on 20 April 1994;
- the European Parliament delivered its assent to these applications on 4 May 1994.

The Council agreed that the Accession Treaties would be signed with the four applicant countries during the European Council meeting at Corfu. The representatives of those countries would then be invited to take part in the European Council's proceedings.

**RWANDA - DECLARATION BY THE EUROPEAN UNION**

The European Union, recalling its declaration of 18 April 1994 on Rwanda, again appeals urgently to all parties to the conflict to bring an end to the genocide now taking place in the country.

The European Union expresses its full support for the United Nations' humanitarian efforts and in this context welcomes the resolution that is currently before the Security Council. The European Union looks forward to an urgent decision on measures which can be implemented soon.

The European Union welcomes the initiative of the United Nations High Commissioner on Human Rights to conduct a mission to both Rwanda and Burundi and supports the call for a special meeting of the UN Commission on Human Rights.

The European Union expresses its appreciation and support for the efforts of the OAU and to President Mwinyi of Tanzania for their initiatives in convening a regional conference, in which both the authorities of Rwanda and the RPF will be invited.

The European Union urges the two sides to agree on the need to respect the Arusha agreement, which, through the way of negotiation, offers the best available basis for national reconciliation. In this context the European Union supports the call for an early imposition of an arms embargo in Rwanda, and calls on all concerned to refrain from any action that is liable to exacerbate the situation.

The European Union is eager to increase its humanitarian aid whenever and where such aid can be brought to the populations that have suffered so cruelly from the violence. In this respect it will continue its immediate assistance to refugees in the neighbouring countries and will endeavour to equally assist the stricken populations within Rwanda, whenever conditions allow this.

The European Union decided on 6 May 1994 to dispatch a Troika mission, on a Development Ministers level, to visit as soon as possible the countries neighbouring Rwanda, with a view to evaluating the humanitarian situation vis-à-vis the influx of the refugees.

### **RUSSIA - NEGOTIATIONS FOR A PARTNERSHIP AGREEMENT**

On the basis of a statement by Sir Leon Brittan on the outcome of his latest talks with the Minister, Mr Shohkin, the Council reviewed the progress of these negotiations for a partnership and co-operation agreement with Russia.

It noted that the major issues still unresolved (including trade in nuclear products and the banking sector) required further examination.

It gave instructions that in the meantime the Permanent Representatives Committee should secure progress on the other specific issues which had yet to be finalized.

**RELATIONS WITH UKRAINE**

The Council held an initial discussion with a view to formulating an overall policy of the Union vis-à-vis Ukraine in the short and medium term. It acknowledged Ukraine's political, strategic and economic importance for the Union and for stability and security in Europe.

The Council confirmed the Union's willingness to sign the Partnership Agreement and the Interim Agreement with Ukraine in the near future, while reaffirming the importance which the Union attached to the aim of Ukraine acceding to the Non-Proliferation Treaty with a view to the process of ratifying the Partnership Agreement. The Presidency expressed its intention of inviting President Kravchuk to Corfu for the signing.

The Council believes that nuclear safety is a priority objective of co-operation with Ukraine. It also considered the scope of promoting Ukraine's agricultural production.

It instructed the Permanent Representatives Committee and the Political Committee to continue their discussions and to report back at the Council meeting in June. At that meeting, the Council will prepare for the Corfu European Council, at which it is intended that general guidelines should be adopted for an overall policy of the Union towards Ukraine. The Council asked the Commission, the Permanent Representatives Committee and the Political Committee to continue examining the problems involved and to draw up options for possible solutions with a view to a decision by the Council in the Autumn.

**RELATIONS WITH SWITZERLAND - COUNCIL CONCLUSIONS**

The Council discussed the Commission communication on the development of relations with Switzerland in the aftermath of the referendum on Alpine transit, broadly agreeing with the analysis and conclusions therein.

The Council expressed its concern over the direct implications for the transport sector and the more general repercussions which could arise from the outcome of that referendum. In that connection, it agreed with the conclusions of the Transport Council of 18 April 1994 on the need for greater information in this area, in particular on the intentions of the Swiss authorities as regards the provisions for implementing the referendum.

The Council also felt that its conclusions of 8 November 1993 (Press Release 9622/93 Presse 178) were still the appropriate general basis for future relations between the European Community and Switzerland. In this context, the Council drew particular attention to the following:

- the Community's aim should be to reach a balance of mutual advantages within each sectoral agreement and between the different agreements;
- it intends to ensure, where necessary, a suitable parallelism between the various sectoral agreements concerned.

With this in mind, the Council therefore considered it advisable that:

- internal discussions continue with a view to the preparation and adoption as soon as possible of negotiating directives in the areas which the Council considered to be matters of priority in November 1993 (free movement of persons, research, market access for agricultural products) and in the spheres of technical barriers to trade and access to public contracts, with the aim of holding sectoral negotiations with Switzerland at the appropriate time;

- the Commission continue and speed up the process of clarification with the Swiss authorities so that the Transport Council could be provided as soon as possible with sufficient information on the implementation of the new Article of the Swiss Constitution, enabling it to evaluate the repercussions of the Alpine initiative and to adopt negotiating directives also in the transport sphere.

The Council also noted that the Commission intends to complete its proposals for the priority areas in question in the near future.

### **FORMER YUGOSLAVIA**

The Council heard a report from the Presidency on the ministerial meeting in Geneva on 13 May between the United States, Russia, the Troika of the European Union, and also France and the United Kingdom.

The Council welcomed the results obtained, which had made for greater coherence in the action being carried on with the United States and Russia. It noted that the consensus achieved in Geneva was in line with the European Union's plan of action.

The Council also noted that the necessary arrangements were being made to ensure regular and close contacts between the contact group responsible for negotiations with the parties and the ad hoc Working Party on the Former Yugoslavia, which was charged with determining the European Union's overall action concerning the former Yugoslavia.

The Council reviewed the preparations for setting up the European Union's administration mission in Mostar. It heard a statement by Mr Koschnick, administrator-designate of Mostar, on how he saw his task, and one by Mr Van Eekelen, Secretary-General of the WEU, on the studies being made by that organization with a view to setting up a police force.

The Council adopted a Decision on financing the administration of Mostar: ECU 32 million. The joint action on the conveying of humanitarian aid in Bosnia, adopted on 8 November 1993, was amended accordingly.

### **STABILITY PACT**

The Council held a general discussion on the state of preparations for the Inaugural Conference on the Stability Pact to be held in Paris on 26 and 27 May. It did so in the light of the meeting in Athens on 11 May with senior officials from the participant countries.

The Council approved the points of agreement on the financing of round tables with participant third countries at the headquarters of the institutions of the Union.

The Council called on the Commission to direct its action towards achieving the objectives of the joint action through appropriate economic activities in the implementation of Community programmes.

The Council agreed that after the Paris Conference it would take a decision on the continuation of the Stability Pact joint action.

### **CHILE: APPLES**

The Council approved:

- the conclusion of the Exchange of Letters between the European Community and the Republic of Chile on imports of apples and pears;
- a Regulation laying down special provisions for imports of apples and pears.

## **POST-URUGUAY ROUND NEGOTIATIONS ON SERVICES**

The Council approved a Code of Conduct between the Council, the Member States and the Commission concerning the post-Uruguay Round negotiations on services.

This code of conduct settles, for the time being, the question of the arrangements whereby the Commission will take part in the negotiations on behalf of the Community and its Member States.

## **EUROPEAN ENERGY CHARTER**

The Council received a progress report on the negotiations concerning the prospects for concluding the negotiations on the Energy Charter Treaty.

In this connection, the Conference Chairman had prepared an overall compromise for consideration at the next plenary session of the Conference in June.

At today's Council meeting, the Member States gave their comments on this draft and the Council reached political agreement on certain conclusions which will be finalized by the Permanent Representatives Committee.

## **RULES OF PROCEDURE OF THE COMMITTEE OF THE REGIONS**

The Council was informed by its President of the outcome of his meeting in Athens on 13 May with Mr Blanc, Chairman of the Committee of the Regions, on the question of the Committee's rules of procedure.

The Council noted that it ought to be in a position to approve the rules of procedure formally at one of its meetings before the end of the month.

**PUBLIC ACCESS TO COUNCIL DOCUMENTS**

At the request of the Danish and Netherlands delegations, the Council addressed the difficulties experienced by these two delegations with regard to implementation of the Council Decision of 20 December 1993 on public access to Council documents. The two delegations are opposed to the systematic refusal of requests by private individuals for the release of minutes of Council meetings and have asked for some relaxation of the Council's rules.

The Council noted that the dossier required further technical preparation and instructed the Permanent Representatives Committee to prepare for the discussions it would hold on the subject in June.

The Council approved without debate (as an "A" item) the decision confirming its rejection of the request for information made by a journalist (the Guardian case). The Danish and Netherlands delegations voted against <sup>(1)</sup>.

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<sup>(1)</sup> These delegations asked for an explanation of their votes to be published (see Annex).

**Public access to Council documents - Explanation of the votes cast by the Danish and Netherlands delegations:**

"The Danish and Netherlands Governments would like to recall the decision made by the European Council in Copenhagen that a regime should be developed in order to guarantee optimum access to information by the public.

With regard to the draft decision (in 6556/94) rejecting the request made by The Guardian, the Danish and Netherlands Governments would like to point out that no comparative analysis has been made of, on the one hand, the interests of the citizens seeking information and, on the other hand, the criterion of secrecy of Council deliberations; in the opinion of the Danish and Netherlands Governments, such analysis is essential where the Council bases its rejection on this specific criterion.

Had such a comparative analysis been made, this should have been communicated to The Guardian."

**MISCELLANEOUS DECISIONS**

(adopted unanimously without debate unless otherwise stated)

**Cohesion Fund**

The European Parliament having given its assent on 5 May, the Council adopted the Regulation establishing a Cohesion Fund.

The Fund is provided for in Article 130d of the EU Treaty. Its purpose is to help reinforce the Community's economic and social cohesion through the financing of projects relating to the environment and projects of common interest relating to transport infrastructure.

The Fund will assist Member States with per capita GNP of less than 90% of the Community average which have introduced a programme to meet the conditions of economic convergence. The Member States that currently fulfil the GNP criterion and are eligible under the Fund are Greece, Spain, Ireland and Portugal.

The granting of finance is subject to a form of conditionality: financing for new projects will be suspended if the Council decides that an excessive government deficit exists in a Member State and if the deficit is not corrected within a certain period. Suspension of financing will not take effect less than two years after the entry into force of the Treaty on European Union.

The Fund's total resources for 1993-1999 amount to ECU 15,15 thousand million at 1992 prices. This amount is allocated indicatively between the four beneficiary countries: Spain 52% to 58%, Greece 16% to 20%, Portugal 16% to 20% and Ireland 7% to 10%.

The rate of assistance from the Fund's between 80% and 85% of public, or equivalent expenditure.

The Regulation will come into force on the day following its publication in the Official Journal. As from that date, the Cohesion Fund will replace the cohesion financial instrument created in 1993.

**Relations with Sri Lanka**

The Council decided to sign the Co-operation Agreement between the European Community and the Democratic Socialist Republic of Sri Lanka on partnership and development.

### Relations with Egypt

The Council adopted the position to be taken by the European Union at the 9th meeting of the EC-Egypt Co-operation Council on 16 May 1994 (see EU-Egypt Joint Press Release 2802/94 Presse 95).

### European Economic Area

The Council adopted the position to be taken by the European Union at the first meeting of the EEA Council on 17 May 1994.

### Textiles

The Council adopted a Decision on the conclusion of the Protocol maintaining in force for a further period of 12 months - i.e. until 31 December 1994 - the Arrangement regarding international trade in textiles (MFA). The Protocol had been adopted by the Textiles Committee on 9 December 1993.

### Automobile industry

Following the substantive agreement reached at the Industry Council meeting on 22 April (see Press Release 6442/94 Presse 76), the Council formally adopted the Resolution on the automobile industry.

### Social affairs

Following the Decision adopted by the Representatives of the Governments of the Member States, meeting at Head of State and Government level on 29 October 1993, on the location of the seats of certain bodies and departments of the European Communities and of Europol, the Council adopted an amendment to Regulation (EEC) No 337/75 establishing a European Centre for the Development of Vocational Training, in order to locate the Centre's seat in Thessaloniki.

The new Regulation will apply from 1 September 1994.

## Internal market

Following the Conciliation Committee's approval of a joint text in accordance with the procedures laid down in Article 189b of the Treaty, the Council adopted the European Parliament and Council Directive relating to the mechanical coupling devices of motor vehicles and their trailers and their attachment to those vehicles.

The main aim of the Directive is to make for easier interchangeability between motor vehicles and their trailers by harmonizing the technical requirements that have to be met by mechanical coupling devices. It also seeks to improve the economic and competitive situation of Community road hauliers and to have a beneficial effect on the environment.

## Fisheries

The Council adopted a Decision on the conclusion of an Agreement in the form of an exchange of letters on the provisional application - from 1 December 1993 to 30 November 1996 - of the Protocol annexed to the fisheries agreement between the Community and Mauritius.

Under this new Protocol, which was initialled by the two parties on 26 November 1993, the following fishing opportunities are granted to the Community fleet:

- for ocean-going tuna seiners: licences for 20 vessels;
- for vessels fishing by line (except tuna trollers and tuna surface longliners): licences for 100 GRT/month on an annual average.

Fishing licences may also be granted for tuna trollers and tuna surface longliners.

The financial compensation for the period of application of the Protocol is set at ECU 975 000. In the case of tuna fishing, this compensation covers a catch weight in the waters of Mauritius of 6 000 tonnes of tuna fished per year.

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PRESS RELEASE

6884/94 (Presse 89)

1757th Council meeting

- CONSUMERS -

Brussels, 21 ~~March~~ 1994

*May*

President: Mr Constantin SIMITIS,

Minister for Industry, Energy and  
Technology of the Hellenic Republic

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

Belgium:

Mr Melchior WATHELET Deputy Prime Minister, Minister for Justice and Economic Affairs

Denmark:

Mr Niels Henrik SLIBEN Deputy Permanent Representative

Germany:

Mr Johan EEKHOFF State Secretary, Federal Ministry for Economic Affairs

Greece:

Mr Constantin SIMITIS Minister for Industry, Energy and Technology  
Mr Alexandros BALTAS State Secretary for Trade

Spain:

Mr José CONDE "Subsecretario" for Health and Consumer Affairs

France:

Mr Pierre SELLAL Deputy Permanent Representative

Ireland:

Mrs Mary O'Rourke Minister of State with special responsibility for Labour Affairs

Italy:

Mr Gennaro VISCONTI Director-General for Industry

Luxembourg:

Mr Jean-Marc HOSCHEIT Deputy Permanent Representative

Netherlands:

Mr Ate OOSTRA Deputy Permanent Representative

Portugal:

Mr Joaquim POÇAS MARTINS State Secretary for the Environment and Consumer Affairs

United Kingdom:

Mr David DURIE Deputy Permanent Representative

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Commission:

Mrs Christiane SCRIVENER Member

## DISTANCE CONTRACTS

Following a detailed discussion, the Council was able to agree on points which could constitute the basis of an overall agreement on a common position on the proposal for a Directive on the protection of consumers in respect of distance contracts.

The progress thus made should enable the Council to adopt its common position in the near future, following examination of all the issues still outstanding by the Permanent Representatives Committee.

The points agreed on concerned in particular the following matters :

### **- Scope**

Most delegations could accept the exclusion of financial services alone as a compromise in the context of an overall agreement. In addition, the Commission would undertake to examine and propose any specific measures necessary to strengthen consumer protection in respect of distance selling in the area of financial services, in particular insurance, investment services and credit.

### **- Information to be supplied to the consumer**

- Need to avoid repetition of information to be supplied in writing or on a reproducible medium;
- determination of the language of the contract should be governed by national provisions.

– **Advances and reimbursement**

Possibility of advances, subject to reimbursement in the case of withdrawal.

– **Payment by card**

- There was a broad majority in favour of including a provision on this point in this Directive, possibly supplemented by a reference to the conventions in this area;
- similarly, a broad majority preferred to make provision for cancellation of the payment, rather than just for the possibility of disputing the validity of the payment;
- these provisions would not apply to services involving reservations.

– **Judicial or administrative redress**

Possibility for organizations representing collective interests to take action at national level.

– **Minimal clause**

Possibility for Member States to adopt more stringent provisions, in particular with regard to distance selling of medicinal products.

**SYSTEM OF INFORMATION ON HOME ACCIDENTS (EHLASS)**

The Council reached agreement, with the German and French delegations opposed, on the common position on the Decision introducing a Community system of information on home and leisure accidents (EHLASS) for the period 1994-1997.

The purpose of this system, introduced for the period 1994-1997, is to collect data on home and leisure accidents with a view to promoting accident prevention, improving the safety of consumer products and informing and educating consumers so that they make better use of products, at both national and Community level.

It should ensure the continuation of the system established, after an experimental period, for a year (1993) by a Council Decision in October 1993.

The system will apply to home and leisure accidents which are followed by medical attention and which take place in the home or its immediate surroundings.

The agreement states that the basic information shall be obtained from the casualty departments of hospitals selected by the Member States, except for Germany, Spain and Luxembourg, where the collection of data shall be carried out by means of household surveys.

Provision is made for Community financing, up to a ceiling, at a standard rate representing 80% of the actual annual costs per year, both for hospitals taking part in the data collection and for the household surveys. The estimated amount of Community funding necessary to implement the system is ECU 2,5 million per year.

Once it has been formally adopted after finalization of the texts, the common position will be forwarded to the European Parliament under the co-decision procedure.

**GREEN PAPERS ON****= THE ACCESS OF CONSUMERS TO JUSTICE AND THE SETTLEMENT OF CONSUMER DISPUTES IN THE SINGLE MARKET****= GUARANTEES FOR CONSUMER GOODS AND AFTER-SALES SERVICES**  
**CONCLUSIONS OF THE COUNCIL OF THE EUROPEAN UNION****"THE COUNCIL OF THE EUROPEAN UNION,**

**REAFFIRMING** its conviction that the advantages of the single market must benefit all consumers, that the latter must be encouraged to play a more active part in the operation of that market and that any action to that end contributes to the effort necessary to bring Europe closer to the European citizen;

**NOTING** the importance of access to justice if the internal market is to work in a way which meets consumers' expectations;

**RECALLING** that, in its Resolution of 13 July 1992 on future priorities for the development of consumer protection policy, access to justice and in particular the simplification of the settlement of consumer disputes, as well as "planning the approximation of guarantee arrangements and improvement of after-sales services for goods and services in the internal market", are among these priorities and that, when the Council adopted the Directive on unfair terms in consumer contracts, the Commission was also invited to "examine the procedure for such approximation";

**WELCOMES** with interest these Green Papers and the Resolution adopted by the European Parliament on 22 April 1994 concerning the Green Paper on the access of consumers to justice and the settlement of consumer disputes in the single market;

- as regards the access of consumers to justice and the settlement of consumer disputes in the single market:

**RECALLS** that, in its Resolution of 25 June 1987 on consumer redress, the Council requested the Commission to continue studying the role of consumer organizations "as intermediaries or as direct agents in consumer redress and to examine whether an initiative at Community level would be suitable in this area";

**WELCOMES** the introduction in the Member States of swift and simplified procedures designed to put an end to certain unlawful commercial practices, but notes that in some cases these procedures cannot be entirely effective in preventing unlawful transfrontier practices and **RECALLS** in this connection that its Resolution of 13 July 1992 considered that "consumers' capacity to defend their interests should be strengthened, in particular so as to settle transfrontier consumer disputes";

**SHARES** the concern of the Commission and the European Parliament to find a solution to the problems which these unlawful practices may pose and which might affect consumer confidence in the single market;

**STRESSES** that, since certain unlawful commercial practices have a transfrontier dimension, it may be necessary to develop initiatives at Community level in order to eliminate them;

**REQUESTS** the Commission to intensify as soon as possible the examination it has begun of measures which can be taken by public authorities and/or consumer organizations as well as by professional bodies to prevent unlawful commercial practices;

- as regards guarantees for consumer goods and after-sales services:

**NOTES** both differences and common points in national laws on legal guarantees and **TAKES NOTE** of the Commission's suggestions for possible approximation of such laws;

**TAKES NOTE** of the questions recorded in the Green Paper as regards the way commercial guarantees operate and the questions of definition and precision in the legal rules which form the framework for such guarantees;

**NOTES** that certain matters have not been addressed in the Green Paper, particularly the case of payable "guarantees" which are sometimes added to or replace the original guarantee and the case of after-sales service, of which the only aspect dealt with is the availability of spare parts;

**REQUESTS** the Commission to inform it of the conclusions it draws from the consultations initiated by these two Green Papers.

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In this context, the Commission announced that it intended to organize a Forum on the subject of the two Green Papers at the beginning of October 1994.

**USE OF IMMOVABLE PROPERTIES ON A TIMESHARE BASIS**

The Council took note of the progress of the procedure concerning the proposal for a Directive on the protection of purchasers in respect of certain aspects of contracts relating to the purchase of the right to use immovable properties on a timeshare basis and will take the necessary decisions at the appropriate time, taking into account the Opinion delivered on second reading by the Parliament.

The Conciliation Committee provided for by the co-decision procedure will not, in any event, be able to meet to discuss this matter until after the constitution of the new Parliament.

**COMPARATIVE ADVERTISING**

The Council decided to postpone examination of the amended proposal for a Directive concerning comparative advertising and amending Directive 84/450 concerning misleading advertising until a future meeting.

**APPLICATION OF THE TREATY TO CONSUMER PROTECTION**

The Council took note of an oral report by Mrs Scrivener on the application of the Treaty on European Union to consumer protection.

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There is no record of a 1758<sup>th</sup> meeting.

P R E S S   R E L E A S E

6889/94 (Presse 94)

1759th meeting of the Council

- ENERGY -

Brussels, 25 May 1994

President: **Mr Constantin SIMITIS**

Deputy Prime Minister  
Minister for Industry, Energy and  
Technology  
of the Hellenic Republic

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

Belgium

Mr Jan DE BOCK Deputy Permanent Representative

Denmark

Mr Jann SJURSEN Minister for Energy  
Mr Soeren SKAFTE State Secretary, Ministry of Industry and Energy

Germany

Mr Dieter von WÜRZEN State Secretary, Federal Ministry of Economic Affairs

Greece

Mr Constantin SIMITIS Minister for Industry, Energy and Technology

Spain

Mr Juan Manuel EGUIAGARAY Minister for Industry and Energy

France

Mr Pierre SELLAL Deputy Permanent Representative

Ireland

Mr Brian COWEN Minister for Energy

Italy

Mr Vito GNUTTI Minister for Industry

Luxembourg

Mr Alex BODRY Minister for Energy

Netherlands

Mr Koos ANDRIESSEN Minister for Economic Affairs

Portugal

Mr Luis Filipe PEREIRA State Secretary for Energy

United Kingdom

Mr Patrick McLOUGHLIN Parliamentary Under-Secretary of State,  
Department of Trade and Industry (Trade and Technology)

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Commission

Mr Marcelino OREJA AGUIRRE Member

## **TRANS-EUROPEAN ENERGY NETWORKS**

Pending the European Parliament's Opinion under the co-decision procedure, the Council held a discussion which resulted in a joint guideline on the proposal for a Decision laying down a series of guidelines on trans-European energy networks.

The proposal is based on Title XII of the Treaty and is intended to promote the interconnection, interoperability and development of trans-European energy networks as well as access to such networks in accordance with current Community law, with the aim of

- allowing effective operation of the internal market in general and of the internal energy market in particular;
- facilitating the development and reducing the isolation of the less-favoured regions of the Community, thereby contributing to strengthening economic and social cohesion;
- strengthening the security of the Community's energy supplies, including closer relations with non-Community countries in the energy field in their mutual interest.

It should be noted in the general context of trans-European networks that Council bodies are currently examining a horizontal proposal concerning general rules for the granting of Community financial aid in the field of trans-European networks.

The guidelines worked out by the Council for this proposal relate particularly to priorities for Community action and the general Community approach in this area, as well as criteria for identification of projects of common interest.

The Permanent Representatives Committee was instructed to continue work with a view to adoption of a Council common position as soon as the Parliament had delivered its Opinion.

**INTERNAL MARKET IN ELECTRICITY - PRESIDENCY CONCLUSIONS**

The Presidency, following an in-depth debate on the proposal for a Directive concerning common rules for the internal market in electricity, reached the following conclusions:

- " 1. The necessity of completing the internal energy market and aiming at a more open, transparent, efficient and competitive electricity market in the European Union was reconfirmed without prejudice to the different situations in Member States and the basic principles identified in the Council conclusions of 30 November 1992, in particular security of supply, environmental protection and appropriate transitional periods.
2. The Commission's amended proposal for a Directive concerning common rules for the internal market in electricity was welcomed as a step in the right direction.
3. Transparent public-service obligations imposed by the Member States are of particular importance in the electricity sector so that electricity undertakings can provide the services of general economic interest entrusted to them, in conformity with Article 90(2) of the Treaty.
4. Competition needs to be improved in the field of electricity production. To achieve this objective, Member States should have the possibility of opting for authorization or tendering procedures for new production and transmission capacities, which could coexist in a balanced manner in the European Union. The Permanent Representatives Committee is invited to make a more detailed technical analysis of the modalities of these two producers.
5. Adequate unbundling of accounts of vertically integrated companies is

required so that competition is fair and discrimination and cross-subsidisation are avoided. To achieve transparency, the unbundled accounts should, at the very least, be at the disposal of independent competent authorities appointed by the Member States. The Permanent Representatives Committee is invited to define the extent of such unbundling.

6. The possibility of introducing competition going beyond the stage of electricity production should be considered. In this context, the Commission's proposal of negotiated access to the network was noted as well as an alternative single-buyer system. The Permanent Representatives Committee is invited to analyse in more detail, whether
  - both concepts of negotiated access and a single buyer could coexist in the European Union in a manner allowing for the comparable opening of electricity markets of Member States;
  - possible coexistence would be compatible with the requirements of the Treaty and would represent an improvement in competition at national level.
7. The concept of a competent transmission-system operator mainly responsible for the operation and the maintenance of the network, and enjoying the necessary administrative independence should be examined in order to ensure proper functioning of the interconnected system while introducing more open electricity markets; the duties imposed on the operator should be limited as far as necessary, and accordingly the Permanent Representatives Committee is invited to discuss the necessary adaptations to the proposal.
8. The Council invites the Permanent Representatives Committee to continue the discussion, taking account of today's debate within the Council, with a view to reaching a common position at its next meeting."

**NEW ENERGY POLICY GUIDELINES -  
PRESIDENCY CONCLUSIONS**

Following an exchange of views by the Council on the new energy policy guidelines, the Presidency reached the following conclusions:

"The Council:

- notes the outcome of current proceedings, particularly in the case of the three objectives of long-term energy policy strategy: improving the competitiveness of the economy, security of supply and environmental protection;
- points out the importance of completion of the internal energy market and external relations for implementation of new energy policy guidelines;
- thinks it necessary to continue joint examination of this, with exchanges of information and analysis of trends in the energy sector leading to the drafting of a Green Paper based on a broad consensus. This work will make it possible to clarify the Union's role and contribute to consideration of the whole problem and of the possibility of energy policy being taken into account at the 1996 Intergovernmental Conference on revision of the Treaty on Union."

## EUROPEAN ENERGY CHARTER

The Council held an exchange of views on the progress of work by the Conference on the European Energy Charter Treaty and formally adopted the following conclusions on which political agreement was reached at the meeting of the General Affairs Council on 16 and 17 May 1994:

1. The European Union reaffirms its conviction that the early conclusion of a substantial European Energy Charter Treaty is important, not only for the future economic development of the European Continent, but also for global political stability and future international relations.
2. At the initiative of the European Union, the President of the European Energy Charter Conference accepted to draft a final compromise text for the Charter Treaty, which he presented to the negotiating Parties on 22 April 1994. The EU considers this text a sound basis for proceeding to finalise the negotiations, which will undoubtedly facilitate an agreement at the next and final Plenary in June 1994.
3. Nevertheless, to achieve this goal, there remain certain areas where improvements will need to be made, notably in the fields of trade and investments, including the need for full consistency of the commercial provisions of the Energy Charter Treaty with the relevant provisions of the Treaties and agreements concluded or to be concluded in accordance with those provisions, recalling in particular the agreements being negotiated or to be negotiated with the Countries of Central and Eastern Europe and the Republics of the Commonwealth of Independent States.
4. The EU enters the final Plenary in June ready to reach agreement on a comprehensive package, subject to the satisfactory solution of its fundamental concerns. It

reaffirms its commitment to sign such an Agreement, hopefully in the company of all other negotiating Parties and trusts that they will adopt the same approach.

5. In case there is no satisfactory outcome to the June Plenary the European Union will reconsider how best to proceed. The EU will exercise its best efforts in order to bring the negotiations to a successful end and is convinced that this commitment will be shared by all other negotiating Parties."

**ENERGY AND ECONOMIC AND SOCIAL COHESION**

Following a discussion of energy and economic and social cohesion, the Council adopted the following conclusions:

"The Council,

anxious to strengthen economic and social cohesion and to reduce the disparities between the levels of development of the various countries and regions of the Union, aware of the influence energy decisions have on the fundamental parameters of economic and social cohesion and aware of the role that an increasingly efficient energy sector throughout the Community can have on its economic growth;

- (a) notes the interest in consolidating and expanding the effects that energy related measures and initiatives have for strengthening cohesion;
- (b) welcomes the Commission's initiative proposing an overall approach to "energy/cohesion" problems;
- (c) underlines the importance of accelerating the development of transeuropean energy networks, thus promoting economic and social cohesion;
- (d) underlines the importance of the Commission:
  - to ensure that the objective of strengthening economic and social cohesion is taken into account as appropriate in the elaboration of any new energy policy guidelines, actions and programmes in the energy sector;
  - to ensure that the potential contribution of energy, in particular as regards development and cohesion, is taken into

account in other Community policies, including RDT, transport, agriculture, etc.;

- (e) notes that the Commission has taken account of energy components in the formulation of new Community initiatives (1994-1999), adopted in the framework of the present structural policy;
- (f) asks that the Commission submit to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions, within a period of two years, a report on the contribution of the energy sector to economic and social cohesion;
- (g) recommends that Member States take into account energy components in development plans and programmes, such as:
  - integration of supporting measures, using, where appropriate, Community aid programmes, with three main aims:
    - = extension and improvement of natural gas and electricity networks, also taking into account the interconnections between Member States and third countries;
    - = promotion of energy efficiency and reduction of environmental impact;
    - = optimum use of endogenous energy potential, mainly renewable energy resources;
  - adoption of the necessary supporting measures, such as:
    - = support for regional and local energy bodies,
    - = introduction of training programmes;
    - = removal of barriers to the exploitation of local energy

resources;

- = support for the dissemination of the results of energy programmes;
- = mobilization of financial resources to supplement, where appropriate, Community aid."

## **NUCLEAR SAFETY IN THE CONTEXT OF THE ELECTRICITY SECTOR IN CENTRAL AND EASTERN EUROPE AND IN THE CIS**

Following a discussion of nuclear safety and related energy supply needs in the countries of Central and Eastern Europe and in the EC, the Council adopted the following conclusions:

"THE COUNCIL, reaffirming its commitment to assist with improving nuclear safety in the countries of Central and Eastern Europe and the CIS, and its awareness of the need to pursue such improvements within the framework of sustainable medium and long term energy strategies for those countries;

1. recalls the Council conclusions of 7 December 1992 and of 25 June 1993 and notes the Commission report on "Community assistance in the energy sector to the countries of Central and Eastern Europe and the former Soviet Union"; notes the report submitted to it and to the European Parliament by the Commission on 9 December 1993 under the title "Nuclear safety in the context of the electricity sector in Central and Eastern Europe and the CIS";
2. urges the Commission and the Member States, in the framework of their ongoing co-operation with the countries concerned and, in particular, in appropriate international fora;
  - to prevail on the governments concerned to agree to the earliest practical closure of the less safe reactors that cannot be upgraded to adequate standards of safety at a reasonable cost,
  - to press for the achievement of safety levels for new nuclear power plants and for those maintained in service, equivalent to those in practice in the European Union,
  - to seek actively the development of independent nuclear safety authorities enjoying adequate means and resources in order to ensure their effective operation, and

- to promote the development and implementation of adequate safeguards and controls of nuclear materials and installations.
3. supports, through the relevant European Union and Member States' means taking into account the wider energy situation and the individual characteristics and needs of each country concerned, the development of sources of power alternative to the less safe nuclear power plants; deems that an integrated long term strategy should be defined by each country concerned and encourages the Commission to collaborate, as appropriate, in its definition. Community action and financial instruments should be guided by this strategy which should encourage in particular:
- energy savings in the short, medium and long term, including market energy pricing and integrated resource planning,
  - the diversity and security of energy supply sources whilst ensuring appropriate safety and environmental protection, and
  - the development of energy interconnections and energy trade and co-operation within the region.
4. emphasizes the need, in order to co-operate, develop and reinforce safety investments in nuclear power plants, for:
- the acceptance by the relevant authorities and nuclear operators of their liability for damage arising from possible nuclear accidents and the adoption, as soon as possible by the countries concerned, of relevant international and national legal instruments on liability;
  - the appropriate dissemination of information which could arise from European Union supported programmes;

5. invites the Commission to pursue and continue improving the implementation of the PHARE and TACIS programmes for short and medium term actions, in dialogue with the recipient countries and in consultation with the relevant Member States' experts' group, as well as on the basis of an operational nuclear safety Master Plan; and to continue addressing, as appropriate, safety needs in installations connected with the nuclear fuel cycle and nuclear waste processing and disposal;
6. emphasizes the need to create a favourable environment for investment and industrial co-operation in the energy field while ensuring appropriate safety and environmental protection, as well as transfer of safety culture and exchange of expertise between the nuclear power sectors of the European Union and the countries of Central and Eastern Europe and the CIS; supports the use of the Euratom loan facility and other facilities of the international financial institutions, as well as the exploration of financial means for investments aimed at upgrading nuclear safety or at meeting energy supply needs in the countries concerned in order to help at reducing dependence on the less safe reactors;
7. recommends the continuation of the major role played by the European Union in the wider international efforts to help the countries of Central and Eastern Europe and the CIS to upgrade nuclear safety; supports the maintenance of the role of the Commission in co-ordinating G-24 assistance; invites the Commission to submit a report evaluating the activities of the EBRD nuclear safety account, pursuant to the Council decision of 30 March 1994, on the basis of which to put forward, in due time and if necessary, proposals for any further measures it considers appropriate in order to allow for urgent operational and technical safety improvements, in particular in the less safe nuclear power plants, in the countries of Central and Eastern Europe and of the CIS;

8. reaffirms its support to the European Energy Charter and the early conclusion and implementation of the Charter Treaty and associated texts.”

**THERMIE-II PROGRAMME**

The Council took note of the presentation by Mr OREJA of the Commission proposal concerning a Community programme providing financial support for the promotion of European energy technology 1995-1998 (THERMIE II).

This proposal covers those aspects of energy demonstration which, in application of the Treaty, would not be incorporated in the 4th framework programme for research and development.

Following an exchange of views, the Council instructed the Permanent Representatives Committee to examine the proposal in preparation for discussion by the Council at a subsequent meeting.

**OTHER DECISIONS IN THE ENERGY SECTOR**

(adopted unanimously without debate unless otherwise indicated)

**Internal hydrocarbons market**

Following the co-decision procedure with the European Parliament, the Council adopted the Directive on the conditions for granting and using authorizations for the prospection, exploration and production of hydrocarbons.

The Directive's aim is to ensure non-discriminatory access within the internal market to the activities in question under conditions which encourage greater competition in this sector.

It is based on the principle that Member States have sovereignty and sovereign rights over hydrocarbon resources situated on their territories. Member States therefore retain the right to determine the areas in their territory to be made available for the exercise of the activities in question.

Whenever an area is made available for the exercise of the activities of prospecting, exploring for and producing hydrocarbons, Member States shall ensure that there is no discrimination between entities as regards access to such activities.

Member States may refuse, on grounds of national security, to allow access to these activities to any entity which is effectively controlled by third countries or third-country nationals.

Member States must comply with the Directive no later than 1 July 1995. Certain new authorizations granted by Denmark before 31 December 2012 shall be the subject of derogations.

**MISCELLANEOUS DECISIONS**

(adopted unanimously without debate unless otherwise indicated)

**Summertime**

Following the co-decision procedure with the Parliament, the Council adopted the seventh Directive on summertime arrangements, whereby the summertime period for the years 1995, 1996 and 1997 will begin on the last Sunday in March at 1 a.m. Greenwich Mean Time, and will end at 1 a.m. Greenwich Mean Time:

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

The harmonization as from 1995 of summertime arrangements should facilitate transport and communications within the internal market as well as reducing the costs involved.

**Committee of the Regions**

The Council approved the Rules of Procedure of the Committee of the Regions.

**Haiti**

With a view to implementation of United Nations Security Council Resolution 917(1994), the Council recorded its agreement to the following acts:

- Decision concerning the common position defined on the basis of Article J.2 of the Treaty on European Union regarding the reduction of economic relations with Haiti;
- Recommendation concerning a discontinuation of certain financial and economic relations with Haiti;
- Regulation introducing a discontinuation of certain financial and economic relations with Haiti;
- Decision of the Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, introducing a discontinuation of certain financial and economic relations with Haiti;
- Regulation prohibiting the satisfying of claims by the Haitian Authorities with regard to contracts and transactions the performance of which was affected by the measures imposed by or pursuant to United Nations Security Council Resolutions 917(1994), 841 (1993), 873(1993) and 875(1993).

PR 4511 RELEASE

7172/94 (Presse 99)

1760th Council meeting

- TELECOMMUNICATIONS -

Brussels, 30 May 1994

President: **Mr Ioannis HARALAMBOUS**

Minister for Transport  
and Communications of  
the Hellenic Republic

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

Belgium:

Mr Elio DI RUPO Deputy Prime Minister and Minister for Communications and Public Undertakings

Denmark:

Mr Helge MORTENSEN Minister for Communications  
Mr Helge ISRAELSEN State Secretary for Communications

Germany:

Mr Wolfgang BÖTSCH Federal Minister for Post and Telecommunications

Greece:

Mr Ioannis HARALAMBOUS Minister for Transport and Communications  
Mr Athanasios TSOURAS State Secretary for Transport

Spain:

Mr José BORRELL FONTELLES Minister for Public Works, the Environment and Transport

France:

Mr Pierre SELLAL Deputy Permanent Representative

Ireland:

Mr John LOUGHREY Secretary, Ministry of Tourism, Transport and Communications

Italy:

Mr Giuseppe TATARELLA Minister for Posts and Telecommunications

Luxembourg:

Mr Alex BODRY Minister for Posts and Telecommunications

Netherlands:

Mr A. OOSTRA Deputy Permanent Representative

Portugal:

Mr Carlos COSTA State Secretary for Housing

United Kingdom:

Mr David DURIE Deputy Permanent Representative

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Commission:

Mr Martin BANGEMANN Member

**APPLICATION OF OPEN NETWORK PROVISION TO VOICE TELEPHONY**

The Council:

- recorded its political agreement on confirmation of the common position without the Parliament's amendments, while providing for entry in the minutes of the following statement for the attention of the European Parliament:

"The Council confirms its commitment, reiterated on 29 October 1993, to resume discussion of the question of committee procedure.

The arrangements for implementing this Directive will be re-examined if justified by the outcome of that discussion."

- planned formal confirmation of the common position, as an "A" item, at one of its June meetings in order to take account of the scheduling constraints of the new Parliament. The European Parliament will therefore have six weeks, following that confirmation, in which to act on the Council decision.

**ADVANCED TELEVISION****– FRAMEWORK FOR COMMUNITY POLICY ON DIGITAL VIDEO  
BROADCASTING – COUNCIL RESOLUTION**

The Council recorded its political agreement on the following Resolution, the text of which will be formally adopted at a forthcoming Council meeting.

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Whereas the Community, through Council Decision 89/337/EEC, Council Decision 89/630/EEC, Council Directive 92/38/EEC and Council Decision 93/424/EEC, recognized the strategic importance of advanced and high-definition television for the European consumer electronics industry and for the European television and film industries, and established the strategy framework for the introduction of European advanced and high-definition television;

Whereas the Council, in Council Resolution 93/C 209/01, invited the Commission to submit to the Council a communication on digital television;

Whereas on 18 November 1993 the Commission submitted to the Council a communication entitled "Digital Video Broadcasting – a Framework for Community Policy";

Whereas digital technology offers significant benefits for the future of television and for the future electronic information highways;

Whereas the benefits will be best achieved if a harmonious approach, based on a long-term perspective, is adopted from the start;

Whereas common standards are an essential prerequisite for such an approach;

Whereas relevant research and development activities in the Community should be reinforced and appropriate studies on frequency allocation and implementation scenarios intensified;

Whereas the development of digital television technology is a worldwide phenomenon and whereas the search for the highest degree of compatibility between the various regions of the world in this area is a desirable objective,

WELCOMES the Commission communication entitled "Digital Video Broadcasting – a Framework for Community Policy", which provides an excellent basis for the Council's examination;

1. CONSIDERS that:

1.1. digital technology offers the potential of significant benefits for the future of television and, in the broader sense, for the future electronic information highways or integrated broadband communications, for which digital television can be a driving force;

1.2. these potential benefits will only be fully achieved in practice if market implementation takes place in a harmonious fashion which facilitates and does not retard the progressive development of the market towards new and more advanced services in a smooth and compatible manner;

- 1.3. an essential precondition for this harmonious market evolution is the adoption in the market of common standards which, while providing necessary market clarity for both producers and consumers in the short term for early introduction of digital television services, also provide the potential for subsequent smooth upgrading to new and higher grades of service, including high-definition television in response to market demand;
  - 1.4. conditional access is an important matter for the providers and consumers of pay-television services and for the rights holders of programmes. European Union policy in this area should be based on ensuring fair and open competition, on protecting the interests of the consumer and on minimizing the possibility of piracy;
2. DECLARES that:
- 2.1. the preferred way to achieve the objective of harmonious market development referred to above would be by means of a consensus process involving all relevant economic agents, including broadcasting organizations, and that it looks forward to any voluntary agreements which may be made by such agents in this regard;
  - 2.2. it is willing, however, to introduce regulatory measures, if required, under the conditions that:
    - (i) adequate and timely consensus among economic agents, including broadcasting organizations, to ensure the harmonious evolution of the market is lacking,

and/or

- (ii) the requirements of fair and open competition, consumer protection or other significant public interest so demand,

in order to facilitate the achievement of this objective and the protection of those interests;

3. NOTES that:

the industry consultation process on conditional access under the auspices of the European Digital Video Broadcasting Project has allowed progress to be made but is not yet concluded and further examination by Member States and by the Commission is necessary to determine, in the light of the policy framework outlined in point 2 above, additional measures required in order to achieve the objectives of European Union policy for conditional access as set out in point 1.4 above;

4. WELCOMES the Commission's intention to:

- 4.1. include in its proposals for the specific programmes under the Fourth Framework Programme R&D activities in relevant areas with the objective of ensuring that all necessary elements of technology are available for planning the long-term strategy toward multimedia systems and services;
- 4.2. encourage the process of standardization of digital television, in particular through the issuing of briefs to European standardization bodies;
- 4.3. encourage the development of implementation scenarios for digital video broadcasting by economic agents and national administrations and monitor such development;

- 4.4. encourage studies on spectrum availability and strategic issues relating to frequencies by relevant European organizations and monitor such studies;
- 4.5. maintain a political dialogue with third parties, including the United States of America and Japan, and encourage the market parties to identify and agree common elements in the future television systems to be implemented throughout the world, while keeping Member States fully informed of any relevant results;
5. INVITES the Commission to:
  - 5.1. monitor closely all relevant developments in relation to digital video broadcasting and report on such developments to the Council, together with any proposals for action which may be required, as soon as it is necessary and useful to do so and in any event before 1 July 1995.

**– USE OF STANDARDS FOR THE TRANSMISSION OF TELEVISION SIGNALS – COUNCIL CONCLUSIONS**

**THE COUNCIL OF THE EUROPEAN UNION:**

- was informed by Mr BANGEMANN, on behalf of the Commission, of:
  - = his opinion that significant progress had been achieved in the consultation process underway between the economic actors under the auspices of the European Project for Digital Video Broadcasting, but that further progress was required to achieve an overall consensus;
  - = his intention that after a short additional period of consultation of the market parties to be completed by September 1994, the Commission would forward to the Council an amended version of its proposed directive with a suitable Article on conditional access, taking into account the Opinion of the European Parliament;
  - = his suggestion to allow a further short period before taking decisions,
- held an exchange of views on the matter,
- affirmed the importance of conditional access for the consumers and providers of digital pay-television services and for the rights holders of programmes,
- concluded that it was close to an agreement on a text based on the initial proposal by the Commission but felt that for the moment it was preferable to postpone the decision on a common position until the next Telecommunications Council, taking into account the information given by Mr BANGEMANN as mentioned above.

INFRASTRUCTURES IN THE FIELD OF INFORMATION (PROCEEDINGS OF THE  
BANGEMANN GROUP)

The Council took note of the oral report made by Mr BANGEMANN, Member of the Commission, on the activities and progress of the Bangemann Group.

The Group was set up by the Brussels European Council to report to the forthcoming Corfu European Council on specific measures to be taken into consideration by the Community and its Member States on infrastructures in the field of information.

Mr BANGEMANN's report provided delegations with an opportunity to give their initial reactions on the subject. After stressing the very special role of the Telecommunications Council in this area, several delegations wanted a report in writing as soon as possible.

**DEVELOPMENT OF THE INTEGRATED SERVICES DIGITAL NETWORK (ISDN) AS A  
TRANS-EUROPEAN NETWORK**

The Council held an in-depth discussion on:

- a proposal for a European Parliament and Council Decision on a series of guidelines for the development of the ISDN as a trans-European network;
- a proposal for a Council Decision adopting a multiannual Community action programme on the development of the ISDN as a trans-European network (TEN-ISDN);

It was noted that the ISDN was a general, multi-purpose network integrating a large variety of voice, data and image services via a single network access, which was evolving out of today's telephone network. The aim of the above two proposals was to harmonize the introduction of the ISDN in all the Member States.

The discussions paid particular attention to the first Decision, although a qualified majority has not emerged at this stage in favour of the text insofar as the German, French and United Kingdom delegations were unable to withdraw their reservations.

The Permanent Representatives Committee was instructed to continue examining these proposals.

**- 4TH ANNUAL PROGRESS REPORT ON THE ISDN - COUNCIL CONCLUSIONS**

The Council,

Having regard to Council Recommendation 86/659/EEC on the co-ordinated introduction of the Integrated Services Digital Network (ISDN) in the Community;

Having regard to the Annual ISDN Progress Report 1993 from the Commission;

Having regard to the launching of EURO-ISDN based on harmonized standards at the end of 1993;

Whereas the Council Recommendation of 5 June 1992 <sup>(1)</sup> calls for the application of the open network access principles to ISDN;

Whereas the Council in its Resolution of 5 June 1992 <sup>(2)</sup> has recognized the importance of developing ISDN in the context of trans-European networks;

Whereas EURO-ISDN is considered as a first major element of the advanced information networks in the Community;

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<sup>(1)</sup> OJ No L 200, 18.7.1992, p. 10.

<sup>(2)</sup> OJ No C 158, 25.6.1992, p. 1.

Whereas EURO-ISDN will rapidly develop into a universal access and delivery platform for generic services and applications;

Whereas EURO-ISDN is of particular importance for the 14 million small and medium-sized enterprises in the Community which typically depend on a general, publically available service offering;

Encourages the public network operators:

- to continue their co-ordination with regard to the introduction of EURO-ISDN in the Community;
- to co-operate for the enhancement of the common set of services notably with a view to ensuring interoperability of generic services;
- to introduce a harmonized packet mode bearer service on the D-channel on the ISDN access throughout the Community, taking into account market demand;

Invites the Commission:

- to continue with the promotion of the co-ordinated introduction of EURO-ISDN in the Member States of the Community;
- to continue with the support for the European ISDN User Forum;
- to undertake where necessary suitable initiatives for the availability of compatible generic services.

## TRANS-EUROPEAN DATA-COMMUNICATIONS NETWORKS BETWEEN ADMINISTRATIONS

The Council held a policy debate on:

- a proposal for a Decision on a series of guidelines on trans-European data communications networks between administrations;
- a proposal for a Council Decision adopting a multiannual Community action programme to support the implementation of trans-European networks for the interchange of data between administrations (IDA).

These proposals cover a set of measures to enable national administrations and Community institutions and bodies to treat and interchange, through the implementation and use of trans-European data-communications networks, the information necessary to the functioning of the Internal Market and implementation of common policies.

The Council discussed four basic questions, namely: the legal basis, the list of projects of common interest (PCI), financial questions and the committee procedure.

At the end of the debate, the Council instructed the Permanent Representatives Committee to continue discussions in the light of today's debate and the Opinion to be delivered by the European Parliament.

– INFORMATION EXCHANGE BETWEEN ADMINISTRATIONS – COUNCIL RESOLUTION

The Council agreed on the following Resolution. It will be formally adopted after finalization of the texts.

The Council of the European Union,

Having regard to the Treaty establishing the European Community,

Having regard to the Council Resolution of 7 December 1992 on making the single market work <sup>(3)</sup>,

Having regard to the communication from the Commission to the European Parliament and the Council on trans-European data communications networks between administrations and the related proposals <sup>(4)</sup>,

Having regard to the communication from the Commission to the Council and the European Parliament entitled "Reinforcing the effectiveness of the internal market" and the accompanying working document <sup>(5)</sup>,

Having regard to the communication from the Commission to the Council and the European Parliament on the development of administrative co-operation in the implementation and enforcement of Community legislation in the internal market <sup>(6)</sup>,

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<sup>(3)</sup> OJ No C 334, 18.12.1992, p. 1.

<sup>(4)</sup> COM(93) 69 final of 12.3.1993.

<sup>(5)</sup> COM(93) 256 final of 2.6.1993.

<sup>(6)</sup> COM(94) 29 final of 16.2.1994.

Whereas the internal Market Council, in its conclusions of 31 March 1992, called on the Member States and the Commission to co-ordinate such actions as may have a significant impact on the establishment and development of trans-European networks;

Whereas the crucial and growing need for administrative co-operation calls for the establishment of reliable and efficient systems for the exchange of information between administrations;

Whereas communication and information exchange systems complying with recognized common standards could lay the foundations for a broad range of different types of information exchange, provided that all the components of such systems comply with common specifications on interoperability;

Whereas the administrations concerned should collaborate on developing a common framework for the future development of communication and information exchange systems for the administrations involved in the operation of the European Community;

Whereas conditions and support measures for co-ordinated implementation should be provided for,

#### RECOGNIZES THE NEED:

1. for adequate co-ordination between all parties concerned throughout the cycle of development and operation of systems for communication and information exchange between administrations involved in administrative co-operation within the European Community in order to ensure that these systems are efficient and interoperable;

2. to avoid duplication and to ensure optimum use of available resources, in particular by seeking the most viable means in terms of cost-effectiveness of satisfying requirements for information exchange between administrations;
3. to provide the European Community with effective, user-friendly tools and working methods to attain its objectives and implement its policies;
4. for support measures in order to ensure the efficient exchange of information between administrations, such as data protection measures and measures for the protection of individuals with regard to the processing of personal data;

**CONSIDERS THAT THE FOLLOWING OBJECTIVES SHOULD BE PURSUED:**

5. co-ordination of all activities relating to the introduction and operation of communications and information exchange systems between administrations, at both European Community and national levels;
6. development of a common framework, complying with the relevant international or European standards, for the future development of systems for communication and information exchange between administrations;

7. progressive introduction, in appropriate areas corresponding to identified needs, of operational communication and information exchange systems between the administrations involved in the European Community's operation;

**CALLS ON THE COMMISSION AND THE MEMBER STATES TO:**

8. take measures, at the appropriate level and respecting the principle of subsidiarity, to ensure efficient co-ordination between Member States, the Commission and the other institutions of the European Community and, on their own responsibility, within each of them. That co-ordination must cover all stages of development, from the feasibility study to the operational stage of communication and information exchange systems between administrations;
9. encourage and facilitate communication and good co-operation between all parties involved in setting up and operating communication and information exchange systems used to assist in pursuing the objectives and implementing the policies of the European Community:
  - 9a. regularly monitor the implementation of the actions referred to in points 8 and 9 above, paying particular attention to the assessment, verification and evaluation of the return on the resources committed;
10. propose provisions for the protection of individuals with regard to the processing of personal data so as to maintain public confidence;

## CALLS ON THE OTHER INSTITUTIONS, BODIES AND AGENCIES OF THE COMMUNITY TO:

11. where appropriate, participate in and contribute to measures undertaken in the context of the co-ordinated introduction of communication and information exchange systems between administrations;

## CALLS ON THE COMMISSION TO:

- 11a. submit to the Council, every two years and for the first time in 1996, a report accompanied, if need be, by appropriate proposals on follow-up to this Resolution;

## AGREES TO:

12. examine, as a matter of priority, any initiatives that the Commission proposes in the areas within its competence.

## GREEN PAPER ON MOBILE COMMUNICATIONS

The Council took note of Mr Bangemann's presentation of the Commission's recently adopted Green Paper on mobile personal communications, an area in which the Council, in its Resolution of July 1993, had deemed that a Community policy, to which the publication of the Green Paper should make a contribution, in the short term constituted one of the main aims of the Community's telecommunications policy.

The aim of the Green Paper was to launch discussions in which the Council and the European Parliament, the Economic and Social Committee and the Committee of the Regions, consumers and professional users, fixed and mobile network operators and suppliers of services, manufacturers of mobile equipment and fixed networks would be called upon to take an active part; those involved in the information and multi-media technology sectors, trade unions and other organizations representing social interests within the sector and organizations responsible for data and privacy protection would also be involved.

At the end of the discussion that followed the Commission's presentation, the Council welcomed the approach proposed by the Commission and a majority of delegations wanted the proposed discussions to be expedited.

**MUTUAL RECOGNITION OF LICENCES AND OTHER NATIONAL AUTHORIZATIONS FOR  
TELECOMMUNICATIONS AND SATELLITE NETWORK AND/OR SATELLITE  
COMMUNICATIONS SERVICES**

The Council took note of progress on two proposals for Directives on:

- mutual recognition of licences and other national authorizations for telecommunications services
- a policy for the mutual recognition of licences and other national authorizations for the provision of satellite network services and/or satellite communications services.

The proposals are designed to facilitate the provision of telecommunications services in the Community. The first, which is broader in scope, covers all telecommunications services except for voice telephony, telex, and satellite mobile communications services. The second proposes specific measures in the latter field of satellite communications.

They thus contain a single procedure for the mutual recognition of national authorizations for the supply of such services, with some provisions specific to satellite communications also being laid down in the second proposal.

At the end of the discussions the Council instructed the Permanent Representatives Committee to continue examining the proposals in the light of those discussions so that, subject to the Opinion of the European Parliament on the first proposal, common positions could be adopted as soon as possible.

**POSTAL SERVICES**

The Council took note of the Commission's presentation of action taken on the Council Resolution of 7 February 1994, in particular regarding the possible submission, before 1 July 1994, of proposals on the definition of a universal service, the quality of that service and technical standardization.

The Commission also informed the Council of progress made by operators in discussions on the development of a system of terminal dues.

**OTHER BUSINESS**

The Council took note of:

- a statement by Mr BANGEMANN on the communication on space segment access to be submitted by the Commission in the next few days;
- the Commission's views on developments in the market in personal satellite communications services (LEOs) in the United States and its possible implications for the Community in view of the universal nature of these services.

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7173/94 (Presse 100)

1761st Council meeting

**AGRICULTURE**

Brussels, 30 and 31 May 1994

President: Mr Georges MORAITIS,

Minister for Agriculture of the  
Hellenic Republic

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

**Belgium:**

Mr André BOURGEOIS                    Minister for Agriculture

**Denmark:**

Mr Bjørn WESTH                         Minister for Agriculture and Fisheries

**Germany:**

Mr Jochen BORCHERT                    Federal Minister for Food, Agriculture and Forestry

Mr Franz-Josef FEITER                 State Secretary, Federal Ministry of Food, Agriculture and Forestry

**Greece:**

Mr Georges MORAITIS                  Minister for Agriculture

Mr Floros CONSTANTINOU              State Secretary for Agriculture

**Spain:**

Mr Luis ATIENZA                         Minister for Agriculture, Fisheries and Food

**France:**

Mr Jean PUECH                          Minister for Agriculture and Fisheries

**Ireland:**

Mr Joe WALSH                             Minister for Agriculture, Food and Forestry

**Italy:**

Ms Adriana POLI BORTONE              Minister for Agriculture and Forests

**Luxembourg:**

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

**Netherlands:**

Mr Piet BUKMAN                         Minister for Agriculture, Nature Conservation and Fisheries

**Portugal:**

Mr Antonio DUARTE-SILVA              Minister for Agriculture

**United Kingdom:**

Mrs Gillian SHEPHARD                 Minister for Agriculture, Fisheries and Food

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**Commission**

Mr René STEICHEN                      Member

## AGRICULTURAL PRICES AND RELATED MEASURES (1994/1995)

### - MILK SECTOR

When examining the proposals on the prices for agricultural products and on related measures for 1994/1995, the Council and the Commission agreed that a decision on this matter was a vital and urgent priority and that it should be taken before the end of June 1994 to avoid any difficulty in the management of agricultural markets.

The next Council meeting was brought forward to 20 June. Before then, the Presidency will meet all the delegations in their respective capitals to prepare for the decision.

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Meanwhile, the Council extended, for the period 1 to 30 June 1994, the Regulation fixing the basic price and the buying-in price for cauliflowers, peaches, nectarines, lemons, tomatoes and apricots.

## CREATING AN INSTITUTIONAL FRAMEWORK FOR INTER-BRANCH ORGANIZATIONS IN THE AGRICULTURAL SECTOR

The Council examined a paper from the Presidency on the creation, at European Union level, of an institutional framework for the introduction and operation of inter-branch agreements and organizations in the agriculture and food sectors. This would be a general framework covering all sectors, whether or not they have a common market organization, and whether they have been reformed or are currently undergoing reform.

The Presidency believes that inter-branch organizations can play an important role in developing European agriculture and making it more competitive.

The Commission said that in October 1990 it had submitted a communication on this subject. The communication was based on a sectoral and pragmatic approach and had been endorsed by the Council. This approach was embodied in the reform of the common organization of the tobacco market in 1992 and was reflected in the proposal for reforming the common organization of the wine market now being submitted to the Council.

During the discussion that followed, delegations put forward their observations and preferences in the matter. For the most part they reaffirmed the importance of inter-branch organizations, although they also laid stress on the type of rules that ought to govern such organizations, i.e. the optional nature of the organizations, guarantees as to their representativity, and the need to ensure transparency by a democratic mode of operation.

In conclusion, the Presidency called on the Commission to take into consideration the views which the delegations had expressed during the discussion.

#### COMMUNITY PLANT VARIETY RIGHTS

The Council examined once more the Commission's proposal on Community plant variety rights, involving a special type of industry property rights for developing new varieties.

The Council began by confirming the majority position it had reached at its meeting in December 1993 with regard to "farmer's privilege" (seeds obtained by a farmer and used on his own holding).

The Council then considered the other unresolved points of the proposal, i.e. the legal basis, the working languages of the proposed Community Office, the role of the Commission, committee procedure and the financial provisions.

The Presidency's compromise solutions on these matters met with a very favourable response. The Presidency asked delegations to withdraw their remaining specific reservations so that the Council could adopt the Regulation at its next meeting. The seat of the office will be decided at intergovernmental level, possibly at the same meeting.

PROBLEMS CONCERNING BSE (Bovine spongiform encephalopathy)

The Council heard a statement by the German Minister on the continuing public concern in Germany about bovine spongiform encephalopathy. He welcomed the undertakings given by the Commission on 21 April 1994 and the initiatives it had taken since then, but stressed the need for further Community protection measures, especially as regards the trade in meat and live animals from the United Kingdom.

In reply, the Commission reported on the measures that had been taken or were envisaged in the near future, including a ban on using ruminant meal to feed ruminants and the recommendation on guidelines for the exclusion of potentially dangerous tissues in the preparation of cosmetics. The Commission was also continuing to look at the control measures introduced in 1990, in particular by despatching Community inspection teams.

The Council noted the reactions of the delegations, which generally welcomed the Commission's initiatives and emphasized the need to monitor developments in scientific research so as to ensure better consumer protection and preserve the high standard of the Community's beef and veal market.

MISCELLANEOUS DECISIONS(adopted unanimously without debate unless otherwise stated)Other agricultural decisions

The Council adopted:

- a Regulation amending Regulation No 338/91 determining the Community standard quality of fresh or chilled sheep carcasses and Regulation No 2137/92 concerning the Community scale for the classification of carcasses of ovine animals and determining the Community standard quality of fresh or chilled sheep carcasses.

This Regulation:

- = enables the current definition of standard quality to continue to apply until the end of the 1997 marketing year;
- = postpones until the year 2000 the compulsory application of the Community scale.

- Regulations:

- = amending Regulation No 2390/89 laying down general rules for the import of wines, grape juice and grape must.

This Regulation extends by eight months - until 31 December 1994 - the special rules allowing a certain flexibility as regards certificates of origin and analysis reports to be supplied by the United States, subject to that country offering specific guarantees accepted by the Community.

- = amending Regulation No 1873/84 authorizing the offer or disposal for direct human consumption of certain imported wines which may have undergone oenological processes not provided for in Regulation No 822/87.

This Regulation extends by eight months - until 31 December 1994 - the derogation allowed in respect of wines from the United States.

### Generalized tariff preferences

The Council adopted:

- a Regulation suspending the generalized tariff preferences for certain products originating in the Republic of Korea. The suspension takes effect on 1 July 1994 and concerns the preferences allowed to Korea under the GSP for textile products covered by the MFA. It is in response to Korea's decision to raise, from 1 January 1994, its import duties on certain products, for some of which the Union is Korea's main supplier, especially in the textile sector.
- a Regulation applying supplementary generalized tariff preferences in respect of certain products originating in countries benefiting from generalized preferences and sold at the Berlin "Partners in Progress" Fair. Under this Regulation, the advantages of the generalized preference scheme will apply to products exhibited at the Fair for which a contract of sale is concluded there, even if the amounts or the ceilings specified by the GSP in general have been used up or reached.

### Fisheries

Following the policy agreement reached at the Fisheries Council meeting on 12 April 1994 (see Press Release 6165/94 Presse 59), the Council adopted by a qualified majority - the Irish delegation voted against - a Regulation on adjustments to the arrangements in the fisheries Chapters of the Act of Accession of Spain and Portugal.

Under this Regulation, Spain and Portugal will be integrated into the general scheme of the common fisheries policy as from 1 January 1996, in full compliance with the *acquis communautaire*, in particular the principle of relative stability and the exceptions to the principle of free access to waters as laid down by Council Regulation No 3760/92.

### ECSC assent

The Council gave its assent to a draft Commission Decision on the introduction of transitional tariff measures for products covered by the ECSC Treaty for certain countries of Central and Eastern Europe, the former USSR and of the former Yugoslavia, until 31 December 1994 to take account of German unification. The Decision authorizes Germany to maintain for the five new Länder the preferences which the former GDR used to grant the above countries for products covered by the ECSC Treaty under its policy for supplying some of its processing industries.