

COUNCIL OF THE EUROPEAN COMMUNITIES

PRESS RELEASES

PRESIDENCY: IRELAND

JANUARY-JUNE 1990

Meetings and press releases 7-22 May 1990

Meeting number	Subject	Date
1400 th	General Affairs	7 May 1990
1401 st	Internal Market	14 May 1990
1402 nd	Health	17 May 1990
1403 rd	Culture	18 May 1990
1404 th	Energy	21 May 1990
1405 th	Agriculture	21-22 May 1990

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

Belgium:

Mr Mark EYSKENS Minister for Foreign Affairs

Mr Paul DE KEERSMAEKER State Secretary, European Affairs

Denmark:

Mr Uffe ELLEMANN-JENSEN Minister for Foreign Affairs

Mr Jørgen ØRSTRØM MØLLER State Secretary,
Ministry of Foreign Affairs

Germany:

Mr Hans-Dietrich GENSCHER Federal Minister for Foreign
Affairs

Ms Irmgard ADAM-SCHWAETZER Minister of State,
Federal Ministry of Foreign
Affairs

Greece:

Mr Antonis SAMARAS Minister for Foreign
Affairs

Spain:

Mr Pedro SOLBES MIRA State Secretary for relations
with the European Communities

France:

Mr Roland DUMAS Ministre d'Etat,
Minister for Foreign Affairs

Ireland:

Mr Gerard COLLINS	Minister for Foreign Affairs
Ms Maire GEOGHEGAN-QUINN	Minister of State with responsibility for EEC matters

Italy:

Mr Gianni DE MICHELIS	Minister for Foreign Affairs
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Luxembourg:

Mr Jacques F. POOS	Minister for Foreign Affairs
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Netherlands:

Mr H. van den BROEK	Minister for Foreign Affairs
Mr Piet DANKERT	State Secretary for Foreign Affairs

Portugal:

Mr João de DEUS PINHEIRO	Minister for Foreign Affairs
Mr Vitor MARTINS	State Secretary for European Integration

United Kingdom:

Mr Francis MAUDE	Minister of State, Foreign and Commonwealth Office
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Commission:

Mr Jacques DELORS	President
Mr Frans H.J.J. ANDRIESSEN	Vice-President
Mr Henning CHRISTOPHERSEN	Vice-President
Mr Antonio CARDOSO E CUNHA	Member
Mr Jean DONDELINGER	Member
Mr Abel MATUTES	Member
Ms Vasso PAPANDEOU	Member

RELATIONS WITH THE CENTRAL AND EASTERN EUROPEAN COUNTRIES

European Training Foundation and TEMPUS scheme

The Council adopted a Regulation establishing a European Training Foundation and a Decision establishing a Trans-European Mobility Scheme for University Studies, "TEMPUS".

The two Decisions follow requests from the European Council in Strasbourg on 8 and 9 December 1989: they come within the context of economic aid for Central and Eastern Europe. A Regulation organizing such aid for Poland and Hungary was adopted on 18 December 1989; it also covered training, in order to support the process of economic and social reform in those countries. The extension of such aid - and thus the scope of the above two texts - to Bulgaria, Czechoslovakia, the GDR, Romania and Yugoslavia was approved in principle by the special European Council in Dublin on 28 April 1990.

Both instruments - the Foundation and the TEMPUS scheme - are to make a contribution to the effective provision of training assistance for the countries of Central and Eastern Europe to support the process of reform, given that training has been identified as one of the priority areas for co-operation.

For the two instruments to be fully effective, the Community's experience in the fields of vocational training, inter-university co-operation, student exchange and co-operation between industry and universities will be called upon. Thus, the Training Foundation is to establish close links with the European Centre for the Development of Vocational Training (CEDEFOP) in Berlin, and the

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TEMPUS programme will be able to take advantage of experience with programmes such as ERASMUS, COMETT and LINGUA in the Community, and will be implemented in close contact with those programmes.

Furthermore, in both cases close collaboration will be sought with existing national and international institutions in these areas. As for relations with third countries, the Foundation created by the Community is open to participation by third countries - particularly the G 24 countries - which share the commitment of the Community and its Member States to the provision of aid to Central and Eastern Europe in the training field. For the Community's TEMPUS programme, provision has been made for appropriate co-ordination with similar projects developed by third countries, and this may go as far as participation by those countries in TEMPUS projects.

On the question of funding, both instruments will be financed from funds in the Community budget specially earmarked for the countries of Central and Eastern Europe. The Commission has stated that, taking into account current contacts with present and likely future eligible countries, as well as the proposed revised financial perspectives, the indicative level of Community funding for the work of the European Training Foundation and for the TEMPUS Scheme, to be taken from the overall budget for aid to Central and Eastern Europe, could be of the order of ECU 300 million, for a period of three years (1990-1992).

However, this projection will have to be revised in the light of the annual programming of overall PHARE resources, in accordance with the precise needs and priorities expressed by the eligible countries, and as experience is gained in the implementation of the aid programme.

The objective of the European Training Foundation is to contribute to the development of the vocational training systems of the countries of Central and Eastern Europe. In particular, it is to

- seek to promote effective co-operation between the Community and the eligible countries in the field of vocational training;
- contribute to the co-ordination of assistance provided by the Community, its Member States and third countries which have concluded agreements on participation;

Its work will cover initial and continuing vocational training as well as retraining for young people and adults, including in particular management training.

For the purpose of achieving these objectives, the Foundation shall:

- (a) provide assistance in the definition of training needs and priorities through the implementation of measures of technical assistance in the training field, and through co-operation with the appropriate designated bodies in the eligible countries;
- (b) act as a clearing house to provide the Community, its Member States and the third countries taking part, together with the eligible countries and all other interested parties, with information on current initiatives and future needs in the training field, and provide a framework through which offers of assistance can be channelled;

(c) on the basis of (a) and (b),

examine the scope for joint ventures of training assistance including pilot projects, for the setting up of a specialized multinational teams for specific projects and for identifying operations which could be co-financed, and fund the design and the preparation of such projects, the implementation of which may be financed by contributions from one or several countries, from one or several countries together with the Foundation, or, in exceptional cases, from the Foundation on its own;

(d) for activities and projects which are funded by the Foundation: arrange for the appropriate public and/or private bodies with a proven training record and the necessary expertise to design, prepare, implement and/or manage projects on a flexible, decentralized basis;

(e) for projects funded or co-financed by the Foundation tendering procedures shall be laid down by the Governing Board taking full account of the procedures established in the general context of aid to Central and Eastern European countries;

(f) in collaboration with the Commission, assist in the monitoring and evaluation of the overall effectiveness of training assistance to the eligible countries;

(g) disseminate information and encourage exchanges of experience, through publications, meetings, and other appropriate means;

(h) within the general framework of this Regulation, undertake such other tasks as may be agreed between the Governing Board and the Commission.

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The Foundation will have a Governing Board consisting of representatives of the Member States and the Commission - and if agreements between the Community and third countries so provide - of third countries also. Its remit will include establishing the Foundation's annual work programmes, and the budget for each year, in consultation with the Commission. The Director of the Foundation - appointed for 5 years by the Governing Board - will be responsible for preparing and organizing the work of the Governing Board, for day-to-day administration and for preparing and executing the annual budgets.

The Foundation will also have an advisory Forum, comprising experts in training and from other circles concerned in the work of the Foundation, including representatives from both sides of industry; its main tasks will be to advise the Governing Board, particularly on the annual work programme.

Since the Council is not yet in a position to take a decision on the seat of the Foundation, the Regulation setting it up cannot enter into force yet. This question will remain in abeyance pending discussions on the seats of Community institutions at the European Council in Dublin on 25 and 26 June this year.

The TEMPUS Scheme has been set up for a period of 5 years starting on 1 July 1990. Its objectives will be as follows:

- (a) to facilitate the co-ordination of the provisions of assistance to the eligible countries in the field of exchange and mobility, particularly for university students and teachers, whether such assistance is provided by the Community, its Member States or the third countries referred to in Article 9;

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- (b) to contribute to the improvement of training in the eligible countries, and to encourage their co-operation with partners in the Community, taking into account the need to ensure the widest possible participation of all the regions of the Community in such actions;
- (c) to increase opportunities for the teaching and learning in the eligible countries of those languages used in the Community and covered by the LINGUA programme, and vice versa;
- (d) to enable students from the eligible countries to spend a specific period of study at university or to undertake industry placements within the Member States of the Community, while ensuring equality of opportunity for male and female students as regards participation in such mobility;
- (e) to enable students from the Community to spend a similar type of period of study or placement in an eligible country;
- (f) to promote increased exchanges and mobility of teaching staff and trainers as part of the co-operation process.

The Commission will be responsible for implementing the Scheme; it will be assisted in this task by a Committee consisting of representatives of the Member States, particularly in defining the general guidelines for the Scheme. Should there be a difference of opinion between the Commission and the Committee on any matter, it will be put to the Council, which must act by a qualified majority within two months.

Under the Scheme, the Community will provide support for "Joint European Projects" by means of mobility grants and grants for complimentary activities.

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The Joint European Projects will bring together universities and/or enterprises in the eligible countries with partners in the Community. Grants may be awarded for curricular development and overhaul, integrated study courses, development of teaching materials, and the training and retraining of teachers, particularly in the field of foreign languages.

The mobility grants are particularly intended to encourage university students from the countries of Central and Eastern Europe to study at universities in a Community country for a period of normally between three months and one academic year. Grants will also be given to encourage teaching staff from universities and employees in industry from the Member States to undertake assignments in the eligible countries, and vice versa. The Community will also contribute to the funding of placements for teachers, trainers and students and for short visits intended, amongst other things, to prepare for Joint European Projects.

Under the heading "complementary activities", the Community will provide support for exchanges of young people, for publications and other information activities, and for studies and surveys serving the objectives of the TEMPUS Scheme.

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Plan of Action

The Council held a policy debate on the Plan of Action submitted by the Commission with a view to the extension, in accordance with the conclusions of the European Council in Dublin, of the co-ordinated assistance of G 24 to Bulgaria, Czechoslovakia, the GDR, Romania and Yugoslavia.

In the light of the statement made by the Commission regarding differentiation and conditionality in the Plan's implementation, the Council gave a broadly favourable reaction to the Plan.

The Council invited the Permanent Representatives Committee, in the light of the debate, to examine certain aspects of this plan in greater detail with a view to the forthcoming G 24 ministerial meeting.

Relations with Romania

The Council adopted a Decision authorizing the Commission to negotiate a trade and commercial and economic co-operation agreement between the European Economic Community and the European Atomic Energy Community and Romania.

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Signing of trade and co-operation agreements with Bulgaria, the GDR and Czechoslovakia

The Council has adopted Decisions giving the go-ahead for agreements on trade and commercial and economic co-operation between the European Economic Community and Bulgaria, the GDR and Czechoslovakia respectively to be signed. (See press releases issued when these Agreements were signed: 6247/90 Presse 56 (Czechoslovakia), 6248/90 Presse 57 (Bulgaria) and 6249/90 Presse 58 (GDR).

ECSC loans for Hungary and Poland

The Council gave its assent, under Article 95 of the ECSC Treaty, concerning a modified draft Commission Decision on the granting of ECSC loans for industrial projects in Hungary and Poland.

VISA POLICY WITH REGARD TO CENTRAL AND EASTERN EUROPEAN COUNTRIES

Continuing their discussions of 2 April on this subject, the Ministers for Foreign Affairs noted that all the Member States would be lifting visa requirements for GDR nationals. The Member States would be implementing their decisions in the near future.

Discussions on lifting visa requirements in respect of Hungary and Czechoslovakia would continue in order to achieve a co-ordinated approach as soon as possible.

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GERMAN UNIFICATION

As has become customary, the Minister for Foreign Affairs of the Federal Republic briefed his colleagues over lunch on the latest developments concerning the process of German unification, viz. the results of negotiations between the two Germanies on monetary, economic and social union, and the first round of the 2 plus 4 negotiations on the external aspects of the unification process.

RELATIONS WITH THE EFTA COUNTRIES

Referring to the conclusions of the European Council in Dublin, which confirmed the Community's great interest in an early agreement with its EFTA partners on the establishment of a European Economic Area, the Council noted that the Commission would be submitting its proposals for directives during the week, and instructed the Permanent Representatives Committee to take all the steps necessary to ensure that the Council was able to approve the negotiating directives at its meeting on 18 and 19 June at the latest, so that negotiations could be started before the end of June.

RELATIONS WITH CYPRUS

The Council determined the Community position in preparation for the 13th meeting of the EEC-Cyprus Association Council, which was held the same day, at the end of the afternoon (see joint press release CEE-CY 706/90 Presse 61).

FOLLOW-UP TO THE SPECIAL MEETING OF THE EUROPEAN COUNCIL

Political Union - Implementation of mandate given to Foreign Ministers -
conclusions

It is recalled that Foreign Ministers have been asked

- (a) to examine and analyse the need for possible treaty changes
- (b) to prepare proposals for discussion at the European Council in Dublin with a view to a decision on the holding of a second intergovernmental conference.

The following main areas have been identified in the context of Political Union by the Heads of State and governments:

- (i) strengthening of democratic legitimacy of the union
- (ii) enabling the Community and its Institutions to respond effectively and efficiently to the demands of the new situation
- (iii) ensuring unity and coherence in the Community's international action.

Foreign Ministers decide that at their informal meeting on 19-20 May they will examine and analyse ideas of Member States and the Commission on Political Union.

Member States can submit their ideas before this meeting in special meetings of the Permanent Representatives and Political Directors as necessary. Member States will concentrate on specific subject areas to be covered under the three themes identified by the European Council. They will also submit ideas on how to apply the notion of subsidiarity in the field of Political Union.

Foreign Ministers will decide at their informal meeting on 19-20 May how best to carry forward the process with a view to submitting proposals to the European Council in Dublin.

Fight against drugs

On the fight against drugs and organized international crime, the Council called upon CELAD to expedite its proceedings so that its report could be submitted at the Council meeting on 18 and 19 June, and preparation could be made for the European Council meeting on 25 and 26 June. It also asked the TREVI Group to prepare a report for the June meeting, together with any recommendations for concerted action to counter organized crime.

Furthermore, on the Commission's recent proposal to prevent the laundering of capital from the sale of drugs or other forms of organized crime, the Council noted that discussions would commence shortly and that the Presidency would ensure that rapid progress was made on the issue.

ECONOMIC AND MONETARY UNION

Over lunch, Ministers heard a statement from President DELORS indicating the Commission's intention of submitting a report on the institutional aspects of the EMU for the informal meeting of Ministers for Foreign Affairs in Ireland on 19 and 20 May and to the ECO/FIN Council, with a view to its next meeting.

INTERGOVERNMENTAL CONFERENCE - PREPARATION FOR THE MEETING WITH THE EUROPEAN PARLIAMENT

The Council took note of a statement from its President on the practical arrangements for participation by the Member States in - and the conduct of - the meeting on this subject with the European Parliament, which was scheduled to take place in Strasbourg on the morning of 17 May.

AUDIOVISUAL POLICY

The Council heard a statement by Commissioner DONDELINGER presenting two Commission communications

- one on audiovisual policy in general, covering all aspects of Community policy on the matter;
- a second comprising two proposals for Decisions relating to an action programme to promote the development of the European audiovisual industry - MEDIA 1991-1995.

The Council instructed the Permanent Representatives Committee to examine these proposals so that it could take a decision on them in due course.

MISCELLANEOUS DECISIONS

I. Miscellaneous Decisions on agricultural policy

Following the agreement on agricultural prices and related measures at the Agriculture meeting on 25, 26 and 27 April 1990 (see press release 5908/90 Presse 50), the Council adopted an initial series of Regulations putting this political agreement into legal form. The following Regulations were adopted:

Agri-monetary measures

- amending Regulation (EEC) No 1678/85 fixing the conversion rates to be applied in agriculture

Milk and milk products

- fixing the target price for milk and the intervention prices for butter, skimmed-milk powder and Grana padano and Parmigiano Reggiano cheeses for the 1990/1991 milk year
- amending Regulation (EEC) No 1079/77 as regards the co-responsibility levy on milk and milk products
- fixing the threshold prices for certain milk products for the 1990/1991 milk year
- amending Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector

- establishing, for the period running from 1 April 1990 to 31 March 1991, the Community reserve for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector
- amending Regulation (EEC) No 777/87 modifying the intervention arrangements for butter and skimmed-milk powder and Regulation (EEC) No 985/68 laying down general rules for intervention on the market in butter and cream

Beef and veal

- extending the scope of the Community scale for the classification of carcasses of adult bovine animals
- amending Regulation (EEC) No 1357/80 introducing a system of premiums for maintaining suckler cows
- fixing the guide price and the intervention price for adult bovine animals for the 1990/1991 marketing year

Peas, field beans and sweet lupins

- fixing, for the 1990/1991 marketing year, the activating threshold price for aid, the guide price and the minimum price for peas, field beans and sweet lupins
- amending Regulation (EEC) No 2036/82 adopting general rules concerning special measures for peas, field beans and sweet lupins

- fixing, for the 1990/1991 marketing year, the monthly increases in the activating threshold price, the guide price and the minimum price for peas and field beans

Dried fodder

- fixing the guide price for dried fodder for the 1990/1991 marketing year

Fruit and vegetables (fresh and processed)

- amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables
- fixing, for the 1990/1991 marketing year, certain prices and other amounts applicable in the fruit and vegetables sector
- on measures to increase the consumption and utilization of apples
- on the stabilization of the Community production of mandarins
- laying down specific measures for the application of certain intervention thresholds in the fruit and vegetables sector for the 1990/1991 marketing year
- establishing a Community register of citrus cultivation
- amending Regulation (EEC) No 1035/77 laying down special measures to encourage the marketing of products processed from lemons and amending the rules for applying the intervention threshold for lemons
- on the improvement of the Community production of apples

- on measures to increase the consumption of citrus fruit
- amending Regulation (EEC) No 426/86 on the common organization of the market in products processed from fruit and vegetables
- on temporary measures relating to production aid for processed tomato products
- amending Regulation (EEC) No 989/84 introducing a system of guarantee thresholds for certain processed fruit and vegetable products
- amending Regulation (EEC) No 2245/88 introducing guarantee threshold systems for peaches and pears in syrup and/or in natural fruit juice
- laying down general rules for the system of production aid for processed fruit and vegetables

II. Other miscellaneous decisions

Trade policy and Customs Union

The Council adopted a Decision authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries.

The Council also adopted Regulations

- opening and providing for the administration of autonomous Community tariff quotas for:

- = 5 000 tonnes of eels intended for processing, free of duty

- = 8 500 tonnes of aniline free of duty

- = 500 tonnes of t-Butyl-hydroperoxide containing by weight 28% or more but not more than 32% of water, free of duty

- = 280 tonnes of sodium 3,5-bis (methoxycarbonyl) benzenesulphonate, free of duty

- opening and providing for the administration of autonomous Community tariff quotas for 1990 for:

- = aubergines originating in Cyprus

- = Chinese cabbage originating in Cyprus, Morocco and Israel

- = Iceberg lettuce originating in Cyprus, Morocco and Israel

- opening and providing for the administration of Community tariff quotas for certain quality wines and sparkling wines, originating in Austria.

Generalized preferences

The Council adopted a Regulation applying supplementary generalized tariff preferences in respect of certain products originating in countries benefiting from generalized preferences and sold at the Berlin "Partners in Progress" Fair.

Fisheries

The Council adopted

- a Decision on the conclusion of the Agreement in the form of an exchange of letters concerning the provisional application of the Protocol defining the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Government of the Republic of Guinea on fishing off the coast of Guinea for the period from 1 January 1990 to 31 December 1991.

The fishing rights granted are as follows:

- = Trawlers: 12 000 grt a month, annual average
- = Freezer tuna seiners: 45 vessels
- = Pole-and-line tuna vessels and surface longliners: 35 vessels.

The financial compensation over the two years will be ECU 6 700 000.

- a Decision concerning acceptance by the Community of Greenland's offer of a supplementary catch quota for 1990 of 7 000 tonnes of cod subject to a corresponding increase in financial compensation.

Environment

The Council adopted the following texts:

- a Resolution on waste policy

- a Regulation on the establishing of the European Environment Agency and the European environment monitoring and information network.

(see press release 5329/90 Presse 33).

Telecommunications

Following discussions in the Telecommunications Council on 7 November 1989 on the co-ordinated introduction of pan-European land-based public radio paging in the Community, the Council adopted a Directive on the frequency bands to be reserved for this system, and a Recommendation on its co-ordinated introduction.

(see press release 9587/89 Presse 196).

Supplementary and amending budget No 2 for the financial year 1990

The Council adopted a draft supplementary and amending budget No 2 for the financial year 1990. The draft provides for entry of ECU 2 517 million (surplus in 1989) in the budget for the financial year 1990, and for a "p.m." entry for the EHLASS project in the 1990 budget, to ensure that the project is not held up.

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

6288/90 (Presse 62)

1401st Council meeting
- INTERNAL MARKET -
Brussels, 14 May 1990

President: Mr Desmond J. O'MALLEY
Minister for Industry and
Commerce, Ireland

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

Belgium:

Mr Paul DE KEERSMAEKER

State Secretary for European
Affairs and Agriculture

Denmark:

Mrs Anne-Brigitte LUNDHOLT

Minister for Industry

Germany:

Mr Otto SCHLECHT

State Secretary, Federal Ministry
of Economic Affairs

Greece:

Mr Sotirios HATZIGAKIS

Deputy Minister for Trade

Spain:

Mr Pedro SOLBES

State Secretary for Relations with
the European Countries

France:

Mrs Edith CRESSON

Minister for European Affairs

Ireland:

Mr Desmond J. O'MALLEY

Minister for Industry and Commerce

Mr Terry LEYDEN

Minister of State at the Department
of Industry and Commerce with
special responsibility for Trade
and Marketing

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Italy:

Mr Pierluigi ROMITA

Minister for Community Policies

Mr Paolo BABBINI

State Secretary for Industry,
Trade and Craft Trades

Luxembourg:

Mr Thierry STOLL

Deputy Permanent Representative

Netherlands:

Mr Piet DANKERT

State Secretary for Foreign Affairs

Portugal:

Mr Vitor MARTINS

State Secretary for European
Integration

United Kingdom:

Mr John REDWOOD

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

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o

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Commission:

Mr Martin BANGEMANN

Vice-President

Sir Leon BRITTAN

Vice-President

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MOTOR VEHICLE CIVIL LIABILITY INSURANCE - FREEDOM TO PROVIDE SERVICES

The Council held a discussion on the amendment proposed by the Commission, with more specific reference to motor vehicle civil liability insurance, of the first and second Directives on insurance other than life assurance.

The purpose of the proposed amendment is to extend the scope of the second Directive, which concerns freedom to provide services in the area of direct insurance other than life assurance, to include insurance against civil liability in respect of the use of motor vehicles.

The Directive should facilitate to a maximum freedom to provide motor vehicle civil liability insurance services between Member States, while ensuring a high degree of protection for the insured and victims of accidents.

It should be noted that the second Directive provides for two separate arrangements for the supervision of insurers: the "large risks" arrangement, essentially governed by the State in which the insurer is established ("supervision by the country of origin"), whereas for "small risks" (i.e. small policy-holders), the State in which the risk is located may, under certain conditions, require approval and supervise the policy conditions, tariffs and technical reserves.

The discussion enabled substantial progress to be made in resolving the problems still outstanding. However, the question of the duration and dates of the transitional arrangements for the introduction of the "large risks" system has still to be examined in depth on the basis of the Presidency's compromise.

At the close of the discussion, the Permanent Representatives Committee was instructed to finalize the above matter with a view to the resumption of the Council's discussion on 20 June 1990.

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MOTOR VEHICLE CIVIL LIABILITY INSURANCE - APPROXIMATION OF LAWS

Following the completion of the co-operation procedure with the European Parliament, the Council formally adopted the 3rd Directive on the approximation of the laws of the Member States relating to insurance against civil liability in respect of the use of motor vehicles.

The purpose of this Directive, which forms part of the completion of the Internal Market, is to resolve certain problems which were not settled by the first two Directives on the subject. Thus, the first Directive (72/166/EEC) was aimed principally at abolishing controls on the green insurance card and the second (84/5/EEC) was aimed at reducing disparities in the treatment of accident victims.

The aim of the third is, in particular, to provide further protection of the interests of accident victims and those of the insured.

It is with this in mind that the enacting terms:

- impose compulsory cover for all passengers of the vehicle, including where the passenger is the owner, the holder of the vehicle or the insured person himself;
- stimulate that each civil liability insurance policy, in addition to covering the entire territory of the Community, must guarantee, in each Member State, the cover imposed in the Member State where the vehicle is normally based or that imposed by the Member State in which the vehicle is moving, whichever is the greater;
- harmonize national provisions concerning the guarantee funds, set up by the 2nd Directive, which compensate victims where the vehicle which caused the accident was not insured or was not identified; the victim will no longer be responsible for establishing that the person liable is unable or refuses to compensate him.

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PROTECTION OF COMPUTER PROGRAMS

The Council took note of the progress of proceedings on the proposal for a Directive on the legal protection of computer programs, on which it is still awaiting the Opinion of the European Parliament. The proposal stipulates that the Member States should grant the protection of copyright to computer programs as literary works within the meaning of the Berne Convention for the Protection of Literary and Artistic Works.

The discussion focussed on the reverse engineering of computer programs. Several options were put forward in order to resolve this question.

At the close of the discussion, the Council concluded that:

- it was desirable not to depart significantly from the current framework for legal protection;
- examination of all the options suggested should be continued, as should the study of the possibility of combining some of those options;
- the Permanent Representatives Committee and the Working Party were instructed to continue their examination of all these options, taking into account the European Parliament's Opinion, once it was delivered;
- the Permanent Representatives Committee was instructed to report back to the Council on its examination of all the options with a view to a more definitive discussion of the matter within the Council.

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STATUTE FOR A EUROPEAN COMPANY

The Council held a discussion on progress regarding the proposals for a Council Regulation on the Statute for a European Company and for a Council Directive complementing the Statute, on which the European Parliament's Opinion is awaited.

These proposals replace the previous proposals of 1970 and 1975 and are further to the memorandum forwarded in July 1988.

According to the proposals, adoption of the Statute, while continuing to be optional, would afford undertakings the possibility of resorting to a form of limited liability company directly linked to Community law. Access to this new form would be facilitated both by the flexibility possible in the choice of founder members and by the fixing of a relatively low minimum capital. Provision is made for references to the Directives concerning companies already adopted or on which negotiations appear to be well advanced, as well as to the law of the States in which they have their registered offices.

The questions which were raised concern, in particular:

- the attractiveness of the Statute for undertakings;
- the link between the Statute and national law,
- employee participation.

The Council instructed the Permanent Representatives Committee to examine the proposals in greater detail in order to be able to resume the discussion at a forthcoming Council meeting.

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OBSTACLES TO PUBLIC PURCHASE OFFERS

The Council heard a statement by Vice-President BRITTAN presenting a study on eliminating obstacles to the acquisition of companies through a public purchase offer.

After a brief exchange of views on this subject, the Council took note of the Commission's intention to submit a formal proposal to it on the matter.

PHARMACEUTICAL PRODUCTS

The Council held an initial exchange of views on a proposal for a Regulation recently submitted by the Commission concerning the creation of a supplementary protection certificate for medicinal products.

The purpose of the proposal is to improve the legal protection of medicinal products covered by patents, the protection of which is shortened by the present marketing authorization system. By means of the introduction of a supplementary protection certificate, which will take effect after the expiry of the duration of the patent, the pharmaceutical industries of the Member States will be placed in conditions similar to those existing in certain third countries.

The Council instructed the Permanent Representatives Committee to begin studying the proposal in order to enable the Council to discuss it once the European Parliament and the Economic and Social Committee deliver their Opinions.

Vice-President BANGEMANN also informed the Council of the Commission's other plans concerning pharmaceutical products.

MISCELLANEOUS DECISIONS

I. Miscellaneous decisions concerning agricultural policy

After the formal adoption of an initial series of Regulations (see Press Release 6025/90 Presse 55 of 7.5.1990) further to the discussions on the prices package on 25, 26 and 27 April 1990, the Council formally adopted the other Regulations and Decisions on the fixing of the prices for agricultural products and certain related measures (1990/1991). These were the following Regulations and Decisions:

Cereals and rice

- amending Regulation (EEC) No 2727/75 on the common organization of the market in cereals
- fixing the prices applicable to cereals for the 1990/1991 marketing year
- fixing the amount of the co-responsibility levy for cereals for the 1990/1991 marketing year
- fixing for the 1990/1991 marketing year the amount of the aid for durum wheat
- fixing the monthly price increases for cereals, wheat and rye flour and wheat groats and meal for the 1990/1991 marketing year
- fixing the production aid for certain cereals sown in the 1990/1991 marketing year
- instituting aid for small producers of certain arable crops

- amending Regulation (EEC) No 729/89 laying down general rules for the special arrangements applicable to small producers as part of the co-responsibility arrangements in the cereals sector
- fixing the aid for small producers of certain arable crops sown in the 1990/1991 marketing year
- fixing the production aid for certain varieties of high-quality flint maize sown in the 1990/1991 marketing year
- amending Regulation (EEC) No 1008/86 laying down detailed rules for production refunds applicable to potato starch
- fixing the minimum price for potatoes to be paid by the starch manufacturer to the potato producer for the 1990/1991 cereals marketing year
- fixing rice prices for the 1990/1991 marketing year
- fixing the monthly price increases for paddy rice and husked rice for the 1990/1991 marketing year
- fixing the amount of the production aid for certain varieties of rice sown in the 1990/1991 marketing year

Sugar

- fixing, for the 1990/1991 marketing year, certain sugar prices and the standard quality of beet

- fixing, for the 1990/1991 marketing year, the derived intervention prices for white sugar, the intervention price for raw sugar, the minimum prices for A and B beet, the threshold prices, the amount of compensation for storage costs and the prices to be applied in Spain and Portugal

Olive oil - oilseeds

- fixing the production target price, the production aid and the intervention price for olive oil for the 1990/1991 marketing year
- fixing the guide price for flax seed for the 1990/1991 marketing year
- fixing the aid for hemp seed for the 1990/1991 marketing year
- fixing the target prices and intervention prices for colza, rape and sunflower seed for the 1990/1991 marketing year
- fixing the monthly increases in the target price, the intervention price and the intervention buying-in price for colza, rape and sunflower seed for the 1990/1991 marketing year
- fixing the guide price for soya beans for the 1990/1991 marketing year
- fixing the minimum price for soya beans for the 1990/1991 marketing year
- amending Regulation (EEC) No 1594/83 on the subsidy for oilseeds

Textile fibres

- fixing the guide price for unginced cotton for the 1990/1991 marketing year
- fixing the maximum guaranteed quantity of cotton and the minimum price for unginced cotton for the 1990/1991 marketing year
- amending Regulation (EEC) No 1964/87 adjusting the system of aid for cotton introduced by Protocol No 4 annexed to the Act of Accession of Greece
- fixing the amount of aid for fibre flax and hemp and the amount withheld to finance measures to promote the use of flax fibre for the 1990/1991 marketing year
- fixing the amount of aid in respect of silkworms for the 1990/1991 rearing year

Sheepmeat/goatmeat and pigmeat

- fixing the basic price for sheepmeat for the 1991 marketing year
- instituting specific aid for sheep and goat farming in certain less-favoured areas of the Community
- fixing the basic price and the standard quality for pig carcasses for the period 1 July 1990 to 30 June 1991

WINE

- amending Regulation (EEC) No 822/87 on the common organization of the market in wine
- fixing the guide prices for wine for the 1990/1991 wine year

- amending Regulation (EEC) No 1442/88 on the granting, for the 1988/1989 to 1995/1996 wine years, of permanent abandonment premiums in respect of wine-growing areas
- amending Regulation (EEC) No 358/79 as regards sparkling wines produced in the Community as defined in point 15 of Annex I to Regulation (EEC) No 822/87 and Regulation (EEC) No 4252/88 on the preparation and marketing of liqueur wines produced in the Community

Tobacco

- amending Regulation (EEC) No 727/70 on the common organization of the market in raw tobacco
- laying down special measures applicable to raw tobacco of a certain variety from the 1989 harvest
- fixing, for the 1990 harvest, the norm and intervention prices and the premiums granted to purchasers of leaf tobacco, the derived intervention prices for baled tobacco, the reference qualities, the production areas and the guaranteed maximum quantities for the 1991 harvest and amending Regulation (EEC) No 1252/89
- amending Regulation (EEC) No 1469/70 fixing the percentages and quantities of tobacco taken over by the intervention agencies and the percentage of Community tobacco production above which the procedure laid down in Article 13 of Regulation (EEC) No 727/70 applies

II. Other miscellaneous decisions

Customs Union

The Council adopted the common position with a view to the adoption of a Directive amending Directive 79/695/EEC on the harmonization of procedures for the release of goods for free circulation.

It should be noted that Title II of Directive 79/695/EEC contained a series of provisions laying down simplified procedures for release for free circulation. The Directive stipulated that as from 1 January 1984:

- Member States could not apply any simplified procedures other than those contained in the Directive;
- Member States were bound to implement all those procedures insofar as their administrative organization permitted it.

With a view to the 1993 single market, this Directive updates some of those procedures in order to take into better account developments in customs legislation and the implementation of the procedures in practice, and makes them compulsory in all the Member States.

The Council also adopted the Decision on the Community's participation in the negotiation, within the United Nations Economic Commission for Europe, of a Convention on the customs arrangements applicable to containers used within an international pool.

USSR

The Council adopted the Regulation implementing certain provisions of the Agreement between the EEC and the EAEC and the USSR on trade and commercial and economic co-operation, i.e. the progressive introduction of certain liberalization measures intended to facilitate access to the Community market for Soviet goods.

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

6291/90 (Presse 65)

1402nd meeting of the Council
and the Ministers for Health,
meeting within the Council

Brussels, 17 May 1990

President: Mr Rory O'HANLON

Minister for Health
of Ireland

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Netherlands:

Mr H. J. SIMONS

State Secretary for Welfare, Health
and Cultural Affairs

Portugal:

Mr Arlindo DE CARVALHO

Minister for Health

United Kingdom:

The Baroness HOOPER

Parliamentary Under-Secretary of State,
Department of Health

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Commission:

Ms Vasso PAPANDEOU

Member

17.V.90

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FIGHT AGAINST CANCER

Maximum tar yield of cigarettes

The Council adopted the Directive on the tar yield of cigarettes.

The Directive lays down the following limit values and dates for introduction:

- 15 mg of tar per cigarette: 31.12.1992
- 12 mg of tar per cigarette: 31.12.1997

- Greece will be granted a temporary derogation.

Products existing on the above dates which do not comply with the Directive may still be marketed for two years after those dates.

1990-1994 action plan in the context of the "Europe against Cancer" programme

The Council and the Representatives of the Governments of the Member States, meeting within the Council, adopted the Decision concerning a 1990-1994 action plan in the context of the "Europe against Cancer" programme. This plan continues and strengthens the action undertaken between 1987 and 1989.

The programme aims at increasing knowledge about the causes of cancer and the possible means of preventing and treating it. It will contribute to the overall reduction of risks of cancer by ensuring wider dissemination of knowledge of the causes, prevention, screening and treatment of cancer, as well as an improvement in the comparability of information about those matters, in particular concerning the nature and degree of risk of cancer arising from exposure to given substances or processes.

The budgetary allocation for the 5 years is ECU 50 million. It could be increased to ECU 55 million from 1.1.1993.

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The planned measures relate in particular to:

- prevention of tobacco consumption
- diet and cancer (including alcohol)
- campaign against carcinogenic agents
- systematic screening and early diagnosis
- cancer registers and similar measures
- information of the public
- health education and cancer
- training of the health professions
- research and cancer.

Implementation of the "Europe against Cancer" programme

The Ministers noted an oral report by Ms PAPANDREOU, Member of the Commission, concerning the implementation of the 1987-1989 "Europe against Cancer" programme with a view to increasing the effectiveness of measures under the future 1990-1994 plan. Ms PAPANDREOU stressed that 65 of the 75 planned measures in her programme had been implemented to date.

Advertising of tobacco products

The Council held a policy debate on the proposal for a Directive on the harmonization of measures concerning the authorized advertising of tobacco products in the press and by means of bills and posters.

All delegations agreed on the need to restrict tobacco advertising, particularly that aimed at young people, in order to safeguard public health; differences remained however concerning the means to achieve that end. Whereas certain delegations wanted the Directive to be a step towards a total ban on such advertising to be introduced within a specific period, other delegations considered that public health could be adequately protected by adopting general principles to be

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respected by advertisers, principles which could be implemented flexibly, including by means of voluntary agreements concluded with the tobacco industry in each Member State.

The Council instructed the Permanent Representatives Committee to continue its discussions on the subject with a view to its next meeting.

YOUTH AND POSITIVE HEALTH IN EUROPE OF THE 90s

The Council and the Ministers for Health adopted the following conclusions:

"Youth and positive health in Europe should be a major concern of public health during the future Presidencies. The appropriate activities (exchange of experiences, co-operation, proposals by the Commission) might be determined case by case, taking account of competence and of the principles of subsidiarity and diversity.

Considerable work has been done in the past to further the protection of young people's health. Further work, building on these results, will be required given the particular vulnerability of adolescents in an increasingly competitive market. Health Ministers are now being confronted with the challenge of protecting the health of future generations on whom will depend the economic and social well-being of Europe.

Under these circumstances, priority in future work should be given to the benefits of positive lifestyles and the dangers of tobacco, alcohol, drugs, AIDS, suicide and road accidents."

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FIGHT AGAINST DRUGS

The Council and the Ministers for Health agreed to the Presidency communication on future work on the health and social aspects of the fight against drugs.

In accordance with that communication, future work should cover the following areas of activity:

- prevention by information and education
- risk reduction
- treatment
- social and occupational rehabilitation
- drug abuse and AIDS
- statistics/epidemiology
- co-operation with and within international organizations
- implementation of international conventions and agreements (health and social aspects)
- development of qualified staff.

Proposals from the Commission and initiatives from future Presidencies concerning these areas of activity should be dealt with by the ad hoc Working Party on Drug Abuse, in close contact with CELAD and the ad hoc Working Party on Aids. The ad hoc Working Party on Drug Abuse should also pursue work on instruments already adopted by the Council and the Health Ministers.

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FIGHT AGAINST AIDS

The Council and the Ministers for Health approved the following conclusions:

1. Priority in the fight against AIDS/HIV remains to be given to prevention by information, counselling and health education.
2. Recent progress made notably in early intervention for HIV sero-positive persons and people with AIDS, which will allow for improvements in the health status of these people and result in an increase in their life expectancy, requires that particular attention be given to the future needs of medical and psycho-social care services for such persons.
3. More precise epidemiological information to facilitate the development and organization of these services might be useful.
4. The foresaid developments in early intervention will have financial implications in Member States.
5. Attention must be paid to avoiding the danger of any discrimination against HIV sero-positive persons and people with AIDS particularly at school, at work or when travelling when determining health care spending priorities in Member States.
6. A consistent approach for costing of the management of care for HIV sero-positive persons and people with AIDS would assist the financial forecasting process in Member States.
7. The Ad Hoc Working Party on AIDS, on the basis of the actions undertaken by the Commission following the Resolution of the Council and the Health Ministers of 22 December 1989 (Chapters B II and B IV) and, as appropriate, with the assistance of experts from Member States, should
 - pursue the exchange of information on developments in regard to:
 - (i) early intervention for HIV sero-positive persons and people with AIDS,
 - (ii) national epidemiological monitoring of the AIDS epidemic, in collaboration with the European Centre for the Epidemiological Monitoring of AIDS (WHO-EC Collaboration Centre in Paris).
8. The Commission should be requested to:
 - examine the feasibility of developing a consistent approach to costing of management of care for HIV sero-positive persons, taking account when available of the findings of the WHO report on costs and the conclusions of the Council of Europe Group which is looking at the impact of Aids on the organization of health care;
 - report to the Council as appropriate."

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STATE OF WORK ON THE RATIONAL USE OF MEDICINAL PRODUCTS FOR HUMAN USE

The Council noted progress in this connection and wanted to be kept informed of further developments.

In January the Commission submitted proposals for three of the legislative measures identified in its 1985 White Paper as being necessary for the completion of the Internal Market in the pharmaceutical sector.

These proposals concern the wholesale distribution of medicinal products, the legal status for the supply of medicinal products and the labelling of medicinal products and of package leaflets.

Their objectives are essentially:

- (a) to remove technical barriers to the free movement of medicinal products by the introduction of further controls in relation to the distribution of medicinal products in order to
 - cope with the foreseeable development of transfrontier distribution systems and the phenomenon of parallel imports
 - ensure the necessary security and rapidity of supply
- (b) to remove physical barriers to the free movement of persons by facilitating the exercise of the right of citizens to bring with them reasonable quantities of medicinal products lawfully obtained for their own personal use
- (c) to improve the information of doctors and patients by means of labelling of medicinal products and user leaflets.

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

6516/90 (Presse 67)

1403rd meeting of the Council
and of the Ministers responsible for Cultural Affairs
meeting within the Council

Brussels, 18 May 1990

President: Mrs Marie GEOGHEGAN-QUINN

Irish Minister
of State for EEC matters

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

Belgium

Mr Patrick DEWAELE	Minister for Culture (Flemish Community)
Mr Valmy FEAUX	Chairman of the Executive of the French-speaking Community and Minister with responsibility for Culture
Mr Brune FAGNOUL	Minister for Culture (German-speaking Community)

Denmark

Mr Ole VIG JENSEN	Minister for Culture
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Germany

Mrs Irmgard ADAM-SCHWAETZER	Minister of State, Federal Ministry of Foreign Affairs
Mrs Eva RÜHMKORF	President of the Conference of Ministers for Cultural Affairs of the Länder

Greece

Mr Tzannis TZANNETAKIS	Deputy Prime Minister and Minister for Culture
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Spain

Mr Jorge SEMPRUN	Minister for Culture
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France

Mr Jack LANG	Minister for Culture
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Ireland

Mrs Maire GEOGHEGAN-QUINN	Minister of State for EEC Matters
Mr Brendan DALY	Minister of State for Heritage Affairs

Italy

Mr Ferdinando FACCHIANO

Minister for Cultural Assets

Luxembourg

Mr René STEIGHEN

Minister attached to the Ministry of
Cultural Affairs

Netherlands

Mrs Hedwig D'ANCONA

Minister for Culture

Portugal

Mr Pedro SANTANA LOPES

State Secretary for Culture

United Kingdom

Mr Richard LUCE

Minister for the Arts

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Commission

Mr Jean DONDELINGER

Member

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NATIONAL TREASURES POSSESSING ARTISTIC, HISTORICAL OR ARCHAEOLOGICAL VALUE IN THE LIGHT OF THE ABOLITION OF INTERNAL FRONTIERS IN 1992

The Ministers held a policy debate on the problems which the abolition of controls at internal frontiers in 1992 could entail as regards the protection of national treasures possessing artistic, historical or archaeological value, taking as a basis a Commission communication of 23 November 1989.

The Council and the Ministers for Culture:

- took note of an interim report from the Presidency and a Commission statement that it would await the opinions of the Member States and the results of current proceedings, which would be submitted to the Council and the Ministers for Culture under the Italian Presidency, before continuing work on its plan (on which it consulted the Member States in February 1990) to publish, on its own responsibility, its interpretation of Articles 30 to 36 of the EEC Treaty as regards the conditions for the movement within the Community of goods possessing artistic, historical or archaeological value;
- instructed the Committee on Cultural Affairs and the Permanent Representatives Committee to continue examining the possibility of stronger national measures, measures for co-operation between Member States and measures to make controls at external borders more efficient after 1992, and to prepare conclusions for the next meeting of the Council and the Ministers for Culture;
- asked the Commission to provide the Committee on Cultural Affairs with any preliminary study which could assist it in its work.

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MANNER IN WHICH THE "EUROPEAN CITY OF CULTURE" WILL BE CHOSEN IN FUTURE AND
SPECIAL EVENT FOR "EUROPEAN CULTURAL MONTH"

The Ministers for Culture meeting within the Council adopted the following conclusions:

CONCLUSIONS

OF THE MINISTERS FOR CULTURE MEETING WITHIN THE COUNCIL

on the manner in which the
"European City of Culture" will be chosen in future and on a special event
for "European Cultural Month"

In regard to the "European City of Culture" Resolution of 13 June 1985, the Ministers for Culture note that designations of cities have been made for the years up to 1996 inclusive and that by then a first round of European Community Member States will have been completed.

They agree that for the years after 1996 not only Member States of the Community but also other European countries basing themselves on the principles of democracy, pluralism and the rule of law should be able to nominate cities for the event. They will begin to make further designations from 1992 onwards.

They note with interest that the current European City of Culture, Glasgow, will call towards the end of the year a meeting of organizers of the different Cities of Culture, with a view to pooling experience. One conclusion which can already be drawn is that greater publicity should be given to the event in the Member States other than the one in which it is taking place.

In view of the widespread interest in holding the event expressed by European cities both inside and outside the Community, the Ministers agree to create a further cultural event, which would be a special European Cultural Month to be held each year in one city (from a European country basing itself on the principles of democracy, pluralism and the rule of law), to be known as "Europe in [name of city], 199..". European Cultural Month should be launched as soon as possible and should in the first instance be for an experimental period.

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European Cultural Month would not affect the standing of the European City of Culture or the support granted to it and would not exclude the city concerned from a possible future designation as European City of Culture. Some linkage between the European City of Culture and the special European Cultural Month of the same year could be made. The Committee on Cultural Affairs should explore further the modalities of the special European Cultural Month, including the contribution which the Council of Europe might make to the event.

They note the willingness of the Commission to be associated with the organization of this new event.

A complementary method of bringing European cities outside the Community into a relationship with the European City of Culture event (already effected or planned in some cases) would be for a European City of Culture, on a voluntary basis, to make a special feature of such a city's culture within its own programme.

The Presidency and the Commission will jointly explore the possibilities for the first years and report to their next meeting on these.

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CULTURAL EDUCATION

The Ministers discussed cultural education on the basis of a Commission paper summarizing its policy guidelines on the matter and the measures being planned to:

- facilitate the movement of cultural workers in the various stages of education;
- improve the general quality of education through better dissemination of information;
- improve access to cultural education;
- facilitate the movement of cultural workers through the recognition of their qualifications.

The Ministers welcomed this paper and asked the Commission to take account of the comments made at the present meeting in its future communication proposing specific measures.

AUDIOVISUAL POLICY AND THE DEVELOPMENT OF THE AUDIOVISUAL INDUSTRY - MEDIA 1991-1995

The Ministers discussed two Commission communications:

- one covering all aspects of the Community's audiovisual policy;
- the other containing two proposals on the developments of the audiovisual industry - MEDIA 1991-1995.

The Ministers welcomed the communication containing the two proposals and wanted the cultural considerations mentioned during the discussion to be taken into account when the proposals were examined in detail by an ad hoc Council working party.

PREPARATORY WORK REGARDING CO-OPERATION BETWEEN
LIBRARIES IN THE SPHERE OF INFORMATICS

Mr DONDELINGER, Member of the Commission, reported on progress with regard to co-operation between libraries in the sphere of informatics. He announced that the Commission would be submitting a proposal for a Decision in the context of the third Framework Programme for Research and Development 1990-1994, to make it possible for the programme to be implemented from 1991.

The Ministers hoped that the Decision would be adopted at the earliest opportunity.

EUROPEAN HISTORY OF EUROPE

The Ministers heard:

- a statement by the Greek delegation on an as yet unpublished book entitled "A European History of Europe" by J.B. DUROSELLE;
- a statement by Mr DONDELINGER that the book in question was a private work, which would not be published under the aegis of the Commission, and that it was not within the Commission's sphere of competence to make recommendations as to the choice of school books.

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NOMINATIONS FOR EUROPEAN PRIZES FOR LITERATURE AND TRANSLATION

The Ministers examined a list of the works submitted by all the Member States for the European prize for literature and a list of the translations of works selected for the European prize for translation. These prizes would be awarded for the first time towards the end of this year as part of the "Glasgow, European City of Culture" event.

ACCESS TO THE UNITED STATES FOR NON-AMERICAN ARTISTS

The Ministers took note of a statement by the French Minister, Mr J. LANG, on access to the United States for non-American artists and also noted the information supplied by the Commission on the steps it had already taken in this field.

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

6519/90 (Presse 70)

ien/CH/ic

1404th meeting of the Council

- ENERGY -

Brussels, 21 May 1990

President: Mr Robert MOLLOY,
Minister for Energy
of Ireland

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

Belgium:

Mr W. CLAES Deputy Prime Minister, Minister for
Economic Affairs and Planning

Mr Elie DEWORME State Secretary for Energy

Denmark

Mr Jakob RYTTER Ambassador,
Permanent Representative

Germany

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

Greece

Mr Stavros DIMAS Minister for Industry, Energy and
Technology

Spain

Mr Claudio ARANZADI Minister for Industry and Energy

France

Mr Roger FAUROUX Minister for Industry and Town and Country
Planning

Ireland

Mr Robert MOLLOY Minister for Energy

Italy

Mr Adolfo BATTAGLIA Minister for Industry, Trade and Craft
Trades

Luxembourg

Mr Alex BODRY Minister for Energy

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Netherlands

Mr Koos ANDRIESSEN

Minister for Economic Affairs

Portugal

Mr Luis Fernando de MIRA AMARAL

Minister for Industry and Energy

United Kingdom

Mr John WAKEHAM

Minister for Energy

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Commission

Mr Antonio CARDOSO E CUNHA

Member

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PROMOTION OF ENERGY TECHNOLOGY IN EUROPE - THERMIE PROGRAMME

The Council approved the substance of the Regulation concerning the promotion of energy technology in Europe (THERMIE programme 1990-1994).

This programme is in line with the Resolution of 16 September 1986 concerning new Community energy policy objectives for 1995 and convergence of the policies of the Member States, in particular the passages relating to the promotion of technological innovations. It aims to ensure the continuity of the projects previously undertaken in the framework of demonstration projects and industrial pilot projects in the field of energy and the programme to support technological development in the hydrocarbons sector, which expired at the end of 1989. The enacting terms are aimed at creating conditions to give Community financial assistance to projects promoting energy technology in the areas of

- the rational use of energy
- renewable energy sources
- solid fuels
- hydrocarbons.

Community support could be given to projects aimed at the development, application and/or promotion of advanced innovative energy technologies, the implementation of which represents a considerable technical and economic risk, such that they would very probably not be achieved without Community financial assistance.

In order to promote the application and market penetration of energy technologies, the Regulation also provides for the implementation of associated measures.

The programme covers a five-year period - 1990-1994. For the first three years (1990-1992) the amount deemed necessary to implement the programme has been fixed, in the Regulation, at ECU 350 million. As regards finance for the last two years, the Council stated that it was aware of the need to keep the programme operating at the same level of activity as that established in the period 1990-1992 and noted that in the Commission view the overall financial envelope required for the five-year programme was ECU 700 million and that ECU 350 million would be earmarked for 1993-1994, an amount which would be confirmed if covered in due course by the financial perspective to be defined at the appropriate time for those years.

TRANSIT OF ELECTRICITY THROUGH TRANSMISSION GRIDS

The Council reached a common position on the proposal for a Directive on the transit of electricity through transmission grids. This common position will, after finalization of the text and formal adoption, be forwarded to the European Parliament under the co-operation procedure.

The Directive aims at making a contribution to the greater integration of the European electric energy market by abolishing obstacles to increased electricity exchanges between transmission grids.

The enacting terms provide that the Member States should take the measures necessary to facilitate transit of electricity through high-voltage grids through their territory.

"Transit" has been defined as every transaction for the transport of electricity under the following conditions:

- transmission is carried through a high-voltage electricity grid, with the exception of distribution grids, in a Member State's territory which contributes to the efficient operation of European high-voltage interconnections;

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- the grid of origin or of final destination is situated in the Community;
- the transport involves the crossing of one intra-Community frontier at least.

The Directive lists the transmission grids in question and the entities responsible for them in each Member State; this list will be updated, whenever necessary, by the Commission after consultation with the Member State in question.

Contracts involving transit of electricity between transmission grids will be negotiated between the bodies responsible for the grids concerned and for the quality of the service provided and, where appropriate, with the entities responsible in the Member States for importing and exporting electricity.

The conditions of transit must, pursuant to the rules of the Treaty, be non-discriminatory and equitable for all the parties concerned, must not include unfair clauses or unjustified restrictions and must not endanger security of supply and quality of service, in particular taking full account of the utilization of reserve production capacity and the most efficient operation of the existing systems.

At the operational level, Member States must without delay take the measures necessary to ensure that the entities mentioned above:

- notify the Commission and the national authorities concerned of any request for transit in connection with minimum one year contracts for the sale of electricity;
- open negotiations on the conditions of the electricity transit requested;
- inform the Commission and the national authorities concerned of the conclusion of a transit contract;

- inform the Commission and the national authorities concerned of the reasons for the failure of the negotiations to result in contracts within twelve months following communication of the request.

Each of the entities concerned may request that the conditions of transit be subject to conciliation by a body set up and chaired by the Commission and on which the entities responsible for transmission grids in the Community are represented.

If the reasons for the absence of agreement appear unjustified or insufficient, the Commission, acting on a complaint from the requesting body or on its own initiative, shall put in hand the procedures provided for by Community law.

The Member States must comply with this Directive not later than 1 July 1991.

TRANSIT OF NATURAL GAS THROUGH THE MAJOR SYSTEMS

Pending the Opinion of the European Parliament, the Council held a policy debate on the proposal for a Directive on the transit of natural gas through the major systems.

It emerged from the debate that the proposal raised a number of problems as regards general approach, taking into account in particular the specific nature of this energy carrier.

At the close of its discussions, the Council, having stressed the importance of the matter, agreed to resume its proceedings in this connection at a forthcoming meeting.

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TRANSPARENCY OF GAS AND ELECTRICITY PRICES CHARGED TO INDUSTRIAL END-USERS

The Council agreed to the Directive concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end users.

The aim of the enacting terms is to ensure that Member States take the steps necessary to ensure that undertakings which supply gas or electricity to industrial end users communicate to the Statistical Office of the European Communities (SOEC):

- the prices and terms of sale of gas and electricity to industrial end users;
- the price systems in use;
- the breakdown of consumers and the corresponding volumes by category of consumption to ensure the representativeness of these categories at national level.

On the basis of the data thus assembled, the SOEC will publish twice-yearly, in an appropriate form, the prices of gas and electricity for industrial uses in the Member States and the pricing systems used to that end.

INVESTMENT PROJECTS OF INTEREST TO THE COMMUNITY IN THE PETROLEUM, NATURAL GAS AND ELECTRICITY SECTORS

The Council held an exchange of views on the Commission proposal aimed at amending the instrument of 18 May 1972 concerning the notification of the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors.

Following the discussions it was agreed at this stage to endeavour to improve, as a matter of priority, the application of all the provisions of the 1972 Regulation and to return, in due course, to the Commission proposal in the light of the experience gained and trends in proceedings regarding the internal energy market.

COUNCIL CONCLUSIONS ON ENERGY AND THE ENVIRONMENT

Having had a policy debate on the communication from the Commission concerning energy and the environment, the Council:

1. underlined the importance of this communication as a contribution to determining future policies for the supply and use of energy in an environmentally acceptable manner, and agreed with the factual analysis contained therein;
2. underlined also the importance of involvement by the Community in the global discussion and measures on climate change and the need for an international legal framework within the context of present IPCC work;
3. noted that progress towards the Internal Energy Market should also produce benefits for the environment and welcomed the Commission's intention of reviewing Directive 75/404/EEC of 13 February 1975;
4. noted progress made and anticipated in reducing SO₂ and NO_x emissions in the Community as a result of Community and national environmental legislation, energy efficiency improvements and the use of cleaner fuels; recognized that whilst there are still uncertainties on some scientific aspects of the greenhouse issue, CO₂ emissions will continue to grow in the absence of alternative policy decisions, especially in the energy sector but also in other areas, and that the greenhouse effect may in the long term become the main constraint on fossil fuel energy use;
5. welcomed the Commission's work programme on the evaluation of the options to reduce CO₂ emissions and indicated its willingness to collaborate closely with the Commission in the subsequent development and implementation of the part of the programme relating to energy policy;
6. recalled its invitation to the Commission and the Member States to take urgent action to increase energy savings, to improve energy efficiency, to promote the development and use of energy sources, such as non-fossil fuels, which will not contribute to the greenhouse effect; the Council also invited them to give high priority to the development and introduction of commercially viable

new technologies in these fields. In this context due account must be taken of security of energy supply, safety aspects, environmental impact, public health and economic considerations;

7. welcomed the fresh energy policy measures outlined by the Commission with a view to reducing environmental damage caused by the supply and consumption of energy and in particular the THERMIE programme for the promotion and dissemination of new energy technologies in a market-oriented manner;

noted the Commission's intention to

- bring forward the SAVE Special Action Programme for Vigorous Energy Efficiency,
 - propose the drawing up of voluntary codes of conduct with the energy industries in the Community in both the private and public sectors founded on principles favourable to health and the environment and the prudent use of finite natural resources,
 - continue the analysis of economic and fiscal instruments which satisfy at the same time energy, environmental and fiscal requirements;
8. agreed with the Commission that in making its proposals for environment-friendly energy measures it should be guided by the following considerations:
- use of the best available technologies not entailing excessive costs,
 - environmental impact and risk assessments in the context of existing Community legislation,
 - ensuring that energy costs reflect, as far as possible, the full environmental costs,
 - respect for a high level of environmental protection, through economic, standardization and fiscal measures, taking account of the specific ecological, economic and energy conditions of the Member States and peripheral regions of the Community, and the results already obtained in the area of the environment,
 - establishing a legislative framework offering flexible yet stable conditions,
 - improving institutional links and co-operation between administrations responsible for energy and the environment,

- continued scientific research,
 - collection and development of related statistical information,
 - ensuring consistency between the measures to be applied in the energy sector and those adopted in other areas;
9. recognized that nuclear energy contributes to the limiting of polluting emissions arising from the use of fossil fuels;

welcomed the Commission's view that the discussion on nuclear energy and environmental issues, covering safety, transport and waste (including waste from the decommissioning process), should be pursued.

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The Council will resume the examination of these questions at its next meeting on energy matters and will pay particular attention to the measures for making the Commission's communication operational.

ENERGY FOR A NEW CENTURY: THE EUROPEAN PERSPECTIVE

The Council noted an oral statement by Mr CARDOSO E. CUNHA, Commissioner, on the results of the Conference held on 3 and 4 May 1990 in Brussels on "Energy for a New Century: the European Perspective".

REGISTRATION OF CRUDE OIL IMPORTS IN THE COMMUNITY

The Council adopted the Regulation amending Regulation No 2592/79 laying down rules for carrying out the registration of crude oil imports in the Community provided for in Regulation No 1893/79.

The aim of this amendment is to adapt the reporting requirements provided for under Regulation No 2592/79 to accord with the trading conditions prevailing in international oil markets, to relieve operators of the obligation to report certain data no longer indispensable to analysing the supply costs of the Community and, as far as possible, to bring reporting requirements into line with those of national administrations and international organizations.

MISCELLANEOUS DECISIONS

Revision of the financial perspective

The Council adopted its Decision concerning the revision of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure.

The Council also adopted a Decision adjusting the financial perspective linked to the implementing conditions.

The Council will forward the texts of both Decisions to the European Parliament in order to reach the common agreement provided for in the Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure.

The revision Decision provides first of all, as regards heading 2 (Structural operations) of the financial perspective, for the inclusion of an additional amount of ECU 250 million in 1991.

Furthermore the ceilings for heading 4 (Other policies) have been increased by ECU 200 million, ECU 1 175 million and ECU 1 628 million in 1990, 1991 and 1992 respectively. The appropriations granted to co-operation with the countries of Central and Eastern Europe amount to ECU 500 million in 1990 (taking account of the revision already carried out on 13 December 1989), ECU 850 million in 1991 and ECU 1 000 million in 1992. The remainder of the appropriations is intended for other areas of priority action relating to the stepping up of co-operation with the countries of the Mediterranean region, Latin America and Asia and the enhancement of certain policies linked to the implementation of the Single Act.

Finally, the ceilings for heading 5 (Repayments and administration) have been lowered by ECU 40 million in 1991 and ECU 150 million in 1992. The amount proposed for stock disposal under this heading has been reduced by ECU 450 million for 1992.

21.V.90

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Relations with Austria

The Council authorized the Commission to open negotiations with a view to the conclusion of an agreement between the European Economic Community and Austria on the marketing in Austria of Community bottled table wine.

Trade policy

The Council adopted

- the decision authorizing extension or tacit renewal of certain trade agreements between Member States and third countries

 - the Regulation extending the provisional anti-dumping duty on imports of certain types of electronic micro-circuits known as DRAMs (dynamic random access memories) originating in Japan for a period not exceeding two months from 27 May 1990.
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COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

6518/90 (Presse 69)

1405th Council meeting
- Agriculture -
Brussels, 21 and 22 May 1990

President: Mr Michael O'KENNEDY

Minister for Agriculture
and Food of Ireland

21/22.V.90

ill/MM/ms

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

Belgium:

Mr Paul DE KEERSMAEKER State Secretary for European Affairs
and Agriculture

Denmark:

Mr Poul OTTOSEN Director-General,
Ministry of Agriculture

Germany:

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

Greece:

Mr Michalis PAPAKONSTANTINOU Minister for Agriculture

Spain:

Mr Carlos ROMERO-HERRERA Minister for Agriculture

France:

Mr Henri NALLET Minister for Agriculture

Ireland:

Mr Michael O'KENNEDY Minister for Agriculture and Food

Mr Joe WALSH Minister of State at the Department of
Agriculture and Food

Italy:

Mr Paolo BRUNO

State Secretary for Health

Luxembourg:

Mr René STEICHEN

Minister for Agriculture and Viticulture

Netherlands:

Mr Gerrit BRAKS

Minister for Agriculture, Nature
Conservation and Fisheries

Portugal:

Mr Arlindo CUNHA

Minister for Agriculture, Fisheries
and Food

United Kingdom:

Mr David CURRY

Parliamentary Secretary, Agriculture

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Commission:

Mr R. MAC SHARRY

Member

MARKETING STANDARDS FOR EGGS

The Council discussed the proposal to amend certain marketing standards for eggs to take into account developments in trade practice in the sector.

The changes relate in particular to:

- a number of definitions and rules connected with the packaging and presentation of eggs;
- more frequent collection and handling of eggs;
- permission to stamp certain indications on eggs and to regroup the labelling rules for small and large packs.

At the end of its discussion the Council was generally in favour of the Commission proposal, although a number of points required further technical examination. The Council accordingly referred those points to the Special Committee on Agriculture with a view to enabling the Council to close the file at its next meeting.

21/22.V.90

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MARKETING STANDARDS FOR POULTRY

The Council examined the proposal for a Regulation on certain marketing standards for poultrymeat.

The purpose of the proposal is to contribute to an improvement in the quality of poultrymeat available to the consumer and to facilitate intra-Community trade.

As a number of points require more detailed technical examination, the Council instructed the Special Committee on Agriculture to expedite its proceedings and to re-submit the dossier to the June Council meeting so that it could take a decision on the issue.

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AID FOR SKIMMED MILK PROCESSED INTO CASEIN OR CASEINATES

The Council adopted by a qualified majority the Regulation extending for two months - until 31 June 1990 - the existing measure, designed to restrict the granting of aid for skimmed milk processed into casein or caseinates to certain of their uses.

The Council also instructed the Special Committee on Agriculture to begin examining in the very near future the Commission proposal on the overall regulation of the use of casein and caseinates in the manufacture of those milk products regarded as the most vulnerable in that respect, namely cheeses.

CHEMICALLY PURE FRUCTOSE (LEVULOSE)

After receiving the Opinion of the European Parliament, the Council adopted three Regulations on the levulose industry.

The measures in question relate to two aspects, the one internal, the other external.

The external aspect concerns:

- on the one hand, opening and providing for the administration of a Community quota for chemically pure fructose originating in third countries;
- on the other hand, for quantities in excess of the volume of the quota, the introduction of a levy, equal to that applying to isoglucose, for imports into the Community of levulose originating in third countries.

These measures do not apply to imports from third countries with which the Community has a preferential trade agreement.

As regards the internal aspect, the Regulation provides for a refund for Community production of levulose used as an intermediate product in the manufacture of certain chemical products.

USE OF AGRICULTURAL COMMODITIES IN THE NON-FOOD SECTOR

- Demonstration projects
- Industrial set-aside proposal

The Council held a wide-ranging discussion on the two aspects of this issue, on which it had agreed, in the context of the agreement on the prices package and related measures for the current marketing year, to take a decision by 30 June 1990.

As regards demonstration projects, the Council noted that the Commission had very recently approved the specific research and technological development programme in the field of agriculture and agro-industry which formed part of the framework research programme adopted by the Council on 23 April last. The specific programme will be examined by the Research Council at its next meeting in June and the decision will be taken in co-operation with the European Parliament.

The Presidency will ensure appropriate co-ordination with the bodies concerned and will endeavour, in agreement with the Commission, to take the measures to free sufficient funds as from 1 July next to ensure that the action can be launched.

As regards the aspect concerning the industrial set-aside proposal, the Council held a further discussion on the Commission proposal during which a number of suggestions were made to facilitate its adoption. The Council instructed the Special Committee on Agriculture to continue its proceedings, with particular emphasis on the points emerging from the Council's discussion. The Council will discuss the matter at its next meeting on the basis of the outcome of the Special Committee of Agriculture's work.

21/22.V.90

ill/MM/jw

WATER POLLUTION CAUSED BY NITRATES

The Council re-examined the question of progress in the proceedings on the proposal for a Directive on the introduction of measures to protect waters against pollution caused by nitrates from diffuse sources which are taking place within the framework of the Environment Council.

This examination allowed Ministers to reiterate their concerns regarding the potential repercussions of the Directive in agricultural circles. It was pointed out that it would be advisable to secure the active and voluntary participation of farmers in this pollution protection policy.

In conclusion, the Council agreed to instruct an ad hoc working party (agriculture) to examine the agricultural implications of the proposal and to submit a report to the Permanent Representatives Committee so that the Environment Council could discuss the matter at its next meeting with full knowledge of the agricultural aspects of the issue.

21/22.5.90

ill/MM/jw

IMPLICATIONS OF GERMAN RE-UNIFICATION FOR COMMUNITY AGRICULTURE

The Council was given information on the agreements reached between the Federal Republic of Germany and the German Democratic Republic in the agricultural sector. Because of the implications for Community agriculture of German re-unification, the Council agreed to discuss the issue at its meeting on 25 and 26 June 1990 on the basis of the information provided and of a document to be submitted by the Commission.

VETERINARY ISSUES

- Fight against foot-and-mouth disease

The Council held a wide-ranging discussion on the proposal to introduce a standardized system to combat foot-and-mouth disease based on non-vaccination and the slaughter of all infected animals.

At the end of its discussion the Council noted that more detailed examination of certain points was required, and instructed the Permanent Representatives Committee to continue its proceedings on the matter with a view to enabling the Council to reach agreement at its next meeting, in conjunction with the following item.

- Expenditure in the veterinary field

The Council examined the proposal on certain expenditure in the veterinary field, which was closely linked to the proposal on foot-and-mouth disease.

The Permanent Representatives Committee will continue working on this issue in order to enable the Council to reach a decision at its next meeting.

21.22.V.90

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- Intra-Community trade in and imports from third countries of equidae (animal health)

After taking into consideration the Opinion of the European Parliament, the Council reached a favourable position on the proposal relating to the animal health conditions governing intra-Community trade in and imports from third countries of equidae.

This Directive, which forms part of the measures necessary for completion of the internal market, provides for harmonization of animal health rules throughout the Member States to be applied in intra-Community trade in the event of an outbreak of certain diseases and in particular African horse sickness.

The text regulates all movements (both national and intra-Community) of competition horses with passports (accompanying documents).

Animal health rules which are at least equivalent are laid down for imports from third countries.

These measures will be formally adopted in the near future.

ZOOTECHNICAL ISSUES

- Zootechnical and genealogical conditions governing intra-Community trade in equidae

Taking into consideration the Opinion of the European Parliament, the Council reached a favourable position on the Directive laying down the zootechnical and genealogical conditions governing intra-Community trade in equidae and in their semen, ova and embryos.

In order to ensure the rational development of equidae production, intra-Community trade in equidae may no longer be impeded on zootechnical or genealogical grounds. To that end, it is stipulated inter alia that the Commission will have to establish rules on:

- the criteria for the approval or recognition of organizations and associations which maintain or establish studbooks;
- the criteria for entry and registration in studbooks;
- the establishment of a harmonized model for a zootechnical certificate of origin and of identification;
- the harmonization of the provisions on the names of equidae.

This Directive will be formally adopted in the near future.

- Intra-Community trade in equidae intended for participation in competitions

The Council held a preliminary exchange of views on this proposal aimed at regulating at Community level the provisions and conditions governing the organization of competitions.

At the end of its discussion, which enabled delegations to put forward their comments on this measure, the Council instructed the Permanent Representatives Committee to continue examining the issue with a view to adoption in the near future.

MISCELLANEOUS DECISIONS

Agricultural policy

The Council adopted:

- the Decision introducing a Community financial measure for the eradication of brucellosis in sheep and goats. The purpose of the Decision is to encourage Member States whose sheep and goat herds are infected by brucellosis to draw up eradication plans which provide for the partial indemnification of owners for the slaughter of infected animals at ECU 40 per animal slaughtered;
- an estimate (198 000 head) concerning young male bovine animals weighing 300 kilogrammes or less and intended for fattening for the period 1 January to 31 December 1990;
- an estimate (50 000 tonnes) concerning beef and veal intended for the processing industry for the period 1 January to 31 December 1990;
- the Regulation amending for the twelfth time Regulation (EEC) No 351/79 concerning the addition of alcohol to products in the wine sector. The purpose of the amendment is to extend until the end of 1990 the validity of the existing provisions on the addition of alcohol, in the absence of a common organization of the market in the alcohol sector and of provisions to harmonize the definitions for aromatized wines;
- the Regulation suspending the import levy on sheep and goats. The purpose of the Regulation is to extend the suspension of the levy already decided upon for some of their number to all traditional supplier countries of live animals of the above species;

Fisheries

The Council adopted the Regulation amending Regulations (EEC) Nos 4054/89 and 4052/89. This amendment lays down the conditions for exchanges of quotas between the Community and the Faroe Islands in order to improve the operating conditions of the Community fleet.
