

ECONOMIC AND SOCIAL CONSULTATIVE ASSEMBLY

# BULLETIN

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EUROPEAN COMMUNITIES  
ECONOMIC AND SOCIAL COMMITTEE

Brussels — No 5/1991

The Bulletin reports every month (10 issues yearly) on the activities of the Economic and Social Committee, a Community consultative body. It is edited by the Secretariat-General of the Economic and Social Committee of the European Communities (rue Ravenstein 2, B-1000 Brussels) in the official Community languages.

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Catalogue number: ESC-91-013-EN

Luxembourg: Office for Official Publications of the European Communities, 1991

Catalogue number: EX-AA-91-005-EN-C

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*Printed in Belgium*

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## I. 286th Plenary Session — 24 and 25 April 1991

The Economic and Social Committee of the European Communities held its 286th Plenary Session in Brussels on 24 and 25 April 1991. Mr François Staedelin, Committee Chairman, presided.

This session was attended by Mr Robert Goebbels, President-in-office of the Council and Luxembourg Minister for Economic Affairs and Transport.

Mr Goebbels' statement dealt mainly with the harmonization of indirect taxation and followed on from the adoption by the Committee of Opinions on the proposal for a Council Directive fixing certain rates and target rates of excise duties on mineral oils and the proposal for a Council Directive determining the scope of Article 14(1)(d) of Directive 77/388/EEC as regards exemption from value-added tax on the final importation of certain goods.

### Extracts from Mr Goebbels' speech and the debate

'No later than tomorrow, the Presidency will present a paper containing considerations and suggestions on both VAT and excise duties to the *ad hoc* Group on Abolition of Fiscal Frontiers',<sup>1</sup> announced Mr Goebbels to the Economic and Social Committee of the Communities, meeting in Plenary Session on Thursday, 25 April in Brussels. 'The paper should facilitate progress in political discussions and prepare the ground for reaching agreement on VAT and excise duties even before the end of the Luxembourg Presidency'.

<sup>1</sup> Composed of personal representatives of the Ministers, the *ad hoc* Group on Abolition of Fiscal Frontiers was set up by the Luxembourg Presidency in order to revive discussion on certain more political aspects of the VAT and excise questions.

In answer to questions from Members of the Committee, Mr Goebels clarified the following points:

- (i) *Harmonization of indirect taxes*: 'The necessary liberalization of the internal market must be accompanied by harmonization in all fields. Why? The ministers will reply: to avoid distortions of competition. But there is a second objective: to avoid overburdening the final consumer. Indirect taxes are not the fairest in social terms. In this respect, I agree with Mr Moreland (United Kingdom — Various Interests, Chairman of the ESC's Section for Regional Development) that there are other large markets where indirect taxation is not the same throughout (the United States of America and Canada). Market forces must not be forgotten. The aim is not uniformity but harmonization within certain bands to bring about competition between national legislators to ensure that they take account of market logic'.

The Minister went on to ask 'Where is there distortion of competition? For 95% of intra-Community trade there is no risk. The risk exists above all for excise products such as petrol, tobacco and alcohol, which represent 3 to 5% of trade. We therefore propose intermediate or reduced rates to avoid putting too great a burden on the final consumer. Luxembourg is, so to speak, ready to lose some feathers but not to be totally plucked...'

- (ii) *Transport*: 'Here again, where are the real distortions of competition? The operating expenditure for a road transport company (fuel, tolls, taxes on vehicles) is much smaller than staff expenditure. One must therefore differentiate between fixed charges, such as the tax on vehicles, and variable charges. For excise duties on road diesel, distortions are minimal. A Luxembourg lorry travelling from Luxembourg to Madrid will pay as much tax as a Spanish lorry travelling from Madrid to Luxembourg.

Between now and the year 2000, intra-Community trade should increase by 40% — which is enormous when one considers the current saturation of our roads. In all the countries concerned people are beginning to react, particularly against road transport. I'm not against road transport, but the advantages of all modes of transport must be used. The flexibility offered by lorries is good for short distances. For long or medium distances, railways and shipping have advantages. But care must be taken to ensure that there is no distortion of competition between modes of transport. Taxation must therefore be harmonized upwards, even if this means that

diesel oil for haulage goes up by 50% in Belgium; in Luxembourg it would go up by 150%... hence the need for a transition period'.

In reply to Bernardus Pompen (Netherlands — Various Interests) who called for a zero VAT rate on flowers, the Minister indicated that the Luxembourg Presidency would not be opposed to reduced rates both for agricultural inputs (fertilizers, etc.) and for agricultural produce (such as flowers).

(iii) *Political union*: 'I entirely share the viewpoint of Thomas Jenkins (United Kingdom — Chairman of the Workers Group) on the Community's 'social deficit', said the Minister. In his speech, Mr Jenkins had criticized a 'non-paper' on political union published by the Luxembourg Presidency on 17 April. Mr Goebbels replied: 'This paper has had a mixed reception. For some it is too cautious, while for others it is a sell-out of national sovereignty. No doubt we occupy a middle-of-the-road position. The 12 of us must now reach unanimity. What we have proposed has many shortcomings, particularly in the social field, but we are proposing what is possible. We therefore hope that our proposals will constitute a basis for significant progress on political union and social policy'.

### **The ambitions of the Economic and Social Committee**

'We frequently listen to the voice of the Economic and Social Committee' pointed out Mr Goebbels, 'and we try to enlist the support of the Intergovernmental Conference for your ambitions. But this is not easy. Your proposals did not meet with the enthusiastic support of all the delegations'.

(iv) *Economic and monetary union*: In reply to Camille Giacomelli (Employers — Luxembourg) who proposed the creation of a zone of stability covering five or six countries, which the other Member States would later join, the Ministers replied that 'speaking personally' he did not approve of such an idea: 'That would lead to the creation of a two-speed Europe and would cause a definitive split in the Community of the Twelve. We shall never have absolute convergence, but is such convergence really necessary before tackling the third stage of Economic and monetary union? In the United States of America there are significant differences in inflation from one state to another. I'm not advocating a *laissez-faire* attitude, but merely respect for the right to differ which already exists in such Member States. In Germany there are differences of about 2% in inflation from one *Land* to another. The Twelve

must participate in the mechanism together to ensure that we continue to belong to a single Community with a shared destiny'.

\*

\* \*

## *ADOPTION OF OPINIONS*

### 1. FARM PRICES 1991/92

**Commission proposals on the prices for agricultural products and on related measures (1991/92)**  
[COM(91) 72 final — Vols I, II and III]

#### **Gist of the Commission proposals**

##### **Price proposals and related measures**

The analysis of the agricultural situation in the 1990/91 marketing year and the market outlook for the coming years clearly indicate that, after two years of relief and despite considerable efforts of adjustment over a number of years, market imbalances are growing again and that prospects for the foreseeable future are not encouraging. This new deterioration in the situation calls for an in-depth reform of the common agricultural policy in order to tackle the problems at their roots.

Taking into account that in-depth reform of a number of common market organizations is needed and that specific proposals to do so will be presented this year, the Commission would have preferred, at this stage, to propose a simple roll-over of present institutional prices for one year until the reform measures have been adopted and come into effect.

However, the considerable deterioration of the budgetary situation for 1991 and the worsening prospects for 1992 oblige the Commission, in the interests of budgetary discipline, to supplement its roll-over price proposals for the 1991/92 marketing year by a number of specific proposals designed to contain agricultural expenditure.

(a) *Common prices*

The Commission considers that for the majority of products it is desirable to propose the continued application of 1990/91 prices subject, of course, to the effects of the application of the stabilizer mechanisms. Nevertheless, for certain sectors where a specific market situation applies or a major rise in budgetary expenditure occurs, the Commission considers that price reductions are necessary.

Thus, for durum wheat, the 7% reduction in the intervention price is based upon the progressive move towards the price of soft wheat. For rice, which is a sector subject neither to the stabilizer arrangements nor to the co-responsibility levy, a reduction of the intervention price of 3% is proposed in order to limit the rise in production. For sugar, the Commission proposes a linear reduction of 5% in institutional prices. For oil seeds and protein crops, taking into account that world market price levels have deteriorated in relation to the internal Community support, the Commission proposes that support prices should be reduced by 3%. The same reduction is proposed for hemp and flax. For tobacco, the increase of expenditure due notably to the excessive development in the production of certain varieties, calls for a radical change of the basic common market organization. In the meantime the Commission proposes that prices and premiums for the various tobacco varieties are reduced by 10% on average, depending on the market situation for the different varieties. For wine no price change is proposed, but a reduction is proposed in the price of support distillation. The Commission proposes a 2% price reduction for sheepmeat, offset in the case of the least-favoured regions by an increase in the ewe premium from ECU 4 to ECU 5.5.

(b) *Related measures*

The Commission intends to propose during the next few months important changes affecting several common market organizations. For this reason the related measures for 1991/92 are limited to those essential from the point of view of market balance and budgetary discipline.

In order to discourage excessive deliveries of beef into intervention arising from the automatic operation of the 'safety net', the Commission proposes to merge the main features of the 'safety net' and normal tender intervention systems. Under the new system, the provision for automatic purchases at 80% of the intervention price will disappear and at the same time the ceiling on the quantities which can be purchased by tender will be removed. This will allow

for more selective action by the Community in situations where intervention is essential to market support.

Taking account of the increasing disequilibrium and the sharp increase in projected budgetary expenditure in the cereals sector, the Commission considers that it is impossible to maintain the co-responsibility levy at 3% of the intervention price. While a very substantial increase could be justified by the likely evolution of markets and of the budget, the Commission proposes to limit to 6% the level of the co-responsibility levy for the 1991/92 marketing year.

In order to improve the effectiveness of the set-aside scheme and to fulfil the commitment taken by the Commission on the adoption of the agricultural prices for the current marketing year, the Commission proposes the introduction of a special scheme to encourage temporary set-aside of land normally used for cereals or other supported crops.

This scheme will provide that producers who undertake to set aside 15% of the land which they sowed to cereals and other supported crops for the 1992 harvest will have the co-responsibility levy paid for 1991 reimbursed.

In the milk sector, a significant cut in the total guaranteed quantities would be necessary to bring the market into balance. However, it is proposed to limit the reduction in the total guaranteed quantities to 2% for 1991/92. It is proposed also to adjust the butter intervention system to avoid purchases at the full intervention price.

(c) *Agrimonetary measures*

In July 1988, the principle was accepted to abolish all existing monetary gaps for stable currencies in four steps, the first step being applied for the 1988/89 marketing year. For the currencies not respecting the narrow band in the EMS, it was agreed that the Commission should apply an adequate system for abolishing the variable monetary gaps. The agrimonetary proposals for 1991/92 are mainly based on these principles:

- (i) for Member States with fixed currencies, all the monetary gaps have already been dismantled, except for cereals in Germany and the Netherlands. In these cases, a complete dismantlement of the positive gaps (without application of MCAs) is proposed;

- (ii) for the United Kingdom and Spain, a dismantlement of one third of the monetary gaps is proposed;
- (iii) the Greek drachma, which is not kept within a margin of fluctuation with regard to the other currencies in the EMS, requires a more substantial dismantlement for 1991/92. It is proposed to do away with two thirds of the remainder of the present gap after the automatic dismantlement resulting from the monetary realignments of 1990;
- (iv) these dismantlements for floating currencies are slightly adjusted so as to reduce the number of green rates;
- (v) no dismantlement is proposed for the Portuguese escudo as its present monetary gap is very small.

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee notes the Commission's assessment of the market situation and the figures for EAGGF expenditure.

Some of the price cuts and related measures proposed by the Commission will, however, result in substantial loss of income for farmers.

The Committee considers that no price reductions should be made before the debate on the CAP reform is concluded, all the more so since:

- (a) the overrun in EAGGF expenditure is due to exceptional circumstances;
- (b) the introduction of stabilizers led to considerable savings in the 1989 and 1990 financial years;
- (c) the additional funds to be provided for German unification — in line with Parliament and Council Declarations and Decisions — should be taken up to offset the ECU 480 million overrun in the agricultural guideline.

Bearing in mind the GATT negotiations too, the Commission should avoid measures which undermine its negotiating position.

For all of these reasons, the Committee proposes that prices be maintained at their 1990/91 level, that only a limited number of measures be adopted in connection with the structural surpluses in cereals and beef/veal, and that a few changes be made in the

<sup>1</sup> CES 571/91.

proposal for Mediterranean products. Accompanying measures should also reduce budgetary expenditure.

*This Opinion, adopted by a large majority, 2 votes against and 8 abstentions, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries chaired by Mr André Laur (France — Various Interests). The rapporteur was Mr Rudolf Schnieders (Germany — Employers).*

## 2. TRAINING, SAFETY AND PROTECTION OF THE ENVIRONMENT (Own-initiative Opinion)

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee focuses on the importance of vocational qualifications for improving safety at work and the quality of the environment.

All human activity has an impact on nature which places a strain on the environment. In view of the pollution caused by, *inter alia*, the industrial division of labour, a more discriminating use of natural resources is becoming increasingly important. Environmental protection must become the watchword both for management, which must exercise firmer control over the industrial use and processing of materials, and workers, who must carry out their tasks in the same spirit. All those working in production and administration need to have a thorough knowledge of environmental causes and effects if industrial society is to develop in an environmentally acceptable manner. If they are given better information about the environment, workers should be in a position to apply ideas and knowledge they have gained during their training.

They cannot manage this, however, without the proper education and training. By the same token, safety in the manufacture, distribution and use of products is the responsibility of employers, workers and consumers, who require the appropriate education and training. Hence instruction in environmental and safety matters is a strategically important element in environment and safety-conscious management, whatever the size of the firm.

Work-related environmental education makes it possible to bring theoretical knowledge and skills systematically to bear on environmental causes and effects. Such a constructive approach to interac-

<sup>1</sup> CES 570/91.

tion between nature and work can speed up the introduction of preventive environmental measures based on a thorough knowledge of the environment.

The subject of environmental protection, unlike that of safety, has hitherto hardly played any role in training in the EC Member States. Knowledge of this kind would open up the possibility of avoiding or reducing the costs which it would incur by eliminating pollution under the polluter-pays principle. The inclusion of general, work-related environmental studies in vocational training will therefore also help to avoid unnecessary costs and conserve natural resources.

If the complex ecological problems facing a firm or comparable organization are to be tackled more successfully, workers who already have some training could do additional courses to qualify as specialists in environmental protection and act in this capacity for part of their working time. These environmental specialists, working in one department of a firm but taking a multi-disciplinary approach to environmental problems, could in this way contribute to the prevention of environmental damage without thereby lessening the responsibility of individuals.

Like the industrial safety officers already employed in many firms in Member States, the environmental specialist could help monitor the environmental performance of equipment and workers, motivate the latter and form a link with line management as well as with the industrial safety officer and industrial environmental officer of the firm concerned, where such posts exist. Because protection of the environment and of safety have a number of common features, it is both sensible and necessary for industrial safety and environmental experts to cooperate closely.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs chaired by Mr Vasco Cal (Portugal — Workers). The rapporteur was Mr Herbert Nierhaus (Germany — Workers).*

### 3. RELATIONS BETWEEN THE EC, JAPAN AND THE USA (Own-initiative Opinion)

#### **Gist of the Committee Opinion**<sup>1</sup>

In this Opinion the Committee considers the development of economic relations between the United States of America and Japan and between the European Community and Japan.

The Opinion begins by recalling that recently feelings of distrust, frustration and hostility towards Japan have developed in the United States, in tandem with the increase in the US trade deficit, the penetration of Japanese products and the acquisition by Japanese firms of US industry and real estate.

Japan has reacted with equal bitterness, pointing out that the deterioration in the United States' economic situation was essentially due to the lack of competitiveness of US exports, an apparently dwindling entrepreneurial spirit and inadequate domestic savings, aggravated by the impact of deficits in the US balance of payments and national budget and long periods during which the dollar was overvalued.

In 1990, with the aim of removing the main causes of the economic frictions which had developed, the US and Japanese Governments launched an agreement entitled the 'Structural impediments initiative' (SII) which constitutes an unprecedented experiment in bilateral relations.

Under the SII each partner undertakes to introduce economic and social measures designed to improve the climate and conditions governing relations between the two countries. If successful, the SII may also improve relations with third countries.

On EC/Japan relations, the Opinion examines the imbalance which developed in the 1970s and 1980s as a result of the sharp growth in Japanese exports and the lack of interest taken by EC firms in the Japanese market.

The Community's trade policy *vis-à-vis* Japan developed mainly through the application of the GATT anti-dumping rules.

For Japanese firms, the arrival of the Community-wide single market by the end of 1992 continues to awaken fears that they will be hit by discriminatory protectionist measures.

<sup>1</sup> CES 575/91.

On the other hand, they are aware of the attraction of a large homogeneous market (320 million people) open to cooperation with the countries of Central and Eastern Europe.

The increase in direct investments by Japanese firms in productive plant in Europe is a response to these new prospects and gives some indication of their desire to play an active part in the development of the European economy.

In January 1990 meetings were held between the Japanese Prime Minister and representatives of the EC Commission, followed by meetings at technical level. The two sides declared their wish to strengthen mutual cooperation and establish close relations on a permanent basis.

The final part of the Opinion sets out conclusions and puts forward recommendations for improving EC/Japan relations.

The need to deepen understanding of each other's cultural and social aspects is stressed.

Japan's socioeconomic structures are changing; the efforts of the Japanese authorities to open up the internal market, increase domestic demand and public investment and improve the Japanese population's quality of life must be followed with interest.

EC entrepreneurs should step up their own efforts to establish themselves permanently on the Japanese market. The rise in direct Japanese investment in Europe should be welcomed, since it involves transfers of technological know-how and organizational methods, and a growth in new jobs.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for External Relations, Trade and Development Policy, chaired by Mr Robert D'Hondt (Belgium — Employers). The rapporteur was Mr Aldo Romoli (Italy — Employers).*

#### 4. PROTECTION OF INDIVIDUALS IN RELATION TO THE PROCESSING OF PERSONAL DATA

**Proposal for a Council Directive concerning the protection of individuals in relation to the processing of personal data**

**Proposal for a Council Directive concerning the protection of personal data and privacy in the context of public digital telecommunications networks, in particular the integrated services digital network (ISDN) and public digital mobile networks**

**Proposal for a Council Decision in the field of information security**  
[COM(90) 314 final — SYN 287 and 288]

#### **Gist of the Commission document and the Committee Opinion <sup>1</sup>**

The proposal is aimed at establishing an equivalent high level of protection in all EC Member States in order to remove the obstacles to the data exchanges that are necessary if the internal market is to function. To this end, the principles set forth in the draft Directive must be underwritten by the Member States. These principles concern the conditions under which the processing of personal data is lawful, the rights of the subject of the data (right to information, right of access, right to rectification, right of opposition, etc.), data quality (the data must be accurate, collected fairly, stored for specified and lawful purposes, etc.) and the setting up of a Working Party on the Protection of Personal Data to advise the Commission on data protection issues. The draft Directive covers both the private sector and those activities of the public sector which fall within the scope of Community law. Since every individual will enjoy in each Member State an equivalent high level of protection in respect of the processing of personal data, the Member States will no longer be able to restrict the flow of such data in the Community on grounds of the protection of the subject of the data.

The Committee endorses the aim and rationale of the proposal, which is based on the principles laid down in Council of Europe Convention 108, subject to a number of comments.

<sup>1</sup> CES 569/91.

The Committee considers that the concept 'processing of personal data', rather than 'file', should be used to define the scope of the Directive.

The distinction between the public and private sectors should not be based on solely commercial criteria.

National supervisory authorities should be granted explicit powers of examination *prior* to the processing of particularly sensitive data.

The communication of medical data should be subject to agreement of the patient.

Rental of files for marketing purposes should also be subject to agreement of the parties concerned.

While the Committee supports the framing of European codes of conduct or professional ethics, it considers that these codes should be subject to approval by the European data protection authority, and should not come under the regulatory powers of the Commission.

**Proposal for a Council Directive concerning the protection of personal data and privacy in the context of public digital telecommunications networks, in particular of the integrated services digital network (ISDN) and public digital mobile networks (SYN 288)**

The widespread introduction of public digital telecommunications networks in the Community will allow vastly enhanced telecommunications functions for the general public, in particular with the implementation of the Integrated Services Digital Network (ISDN) and the new digital mobile services. At the same time a Community-wide common approach for the protection of privacy, personal data and data security will be required with regard to the specific requirements of the new digital telecommunications environment.

The proposal for a Directive is intended to meet these specific requirements with regard to the protection of personal data and privacy in the field of the new public digital telecommunications networks. It is presented in the context of — and complementary to — the Commission proposals for the establishment of a general framework for data protection in the Community.

Effective protection of personal data and privacy is becoming an essential precondition for social acceptance of the new digital networks and services. It must be an essential component of the Community's telecommunications policy.

The Committee endorses the proposal.

It considers that anonymous access to networks should be possible, notwithstanding questions of payment.

There should be a ban on listening to a private conversation without a person's consent, and transmitting or recording a picture of a person taken in a private place without consent.

The Committee warns against misuse of 'sources generally accessible to the public' (e.g. telephone directories), and argues that non-inclusion in a directory should be free of charge.

### **Proposal for a Council Decision in the field of information security**

The growth and performance of an estimated two-thirds of the economy relies on manufacturing or services heavily dependent on information technology, telecommunications and broadcasting and therefore depends critically on the accuracy, security and 'trustworthiness' of information. This is as important for individuals as it is for commerce, industry and public administrations. Correspondingly, the protection of information in all its aspects, referred to as information security, has become a central policy issue and a major concern world-wide.

Major changes have occurred during the last decades, but those ahead may be even greater. The advent of efficient global communication has placed greater emphasis on the need to provide adequate 'protection' over levels of service availability, message integrity and privacy commensurate with the expected level of administrative or technical threat.

For the Community and its Member States, it is vital that information security does not become a constraint upon promotion of harmonious development in the Community and upon relations with other countries.

Action at Community level will need to involve concerted efforts in establishing the required technology, standards, verification and certification procedures and regulations (where required) in the framework of the Community decision-making process.

The intention of the Commission is to encourage a debate on information security issues with those operating in the sector in the Community and to reach a consensus on the appropriate steps to be considered. This debate could be initiated on the basis of a statement of issues. It is of vital importance that the Community

initiative can rely on close collaboration with senior Member State officials.

It is therefore proposed that the Commission be assisted by an advisory committee, composed of representatives of the Member States and chaired by a representative of the Commission.

The Committee approves the proposal, but calls for a more precise description of the tasks, powers and working methods of the planned committee. That committee should first assess needs and then draw up a work plan.

*This Opinion, adopted by 80 votes for, 13 votes against with 4 abstentions, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services, chaired by Mrs Ann Robinson (United Kingdom — Employers). The rapporteur was Mr Henry Salmon (France — Various Interests).*

## 5. UNFAIR TERMS IN CONSUMER CONTRACTS

### **Proposal for a Council Directive on unfair terms in consumer contracts**

[COM(90) 322 final — SYN 285]

### **Gist of the Commission proposal**

The aim of this proposal is to draw up a list of terms regarded as unfair — and therefore to be forbidden — in contracts drawn up in the Community between suppliers and consumers (i.e. purchasers of goods and services).

It is accompanied by a 'black list' of unfair terms which will be treated as null and void if they are found in contracts. These include terms:

- (i) excluding or limiting the liability of a contracting party in the event of death or personal injury to the consumer;
- (ii) allowing the supplier to change the terms of the contract unilaterally while denying the consumer the right to uphold his interests;
- (iii) leaving uncertainty as to price, which operates to the consumer's disadvantage.

## Gist of the Committee Opinion <sup>1</sup>

In the Committee's view the approximation of unfair terms is needed for consumer confidence but is not desirable to approximate contract law as such; this is a matter for the courts.

The Committee also makes the following points:

- (i) the Member States should set up in their respective countries a system to monitor the implementation of the Directive and notify the Commission of the results;
- (ii) the proposal should provide for the imposition of sanctions by Member States;
- (iii) as fear is expressed in some circles as to the negative impact of the proposal, the Committee points out the proposal will not constitute a major departure from existing contract law in the Member States, but rather act as a partial *rapprochement* of existing national legislation;
- (iv) individually negotiated contract terms should be assessed on a different basis to standard terms;
- (v) the proposal is limited to the protection of consumers and should be extended to cover intermediate parties and/or SMEs;
- (vi) there should be an obligation on the supplier to inform the consumer, before contract conclusion, of the terms applicable;
- (vii) the principle of the 'non-transparency of a contract term' should be introduced as an additional criterion of unfairness;
- (viii) the question of Community action in after-sales service and guarantee conditions should be investigated.

*This Opinion, adopted by a large majority with four votes against and six abstentions, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs chaired by Mr Francisco Ceballos Herrero (Spain — Various Interests). The rapporteur was Mr G.H.E. Hilken (Netherlands — Various Interests).*

<sup>1</sup> CES 568/91.

## 6. PROOF OF EMPLOYMENT

### **Proof of an employment relationship** [COM(90) 563 final]

#### **Gist of the Commission proposal**

As part of its action programme implementing the Community Charter of Fundamental Social Rights of Workers, in particular under the heading 'Improvement of living and working conditions', the Commission has presented a proposal for a Directive on the provision of a written form of proof of an employment relationship.

The aim of the proposal is to ensure that employees who are not already covered by a written employment contract or letter of appointment should be provided with a written declaration detailing the terms of their employment.

The proposal seeks to strike a balance between workers' need to know the nature and content of their employment relationship and that of firms to find new and more flexible forms of employment relationship as required by a modern economy. The proposed directive would make for greater transparency on the labour market, which is undergoing changes likely to worsen the position of workers in employment relationships which, in most cases, will no longer be of the traditional kind.

Apart from the new opportunities for unlawful work created by this trend, the concepts of employee, employer, and working time, which seemed to have been formalized by labour law, are being eroded. New forms of distance work, training schemes, work-training contracts, wider externalization of employment, increasing flexibility of the time reference frame for part-time or full-time work, and, more generally the development of new work forms or job creation schemes are all tending to make the situation of many workers confused, uncertain and unstable.

In line with the conclusions of the European Councils of Hanover, Rhodes and Madrid in the context of completing the internal market, the social and economic aspects must be given equal weight.

The present proposal should enable every worker to know for whom he works, where he works and the main conditions of his employment relationship. Some Member States have adopted legislation or concluded agreements laying down requirements regarding the form of certain contracts. However, the requirements

differ from one Member State to another, making this measure all the more necessary. Written contracts stating any special conditions of employment are mainly required in systems of continental law, while in the United Kingdom and Ireland employers are required to inform their employees in writing of the main terms of their employment contract.

The proposed Directive specifies that if the worker does not have a written employment contract, or a letter of appointment or other document referring to a collective agreement or the legislation governing his employment relationship, the employer must provide him with a written document containing the following particulars no later than one month after he has been recruited:

- (i) identity of the parties;
- (ii) place of work;
- (iii) definition of the job and category of employment;
- (iv) duration of the contract and, if appropriate, duration of the trial period and period of notice; working time and paid leave;
- (v) remuneration and method of payment;
- (vi) applicable social security system and, if appropriate, supplementary scheme;
- (vii) reference to applicable collective agreements.

However, to maintain a certain degree of flexibility in employment, the proposal excludes from the scope of the Directive any employment relationships where the average number of hours worked per week is less than eight.

To ensure the effectiveness of this requirement, any substantial changes in the conditions of work or pay must be set down in writing. In particular, when an employee is seconded to another country, he must be informed before departure of the duration of the secondment, details of any benefits which may be linked to it, the type of foreign currency used for the payment of wages or salaries, and if applicable, the conditions of repatriation.

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee supports the proposal's aim of guaranteeing all workers the right to know the name of their employer, and their place and terms of employment.

<sup>1</sup> CES 567/91.

Accordingly, it defends recognition of:

- (a) the obligation of employers to provide all workers with written proof of their employment relationship; and
- (b) the right of all workers to demand and receive a written document setting out their basic conditions of work and any other agreed terms.

The Committee considers that the proposal should be revised to take account of the following principles:

- (i) access to a formalized expression, in a written document, of the main terms of their employment relationship should be enshrined as a right available to all workers;
- (ii) 'the conditions of employment... shall be stipulated in laws, a collective agreement or a contract of employment, according to the arrangements applying in each country' (Article 9 of the Community Charter of Fundamental Social Rights of Workers);
- (iii) enshrinement of the right to a formalized written expression of the main features of an employment relationship must not conflict with the goals of mobility and flexibility which must be pursued with an eye to the 1992 single market.

*This Opinion, adopted unanimously with five abstentions, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs chaired by Mr Vasco Cal (Portugal — Workers). The rapporteur was Mr Manuel Cavaleiro Brandão (Portugal — Employers).*

## 7. DRUGS

**Proposal for a Council Directive on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances**  
[COM(90) 597 final]

### **Gist of the Commission proposal**

In the context of the 1988 United Nations Drug Convention, this proposal lays down rules to ensure that, within the EEC, precursor chemicals are not diverted to the illicit manufacture of drugs and that competition is not distorted in the licit manufacture and marketing of such chemicals.

## **Gist of the Committee Opinion <sup>1</sup>**

The Committee approves the proposal subject to a number of strong reservations:

- (i) while the measures proposed are calculated to improve the monitoring of traffic in illicit drugs, they are not in themselves sufficient to stamp out drug trafficking;
- (ii) some of the proposed measures will be difficult to implement, for example regarding registration and sanctions;
- (iii) the table of scheduled substances is not satisfactory, e.g. some of the threshold limits seem unrealistic;
- (iv) a Regulation might have been preferable to a Directive.

*This Opinion, adopted unanimously with one abstention, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs chaired by Mr Francisco Ceballos Herrero (Spain — Various Interests). The rapporteur was Mr Georges Proumens (Belgium — Employers).*

## **8. COMPULSORY USE OF SAFETY BELTS — VEHICLES OF LESS THAN 3.5 TONNES**

**Amendment to the proposal for a Council Directive on the approximation of the laws of the Member States relating to the compulsory use of safety belts in vehicles of less than 3.5 tonnes**  
[COM(90) 524 final]

### **Gist of the Commission amendment**

The Commission's proposal COM(88) 544 on road safety contained specific areas of action: among these was the wearing of safety belts.

Article 7 of the proposal gave an exemption to children under 12 years of age from wearing safety belts and restraint systems, and the Commission undertook to submit to the Council a proposal for a Directive relating to special restraint systems for children under 12.

In its Opinion CES 566/89 of 27 April 1989, rapporteur: Mr Tukker, the Committee took the view that there were already

<sup>1</sup> CES 573/91.

enough restraint systems on the market specially designed for small children (under 12) to justify the early adoption of a Directive for this category of passengers too.

Correctly used child restraint systems have been proven to reduce the risk of injury by 60% to 90%, depending on the age of the child and the type of system used.

The amended proposal legislates for the mandatory use of child restraint systems in such a way that does not preclude children from travelling in a car where suitable restraint systems are not available. However, it does encourage the availability of suitable restraint systems by insisting that children of all ages can travel in the front passenger seating position only if they are restrained by a system commensurate with their age and size.

Children occupying the forward-facing rear seating positions should be restrained by appropriate systems if they are available in the car. The technical standard to which child restraint systems are approved will be those of Member States' national requirements until such time that a Directive is passed on a harmonized Community standard.

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee welcomes the fact that a proposal to this end is now being submitted to the Council and broadly endorses its provisions. However, the Committee wishes to bring the following points to the attention of the Council:

- (a) The Committee regrets that the Directive is still being blocked by a few Member States, and has not yet been accepted. The Committee trusts that the Member States in question will drop their opposition and enable early implementation of the complete Directive, including the amendments in respect of children's safety.
- (b) The Committee points out that utilization by children aged 4 to 12 of the standard adult three-point belt can involve hazards if there is no additional system to prevent neck injuries. An (automatic) lap belt without additional systems provides better protection for children aged 4 to 12 than a three-point belt without additional systems.

<sup>1</sup> CES 572/91.

Only children with a height of 140cm (10 to 12-year age group) can use an adult three-point belt without problems. Smaller children using an adult three-point belt have to sit on a special cushion.

Children who are somewhat older than four are well protected by a four-point belt, which ensures that they cannot be pushed under the lap belt (submarine effect). In the absence of anything better, a lap belt is a good alternative, certainly in the case of children aged about six or more.

- (c) The amended version of Article 2(3) recommended under (d) below ensures that all children under five occupying the rear seats of vehicles are properly protected if the necessary safety systems are fitted. This is also true for older children provided proper systems additional to the adult belt are fitted. If there are no supplementary systems, the obligation does not apply, thus ensuring that there is no obligation to use a three-point belt which can lead to injuries. In this case a lap belt would be preferable.
- (d) The Committee proposes that Article 2(3) be reworded to read: 'Member States shall require that no later than 1 June 1991 all children up to four years of age and occupying the rear forward-facing seats of vehicles being used on the road in category M1 irrespective of the date of registration wear a restraint system where one is available. Such a system has to be approved by the competent authorities of a Member State and this approval has to be recognized by the other Member States for the system to be used in those States too. Children older than four must be restrained by the fitted approved safety belt or the most suitable restraint system referred to in Article 2(2) subject to use of an additional system approved for use by a child, having regard to the age and weight of the child.'

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Transport and Communications chaired by Mr Eike Eulen (Germany — Workers). The rapporteur was Mr Ulbo Tukker (Netherlands — Employers).*

## 9. REFORM OF THE STRUCTURAL FUNDS

**Annual report on the implementation of the reform of the structural Funds — 1989**  
[COM(90) 516 final]

### **Gist of the Commission document**

The Commission's first annual report on the implementation of the reform of the structural Funds provides:

1. a general review of the preparation of the Community support frameworks (CSF);
2. an examination of the operational phase for each of the five structural reform objectives;
3. a thematic analysis of Community assistance;
4. details of the implementing arrangements and budgetary implementation in 1989.

A comprehensive statistical appendix completes the report.

#### **1. General review of the principles of the reform and their implementation**

The Commission sees the interim results as largely positive (prompt submission of plans, effective doubling of resources, partnership between the Commission and the national/regional authorities, consultations with the social partners).

However, the Commission is critical of certain aspects of the procedure:

- (i) the Member States' plans do not provide a sufficient guarantee that the resources are truly additional;
- (ii) the procedure for preparing the plans has proved more cumbersome than initially expected.

## 2. Assessment of the operational phase for the five goals

Resources were allocated to the five goals as follows:

	<i>Objective 1 (billion ECU)</i>	<i>Objective 2 (million ECU)</i>	<i>Objectives 3&amp;4 (million ECU)</i>	<i>Objective 5 (million ECU)</i>	<i>TOTAL (billion ECU)</i>
Greece <sup>1</sup>	6.667				6.667
Spain	9.779	735	563	285	11.362
France	0.888	700	872	960	3.420
Ireland <sup>1</sup>	3.672				3.672
Italy	7.443	265	585	385	8.678
Portugal <sup>1</sup>	6.958				6.958
UK	0.879	1 510	1 025	350	3.678
Belgium		195	174	33	0.402
Denmark		30	99	23	0.152
Germany		355	573	525	1.453
Luxembourg		15	7	3	0.025
Netherlands		95	230	44	0.369
<b>TOTAL</b>	<b>36.2</b>	<b>3 900</b>	<b>4 128</b>	<b>2 607</b>	<b>46.835</b>

<sup>1</sup> Greece, Ireland and Portugal are Objective 1 areas entirely.

Further Commission decisions will bring this figure up to ECU 60 billion.

In 1989 and 1990 the Commission also adopted Community initiatives totalling ECU 3 800 million which complement the CSFs (see Chapter II, 7).

An extra ECU 3 000 million are also scheduled for the five new *Länder* of the Federal Republic of Germany in 1991-93.

### **3. Critical analysis of the five goals**

As regards Objective 1 regions, the Commission notes that:

- (i) stated needs were greatly in excess of available funds;
- (ii) some Member States (Spain, Greece, Ireland) made no use of EIB loans in their plans;
- (iii) although basic infrastructure accounted for half of ERDF funding, the situation varied considerably from one Member State to another (see Annexes IV and VII).

As regards Objective 2 regions, the Commission emphasizes that:

- (i) aid should focus on productive investment, as it did in most Member States (the exceptions being Spain and the UK);
- (ii) the high level of existing commitments meant considerable cuts for the new measures;
- (iii) there were considerable differences between Member States in the importance attached to the different priorities (see Annex V).

For Objectives 3 and 4, the Commission notes that:

- (i) demand far exceeded the resources available;
- (ii) the plans mainly provided for schemes to assist young people;
- (iii) there was still too much overlapping where projects covered several objectives.

Aid for Objective 5b regions concentrated on rural development, mainly to support small firms, nature and the environment, and training schemes.

### **4. Thematic analysis of Community assistance**

In the area of basic infrastructure, priority was given to transport, telecommunications and energy (see Annex VIII) (50% of all resources for Objective 1 regions).

Investment also covered:

- (i) strengthening of productive sectors;
- (ii) development of human resources;
- (iii) improvement of farm structures.

### **5. Implementing arrangements and budgetary implementation**

The Commission is striving to step up controls with the introduction of a code of conduct. It has set up a system of monitoring com-

mittees (not described in detail) to monitor implementation of the CSFs. The Commission focuses on the technical assistance available to help implement the Fund reforms.

Budgetary spending in 1989 exceeded the indicative breakdown. ECU 88.5 million of the ECU 9 295 million commitment appropriations were not used and were carried over. Payment appropriations totalled ECU 8 207 million of which ECU 262.4 million were not used (see Annex IX).

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee observes that the first annual report gives an accurate but not sufficiently thorough account of the implementation of the reform of the structural Funds. It therefore suggests a number of ways in which the next report could be improved. With a view to further reform of the structural Funds, the Committee recommends, in particular, that greater emphasis be given to the objective of economic and social cohesion and the principle of additionality of resources. It criticizes the way in which the social partners have so far been involved at all levels and calls for their role to be clearly defined in future Community regulations.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Regional Development and Town and Country Planning chaired by Mr Robert J. Moreland (United Kingdom — Various Interests). The rapporteur was Mr James McGarry (Ireland — Employers).*

## **10. WEIGHTS AND DIMENSIONS — SUSPENSION**

**Proposal for a Council Directive amending Directive 85/3/EEC on the weights, dimensions and certain technical characteristics of certain road vehicles**  
[COM(90) 486 final]

### **Gist of the Commission proposal**

When the Council adopted Directive 86/360/EEC concerning the drive axle weight of 5 and 6-axle vehicle combinations, it called on the Commission to examine ways of reducing the additional road wear and tear which would result from the fixing of the load on the

<sup>1</sup> CES 576/91.

drive axle at 11.5 tonnes as from 1 January 1992. The Council asked the Commission to submit a report to it in due course, accompanied by a proposal for Community legislation if appropriate.

Directive 89/338/EEC specifies that 4-axle articulated vehicles and 3-axle and 4-axle rigid vehicles may only realize the maximum gross vehicle weight allowed for in that Directive if they equip their drive axle with twin tyres and air suspension or suspension recognized within the Community as being equivalent.

The proposed Directive stipulates that a vehicle engaged in international transport, in order to be used at its maximum gross vehicle weight with an 11.5 tonne drive axle, must equip the drive axle with twin tyres and air suspension or suspension recognized within the Community as being equivalent. Where the drive axle is not so equipped, the maximum authorized weight is limited to 10.5 tonnes. In an annex to the proposal, the Commission defines such terms as air suspension, equivalence to air suspension, frequency and damping, and the test procedure.

### **Gist of the Committee Opinion**<sup>1</sup>

The Committee welcomes the initiative in general terms, but has nevertheless certain doubts about the present proposal:

- (a) it extends certain conditions for allowance of the 11.5 tonne maximum weight on the driving axle to all motor vehicles indiscriminately; this is not provided for in Directive 89/338;
- (b) the technical section, which should have been the essential part of the proposal, is incomplete.

*As for point (a)*, the Committee points out that most of the Member States already allow the 11.5 tonne drive axle and that the motor-vehicle industry has already planned the production of vehicles with 11.5 tonnes on the driving axle.

Therefore, the Committee would ask the Commission to review the time-scale for its implementation, delaying the proposed date of coming into force from 1 January 1993 to 1 January 1995, bearing in mind that otherwise there would not be a long enough lapse of time after the proposal's publication for manufacturers to adapt to the new specifications.

<sup>1</sup> CES 574/91.

*As for point (b), the Committee points to the problem of mechanically connected tandem axles in which the load is distributed symmetrically or almost symmetrically between the two axles of the tandem.*

Since this design solution has a less destructive effect on the road surface and therefore must be seen as a 'road-friendly' suspension, the Committee suggests the following be added to the proposal's Annex I: 'there is no need to prove equivalence for tandem axles where the heavier axle does not exceed 9.5 tonnes'.

Finally, the Committee suggests changing the provision on maximum tyre/road surface contact pressure (8 bar), found in Annex III. The point should be changed either by removing it from that Annex or by stipulating that 'the *average* contact pressure of the tyres must not exceed 8 bar'. This amendment would make more realistic and practical measurement possible.

*This Opinion, which was adopted by a large majority with two abstentions, was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr Eike Eulen (Germany — Workers). The rapporteur was Mr Edoardo Bagliano (Italy — Employers).*

## 11. GREEN PAPER — SATELLITE COMMUNICATIONS

**Towards Europe-wide systems and services — Green Paper on a common approach in the field of satellite communications in the European Community (Communication from the Commission)**  
[COM(90) 490 final]

### **Gist of the Commission Communication**

Satellite communications have developed dramatically during recent years. As the European Community approaches the Europe-wide market of 1992, satellite communications are becoming a vital element for the trans-European services and networks needed for the single European market.

Since satellite communications represent by far the largest commercial application for satellite technology, they will determine, to a large extent, the commercial success of Europe's effort to gain a strategic future-proof position in space.

The Community's internal market is still highly compartmentalized. This may, if no changes are brought about, hamper the development of its satellite industry, which is still in its infancy in service terms — despite its advanced position in technological terms. This compartmentalization has not allowed the appropriate use of the potential of the new satellite communications technologies for the provision of Europe-wide systems and services.

Several Member States have already liberalized parts of their satellite communications sector on their own initiative. In particular, some Member States have authorized a number of operators to provide satellite services across borders towards other Member States. This raises a number of questions with regard to fundamental principles of the Treaty of Rome such as the free circulation of goods and services. It is important that these questions be resolved at Community level so that divergent national solutions are avoided.

The objective of this communication is to extend the application of the general agreed principles of Community telecommunications policy to satellite communications. Four major changes are proposed:

- (i) Full liberalization of the earth segment, including both receive-only and transmit/receive terminals, subject to appropriate type approval and licensing procedures where justified to implement necessary regulatory safeguards;
- (ii) Free (unrestricted) access to space segment capacity, subject to licensing procedures in order to safeguard those exclusive or special rights and regulatory provisions set up by Member States in conformity with Community law. Access should be on an equitable, non-discriminatory and cost-oriented basis;
- (iii) Full commercial freedom for space segment providers, including direct marketing of satellite capacity to service providers and users;
- (iv) Harmonization measures as far as required to facilitate the provision of Europe-wide services. This concerns in particular the mutual recognition of licensing and type approval procedures, frequency coordination and coordination with regard to third country providers.

## Gist of the Committee Opinion <sup>1</sup>

The Committee supports the proposals in the Satellite Green Paper in light of the need to exploit the full potential of satellite technology and services in Europe. Liberalization and the separation of operational and regulatory functions are, in the Committee's view, a prerequisite to achieve this.

The Committee is of the opinion that continued cooperation between Member States to implement the proposals contained in the 1987 Green Paper, the Satellite Green Paper and related measures, is imperative for facilitating and encouraging the full use of the potential of satellite communications in Europe. Therefore, the Committee is of the opinion that a realistic timetable for this implementation, particularly separation of operational and regulatory functions, should be established by the Commission which should take an active role in seeing that the timetable is met. The Committee suggests to the Commission that if the timetable is unlikely to be met by all Member States, should consider how best to achieve the subject-matter of the timetable including whether there is a need for the Member States to vest authority for and responsibility to carry out implementation in an organization especially charged with appropriate responsibilities and authority. Such an organization should be centrally located with power to cooperate with and to liaise with the telecommunications administrations and organizations in each of the Member States and also with the Commission.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Transport and Communications chaired by Mr Eike Eulen (Germany — Employers). The rapporteur was Miss Jocelyn Barrow (United Kingdom — Various Interests).*

<sup>1</sup> CES 564/91.

## 12. YOUTH FOR EUROPE PROGRAMME

### **Proposal for a Commission Directive on the Youth for Europe programme** [COM(90) 470 final]

#### **Gist of the Commission proposal**

The Youth for Europe programme is the only Community programme which supports out-of-school exchanges open to all young people, no matter what their occupation may be.

In 1989 some 20 000 young people benefited from grants under the programme, for short-duration exchanges in another Member State. The programme operates through national agencies in each Member State and one of its main achievements has been the establishment of a European network of such agencies in all Community countries, thus ensuring that information and advice in this field are available for the first time throughout the Community.

The new proposals are built on the achievements of the final programme, but develop them on two fronts:

1. The Commission proposes an increase in the budget, from ECU 6.5 million in 1991 to ECU 10.0 million in 1992. The main purpose of increasing the budget is to enable the programme to reach out especially to young people who are disadvantaged — whatever the nature of their disadvantage, be it physical, mental, social, geographical or economic.
2. The Commission proposes to launch a first experimental activity in supporting voluntary service activities for young people in another Member State, in the cultural, social and educational fields. This activity would run for two years, but could then be renewed if appropriate.

#### **Gist of the Committee Opinion <sup>1</sup>**

The Committee endorses the proposed new three-year phase of the Youth for Europe programme.

The Committee considers that, to achieve this aim, the supervisory councils and boards of the executive agencies in the Member States should include representatives of organizations which provide support for the disadvantaged in society. At the same time, the Com-

<sup>1</sup> CES 558/91.

mittee warns that excessive targeting of the disadvantaged might lead to the participation of individuals who are not (yet) able to pursue with reasonable success the abovementioned aim of international exchanges; furthermore, the term 'disadvantaged' is unclear and has unfortunate connotations.

The Committee welcomes the proposal concerning voluntary service. The Committee does not rule out any public or private-sector activities. It urges a balanced spread across the two sectors.

The decentralized implementation of the programme at national level presupposes the existence of good, professional national agencies in each Member State. The Committee presumes that there will be no question of the Commission providing subsidies until these agencies exist.

A sound Community infrastructure for youth exchanges should include:

- (i) one-week or two-week courses on the history, culture and unification of Europe and its expected future dimension;
- (ii) the establishment and maintenance of an inter-Member State network, responsible for exchanges and for evaluating the impact of the programme;
- (iii) the establishment of an information centre; this centre would provide information on future meetings, work camps, individual voluntary service arrangements and other activities;
- (iv) promotion of European ideas, for instance via courses for teachers, youth leaders and others involved in youth work.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs chaired by Mr Vasco Cal (Portugal — Workers). The rapporteur was Mr B.N.J. Pompen (Netherlands — Various Interests).*

### 13. FARM STRUCTURES

**Proposal for a Council Regulation (EEC) on improving the efficiency of agricultural structures**  
[COM(91) 268 final]

#### **Gist of the Commission proposal**

The proposed consolidated version of Council Regulation 797/85 of 12 March 1985 on improving the efficiency of agricultural structures, aims at legislative consolidation: the existing regulations

would be replaced by one new one, which would leave their substance untouched but would assemble them into a single text, with only the formal amendments required by the operation itself.

### **Gist of the Committee Opinion**<sup>1</sup>

The Committee approves the Commission's proposal but asks the Commission to revise the document so as to include the measures on extensification, the special allowance paid to upland farmers and set-aside.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, chaired by Mr André Laur (France — Various Interests). The rapporteur was Mr Charles Pelletier (France — Various Interests).*

## **14. INFRASTRUCTURE COSTS — ROAD TRANSPORT**

**Modification of the proposal for a Council Directive on the charging of transport infrastructure costs to heavy goods vehicles**  
[COM(90) 540 final]

### **Gist of the Commission proposal**

The proposal for a Directive provides for the progressive introduction of a minimum road tax for heavy vehicles. Harmonization of taxes will make it possible to reduce fiscal distortions to competition between Community carriers while helping to ensure that the fixed costs of road infrastructure are more effectively met. The system under consideration is based on the introduction of a minimum road tax which would vary according to the impact of the vehicles concerned on the road network (weight, number of axles and so on).

#### **I. The present situation**

- (i) Hauliers pay taxes on the diesel fuel they consume (excise duties) and a road tax (annual) in the Member State where they are registered.

<sup>1</sup> CES 566/91.

- (ii) In five Member States, vehicles are also taxed for using certain sections of motorways.
- (iii) In October 1989 the Commission tabled a proposal for the harmonization of excise duty on diesel fuel, recommending a range of ECU 195-205/1 000 litres.
- (iv) Road tax on lorries varies from one Member State to another by as much as a factor of 13.

## II. The principles

- (i) The various forms of taxation should provide better cover for the real costs of the use of roads.
  - (a) Excise duties on diesel fuel to which this proposal does not relate should cover variable maintenance costs, etc.
  - (b) Vehicle road taxes (including tolls) should cover the fixed costs.
- (ii) The different taxes should not lead to distortion of competition between carriers: conditions should be equal regardless of the Member State in which vehicles are registered or the area of the Community in which they operate. The same rule must, of course, apply to other competing means of transport such as the railways.
- (iii) To ensure that the greatest possible proportion of infrastructure costs is met by the user, taxes should, as far as possible, comply with the principle of territoriality (i.e. they should be levied where the infrastructure is used).

## III. The procedures

- (1) *During the first stage (1992-94)*
  - (i) A minimum annual road tax is introduced on the basis of the known infrastructure costs already established in some Member States. It is intended to cover the infrastructure costs not covered by excise duties on diesel fuel.
  - (ii) The tax is progressive. A coefficient (k) with a value of less than 1 enables the rate of cover of real infrastructure costs to be increased progressively.
    - 15% of infrastructure costs not covered by excise duty in 1992.
    - 20% of infrastructure costs not covered by excise duty in 1993.
    - 25% of infrastructure costs not covered by excise duty in 1994.
  - (iii) The tax is variable according to the category of vehicle.

- (iv) To take account of the use of toll motorways, Member States may refund to carriers a part of the tax in proportion to the mileage covered by their lorries each year on motorways.
- (2) *During the second stage (after 1994)*
  - (i) From 1 January 1995 the minimum taxes will be based on the real infrastructure costs notified to the Commission by the Member States.
  - (ii) The transition period will be extended to 1999. From the year 2000 the tax refund coefficient will be equal to 1 ( $k = 1$ ).

### **Gist of the Committee Opinion <sup>1</sup>**

The Commission had made a number of attempts to obtain agreement on goods vehicle taxation since 1968. So far all have run into difficulty in the Council. The Committee must stress, as it did in its 1986 and 1987 Opinions, that 'a solution to the problems of commercial vehicle taxation is important in the context of the removal of distortions of competition on the internal market'. It is concerned that time is not on the side of the Council in meeting the 1992 deadline.

Consequently, the Committee stresses the importance of the agreement to be taken in June 1991 as envisaged by the Council. Nevertheless, the Committee realizes that the solution may have to be an 'acceptable' and/or 'step-by-step' solution rather than an 'ideal' one.

In coming to a solution, the Committee believes that the Council should take the following into account:

- (i) that in principle the taxation of goods vehicles should cover all costs caused by such vehicles — at the very least it should cover the marginal costs caused by such vehicles;
- (ii) that territoriality is a 'fair' basis for taxation and should be the ultimate objective;
- (iii) that solutions must not add to the complexity of taxation or impose additional administrative burdens.

The distinction between toll roads and non-toll roads together with the deduction of paid tolls from the vehicle tax could lead to the additional introduction of toll motorways in Member States. The proposal could induce Member States to introduce toll motorways,

<sup>1</sup> CES 562/91.

for their transport infrastructure would be partly financed by other Member States.

The calculation of infrastructure costs is essential for the future charging of road haulage. The definition and calculation of the costs are essential for taxation charges of road haulage. However, it cannot be considered as a technical question to be settled only by the Commission.

An emphasis on 'territoriality' would be highlighted with an increasing emphasis on fuel tax, *vis-à-vis* vehicle tax. While there is a strong argument in favour of the fuel tax to cover variable infrastructure costs, a fuel tax rate of ECU 245-270/1 000 litres implies a considerable tax increase for many road hauliers in some Member States and thus an increase in costs. For that reason the Committee is in favour of a step-by-step approach.

*This Opinion, adopted by a majority with three abstentions, was drawn up in the light of the paper produced by the Section for Transport and Communications, chaired by Mr Eike Eulen (Germany — Employers). The rapporteur was Mr Robert J. Moreland (United Kingdom — Various Interests).*

## 15. SAFETY SIGNS

### **Proposal for a Council Directive concerning the minimum requirements for the provision of safety and/or health signs at work**

[COM(90) 664 final — SYN 322]

### **Gist of the Commission proposal**

The proposal is based on Article 118a of the EEC Treaty and takes the form of an individual Directive within the meaning of Article 16 of Council Directive 89/391/EEC.

The aims of the proposal are as follows:

- (a) *Extending the scope of Council Directive 77/576/EEC and strengthening some of its provisions*

The aim of Council Directive 77/576/EEC is to ensure that a limited group of safety signboards and signs for obstacles and dangerous locations comply with certain principles. This proposal aims to make the use of signs compulsory under certain conditions and introduces new signboards and other types of signs, such as for the location and identification of containers and pipes and of fire-

fighting equipment, markings for certain traffic routes, luminous and acoustic signs, adequate verbal communication and hand signals.

The proposal also has the same very broad scope as Directive 89/391/EEC. It therefore covers more undertakings and workers than Directive 77/576/EEC. As a result the protection afforded to workers will be improved.

- (b) *Giving safety and/or health signs appropriate weight in relation to other methods of prevention*

The proposal does not aim to give priority to signs. On the contrary, its first stipulation is that the preventive effect of techniques for mass protection or of the measures, methods or procedures used in the organization of work should be improved and extended, without the two necessarily being mutually exclusive.

- (c) *Covering certain risks which may arise from the increasing movement of workers within the Community*

The many current discrepancies between the safety and/or health signs used in the various Member States present certain risks in connection with the free movement of workers. The proposal aims to overcome such risks, particularly those arising from linguistic and cultural differences.

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee gives a general welcome to the proposals but is concerned that there could be, albeit unwittingly, a consequential proliferation of signboards and signs with the attendant danger of a not 'seeing the woods for the trees' syndrome, and bearing in mind that signs and signboards of themselves cannot be a substitute for a well-informed management and workforce with the requisite education and training in the whole area of workplace hazards and accident control and prevention.

In its Opinion on Directive 77/576/EEC issued on 30 September 1976, the Committee made a number of points which are valid in respect of the current proposal:

- (i) a proliferation of safety signs should be avoided, as this would detract from their effectiveness;

<sup>1</sup> CES 559/91.

- (ii) the symbols must be sufficiently expressive and eye-catching, especially for more vulnerable sections of the population;
- (iii) the technical requirements for these signs must take into account the psychological effect on persons who are not sufficiently well informed.

The current Opinion makes further specific suggestions as regards:

- (i) proper safety information, training and education of workers;
- (ii) suitable consultation, familiarization, and instruction of workers;
- (iii) exemptions for certain luminous and/or acoustic signs;
- (iv) the weaknesses of certain proposed verbal communications;
- (v) possible confusion arising from certain prohibitory signs;
- (vi) problems of colour coding;
- (vii) the need for careful monitoring.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs, chaired by Mr Vasco Cal (Portugal — Workers). The rapporteur was Mr John F. Carroll (Ireland — Workers).*

## 16. STATUS OF THIRD COUNTRY MIGRANT WORKERS (Own-initiative Opinion)

### **Gist of the Committee Opinion**<sup>1</sup>

The Opinion focuses on the 'domestic' aspects of a Community immigration policy. It will concentrate on the questions raised by the presence in the Community of migrants from third countries, as regards their living and working conditions and their impact on the economic and social situation of the Community.

The term 'migrants from third countries' here means people who have moved from their country of origin to an EC Member State to work there as employees or self-employed, and who are legally resident there either temporarily or permanently. The term extends to family members (spouses, children under 18, other dependent offspring, and dependent relatives in the ascending line) and workers in receipt of retirement or invalidity pensions in a Member State.

<sup>1</sup> CES 560/91.

The Opinion therefore does not cover the special problems of Member State citizens whose country of origin is outside the EC, except with reference to the more general question of practical discrimination.

The social integration of immigrants in the EC has become an important matter which must be addressed, because over eight million immigrants from third countries now live in the EC, and, although the presence of these migrants has varying implications in individual Member States, partly because migration has occurred over differing periods, it may create similar tensions on the labour market and in society as a whole.

The Community must, as a body, set out to encourage the social integration of immigrants, not only because this is in keeping with the general values which underpin the Community, but also because failure to integrate has adverse implications for employment and, more generally, for living and working conditions in the Community. Similarly, a misguided form of integration could produce social exclusion and alienation, particularly among young members of migrant families. A Community policy for the social integration of immigrants is therefore essential to the proper working of the single market.

The Community should aim not only to combat and forestall the problems caused by the absence of social integration, but also to make the most of what immigrants, particularly the younger generation, have to offer in terms of economic, social and cultural development in a multiracial and multicultural Community.

The Community must therefore set itself a two-fold aim:

- (a) to harmonize legislative provisions, regulations, instruments and measures for social integration of migrants in the Member States;
- (b) to define conditions for implementing freedom of movement for migrants from third countries under equal conditions to those of Community workers.

The Committee proposes to consider these points in more detail in an additional Opinion which it hopes to draw up in the near future.

*This Opinion, adopted by a majority with two abstentions, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs chaired by Mr Vasco Cal (Portugal — Workers). The rapporteur was Mr Andrea Amato (Italy — Workers).*

## 17. INFORMATION SERVICES

**Proposal for a Council Decision setting up a programme for an information services market**  
[COM(90) 570 final]

### **Gist of the Commission document**

This Communication deals with the continuation of Community policy and action for the creation of an internal information services market (Impact 2 programme).

It is a follow-up to the first two-year plan of action (Impact 1) adopted by the Council on 26 July 1988 (Decision EEC/88/524) with a budget of ECU 36 million.

The proposed new programme covering a five-year period targets the same general objectives as the first plan of action and amends action and support mechanisms in the light of both experience gained and market developments.

The four proposed lines of action focus on (a) a better understanding of the market, (b) removal of legal and administrative barriers, (c) more user-friendly services and improved information literacy, and (d) support for strategic information operations; the cost of all this is to be shared between the public and private sectors.

The amount required to implement the programme for five years is estimated at ECU 100 million. It is anticipated that this contribution from the Community will make it possible to attract ECU 125 million from the information services industry to co-finance shared-cost projects.

The disadvantaged regions in the Community are especially affected because of the particular way in which their economies are structured i.e. SMEs and tourism play an important role in these economies.

The proposal stipulates that certain existing obligations will be more closely aligned. These are:

- (i) intellectual property;
- (ii) authentication of electronic transactions;
- (iii) electronic fraud;
- (iv) protection of registered data;
- (v) the responsibility of information services;
- (vi) insuring the confidentiality of queries made by database users.

## **Gist of the Committee Opinion**<sup>1</sup>

The Committee welcomes the Commission proposal, reiterating the support it lent to other programmes previously introduced in this sphere.

The Committee highlights the important and valuable work carried out by the European Information Market Observatory (IMO) and asks that the annual IMO report be sent to the ESC as well as to the Parliament and the Council.

It supports the move to retain the legal advisory board and recommends that its terms of reference be extended to include drafting amendments to the regulatory framework as a means of promoting closer alignment of national and European legislation which would benefit the establishment of a Community information services market. It highlights the need to guarantee protection of personal data and intellectual property rights.

The Committee regrets that no overall Community strategy has been defined and that little attention has been given to such paramount issues as protection of personal data, the growing dependency of information services, the effect on education and vocational training and the social aspects of different information services; these are all questions raised by the Committee in previous Opinions on this subject.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services chaired by Mrs Ann Robinson (United Kingdom — Employers). The rapporteur was Mr Herbert Nierhaus (Germany — Workers).*

## **18. EXCISE DUTIES ON MINERAL OILS**

**Proposal for a Council Directive fixing certain rates and target rates of excise duty on mineral oils**  
[COM(91) 43 final]

### **Gist of the Commission document**

This proposal reflects the Commission guidelines on the environment and, in the case of excise duty on diesel fuel, is in response to the call by the Rome European Council for decisions on har-

<sup>1</sup> CES 561/91.

monization in the road transport sector to be taken by 30 June 1991.

### **Objectives**

The main objective of the proposal is to supplement and amend the Commission's 1989 proposal on the approximation of the rates of excise duty on mineral oils, with a view to adoption at the earliest possible opportunity of the measures essential for completing the internal market in this field and, in particular, removing tax frontiers.

The proposal also takes account of the Community's sectoral preoccupations with regard to the environment and transport. It sits comfortably alongside the Commission's guidelines regarding the greenhouse effect and the reduction of carbon dioxide emissions.

It is important to note that negotiations on excise duty rates must result in an agreement within the Council by the end of this year and, in the case of diesel fuel, by 30 June.

The proposal sets the target rates for petrol and raises the rate band proposed in 1989 for diesel fuel.

#### *(a) Target rates for petrol*

Petrol alone yields 60% of the income from excise duties on mineral oils and just under 40% of income from all excise duties in the Community (tobacco, alcoholic beverages, mineral oils). It is used almost exclusively by individuals (as motor fuel).

The Commission is proposing target rates of ECU 495 per 1 000 litres of leaded petrol and ECU 445 per 1 000 litres of unleaded petrol, i.e. a differential of ECU 50 in favour of unleaded petrol.

Environmental policy considerations relating to carbon dioxide emissions from cars have been taken into account in calculating the two target rates.

#### *(b) Rate band for diesel fuel*

The rate band for diesel fuel has been raised and widened. It now stands at ECU 245-270 per 1 000 litres. The raising of the band fits into the series of proposals on the taxation of transport (excise duty on diesel fuel, annual road taxes and tolls). The Rome European Council set 30 June of this year as the deadline for a decision on the matter. The raising of the band proposed in 1989 at the request of most Member States should allow a greater share of infrastruc-

ture costs to be met (variable costs compared with the fixed costs covered by road tax) and is designed to take account of the problem of carbon dioxide emissions.

The width of the band has been increased from ECU 10 to ECU 25 in order to facilitate the adjustment process and to make it easier for Member States to reach agreement.

### **Gist of the Committee Opinion <sup>1</sup>**

The Commission proposal is generally welcomed, especially the consideration given to ecological requirements.

The establishment of target rates is a necessary step towards greater convergence of national excise duties. While the levels of the proposed target rates are considered a priori to be appropriate, the Committee draws attention to the special problems raised by the application of the Directive in Luxembourg and Greece. In Greece's case, measures should be adopted to alleviate the effects of price rises.

The consideration given to the problem of CO<sub>2</sub> emissions and the retention of the rate differential between leaded and unleaded petrol is welcomed. Tax instruments have only a limited influence however.

The widening of the rate band for road diesel will facilitate the process of convergence, but could result in distortions of competition. In addition, the increase in the rate band will lead to a considerable increase in the price of road diesel in the Benelux countries, which will hit the road haulage sector.

The issue of fuel taxation should be dealt with together with those of road tolls, road tax and other charges.

The Committee doubts the Commission statement that an increase in excise duty on road diesel is needed to help offset infrastructure investment.

The Committee would welcome a consistent Commission policy ensuring that the use of environment-friendly technologies is not impeded by restrictive harmonization measures.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Economic, Financial and Monetary*

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<sup>1</sup> CES 556/91.

*Questions chaired by Mr Jean Pardon (Belgium — Employers). The rapporteur was Mr Jens Peter Petersen (Germany — Employers).*

## 19. VAT EXEMPTIONS

**Proposal for a Council Directive determining the scope of Article 14(1)(d) of Directive 77/388/EEC as regards exemption from value-added tax on the final importation of certain goods**  
[SEC(90) 2249 final]

### **Gist of the Commission document**

The proposal is designed to achieve legislative consolidation. It is not a new text in itself but replaces existing Directives, merging them in one new Directive. No substantive changes at all are made to the provisions to be consolidated. The only amendments are the formal ones necessitated by the act of consolidation itself.

Goods exempt from VAT on importation include:

- (i) personal property, i.e. property intended for the personal use of the persons concerned or for meeting their household needs (household effects) when transferring a residence into the Community from outside the Community;
- (ii) goods imported on the occasion of a marriage, personal property acquired by inheritance, scholastic materials and effects;
- (iii) medicines, laboratory animals, etc.;
- (iv) goods for charitable or philanthropic organizations;
- (v) articles imported for the benefit of handicapped persons;
- (vi) imports related to certain aspects of international relations;
- (vii) goods for the promotion of trade, etc.

### **Gist of the Committee Opinion <sup>1</sup>**

The Commission has been motivated by a desire expressed on many occasions by the Economic and Social Committee, to make Community law clearer and more accessible to readers and users.

<sup>1</sup> CES 557/91.

The proposal to consolidate legislation is especially justified in view of the fact that the present system of taxation in the country of destination will be maintained for a transitional period after 1 January 1993.

The proximity of the 1 January deadline, not to mention a system of taxation in the country of origin originally to be introduced on the same date, might have rendered the whole Directive null and void. However, even in the event of the introduction of a Community system of taxation in the country of origin, the text remains fully applicable with regard to third-country imports.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Economic, Financial and Monetary Questions chaired by Mr Jean Pardon (Belgium — Employers). The rapporteur was Mr Camille Giacomelli (Luxembourg — Employers).*

## 20. TECHNICAL REQUIREMENTS AND PROCEDURES — CIVIL AVIATION

### **Proposal for a Council Directive on the harmonization of technical requirements and procedures applicable to civil aircraft**

[COM(90) 442 final]

### **Gist of the Commission proposal**

The free movement of aircraft within the Community is currently restricted, mainly due to the differences in technical standards for aircraft certification, operation and maintenance. This results in many cases in costly modification when an aircraft is transferred between registers of the Member States. The differences in technical standards may also result in variations in safety levels.

This Directive addresses those aspects of aviation safety which relate to the airworthiness, operational approval and maintenance of aircraft, engines and other aircraft equipment, and provides the framework to maintain the high general level of safety in Europe and for the standards in all Member States to achieve the highest levels currently attained within the Community.

Most of the Member States were involved in setting up the Joint Aviation Authorities (JAA) organization under the auspices of the European Civil Aviation Conference (ECAC) to develop a unified European approach to aviation safety.

The JAA draws up technical codes and procedures (JARs — Joint aviation requirements) applicable to air transport in Europe. A number of these codes are now complete and have been issued, dealing mainly with the certification of aircraft, engines and other aviation products.

The current effectiveness of the JAA could be limited by the fact that it is a purely voluntary arrangement, lacking a legal framework, and that not all EC States are currently members.

This Directive is intended to strengthen the JAA, making this voluntary arrangement binding by incorporating it into Community legislation. This would require the Member States to adopt common codes of technical requirements for aviation and to adhere to the administrative requirements and procedures of the JAA.

The requirements and procedures covered by the Directive are listed in its Annex 2, which will need to be regularly modified in the light of service experience and technical progress. To that end it is proposed that the Commission be empowered to adopt such amendments with the assistance of a committee composed of representatives of Member States who are well-versed in aviation matters.

### **Gist of the Committee Opinion <sup>1</sup>**

In its Opinion the Economic and Social Committee proposes that the committee provided for under Article 11 should be of a regulatory nature and that procedure (IIIa) of the Council's decision on commitology (889/373) should apply. According to this procedure, the qualified majority rules of Article 148(2) of the Treaty apply to the decision-making in the Committee, and proposals approved under this procedure can be executed immediately.

The membership of the Committee is fundamental. Given the technical and safety nature of the subject, the Committee should comprise the Member States' representatives of the JAA.

In order to facilitate the import and export of aircraft, close contact is maintained between international bodies; outside Europe, the international standard tends to be that set by the Federal Aviation Administration (FAA) in America.

<sup>1</sup> CES 565/91.

The FAA does not charge for its services. It may therefore be considered that the treatment of costs needs reviewing in order to achieve fairness, initially in Europe, and later world-wide.

The Committee also proposes a reviewing — in a later Directive — of the following issues:

- (i) The role of a single authority — should it cover only the work of the JAA or the wider issues dealt with by the ECAC?
- (ii) Treaty arrangements;
- (iii) Participating States' control over the body;
- (iv) Legal status (including product liability);
- (v) Working arrangements with other bodies — Eurocontrol, the FAA, EFTA, Eastern European States.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Transport and Communications chaired by Mr Eike Eulen (Germany — Workers). The rapporteur was Mr Michael Mobbs (United Kingdom — Employers).*

## 21. LORAN-C RADIONAVIGATION SYSTEM

### **Proposal for a Council Decision on the Loran-C radionavigation system** [COM(91) 1 final]

#### **Gist of the Commission proposal**

The enhancement of the standard of maritime safety in general and in Europe in particular is one of the concerns of the Community. The Commission intends to outline its view on maritime safety in general at a later date, but recent developments have made it necessary to consider the matter of radionavigation aids at this stage.

The existing radiopositioning systems can be divided into two categories, the space-based systems on the one hand and the terrestrial-based systems on the other.

Loran-C is a terrestrial-based radio hyperbolic position-fixing system. The system is based upon measurements in the difference in time of arrival of pulses of radio frequency energy radiated by a chain of synchronized transmitters which are separated by hundreds of miles.

Confidence is lacking in the continuing availability of essentially military satellite systems and Loran-C would be an alternative civil system under the control of contracting governments and widely available for civil sea, land or air use in the Northern Hemisphere to all using a commercially available receiver.

Loran-C satisfies the mariners' needs for accuracy and has proved to have an acceptable level of reliability of operation. The existence of operational Loran-C stations, and others coming into operation, facilitates the development of a European network in the short term, the handover of existing facilities without charge has an obvious cost advantage, and Loran-C is capable of being extended to provide coverage of all European and neighbouring waters without major difficulty. The existing Loran-C charts would continue to apply, thus minimizing inconvenience and costs to mariners, and Loran-C technology is already developed and transmitters/receivers are commercially available.

Recognizing that Loran-C is an accurate radiopositioning system that can be developed on the European level in the very near future, the Commission proposes to the Council that it supports the achievement of regional Loran-C chains in the European area.

### **Gist of the Committee Opinion <sup>1</sup>**

The Committee welcomes the aims of maximum safety in maritime navigation and of protecting the marine environment.

The Committee thinks it essential for the development of the Loran-C system — a technology proposed also by the Member States themselves — to involve a role for the Community bodies in coordinating the various initiatives and giving positive encouragement to ever broader participation of the Member States at the European level.

Apart from making it possible to cover increasingly wide areas, it is important to achieve a rational and balanced distribution of the costs between the various users and governments.

Whereas satellite technology is the most suitable for global coverage, adding zones together can make the Loran-C system also suitable for covering areas larger than that of Europe.

<sup>1</sup> CES 563/91.

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*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Transport and Communications chaired by Mr Eike Eulen (Germany — Workers). The rapporteur was Mr Sergio Colombo (Italy — Workers).*

## **II. Representation and impact of the Economic and Social Committee**

### **Meetings attended by the Chairman and Secretary-General**

3 April 1991 — Paris: Meeting with the French Democratic Labour Confederation (CFDT)

8 April 1991 — Brussels: Preliminary Interinstitutional Conference

10 April 1991 — Brussels: Meeting with Mr Gandouin, Prefect (Adviser on European Affairs, Society for Promoting Artistic Professions)

11 April 1991 — Brussels: Meeting with Mr David Elliot, Deputy UK Permanent Representative to the European Communities

11 April 1991 — Brussels: Inauguration of the new LO Norway offices (Confederation of Norwegian Trade Unions)

12 April 1991 — Namur: Europerspective II, conference organized by the Commission

12 April 1991 — Namur: Meeting with Viscount Etienne Davignon

15 April 1991 — Brussels: Meeting with Mrs Paule Dufour, Chairwoman of the Europe and Enterprise Association

18 April 1991 — Brussels: Meeting with representatives of the European Labour Council

19 April 1991 — Besançon: Closing ceremony of 'Eurodysée 91' organized by the Franche-Comté Regional Council and the Assembly of European Regions

22 April 1991 — Brussels: Meeting with Commissioner Jean Dondelinger and the Luxembourg Economic and Social Council

22 April 1991 — Brussels: Conference of Ministers of Labour and Social Affairs from the *Länder* (Federal states) of the Federal Republic of Germany

25 April 1991 — Brussels: Meeting with Mr Lula da Silva, Chairman of Brazilian Workers' Party, Mr Marco Aurelio Garcia, International Relations Secretary of the Workers' Party, Mr Robert D'Hondt, General-Secretary of the Belgian Confederation of Christian Trade Unions (CSC) and Mrs Claude Degtergal from the CSC's International Relations Department

26 April 1991 — Brussels: Meeting with Mr Joseph Weyland, Luxembourg's Permanent Representative to the EC

29 April 1991 — Brussels: Welcome reception for delegates to the World Metallurgists' Conference

29 April 1991 — London: Meeting with Mr Douglas Hurd, UK Foreign Secretary and Mr Tristan Garel-Jones, Minister of State for European Affairs

30 April 1991 — Colmar: Meeting with Mr Baltenweck, Chairman of the Alsace Economic and Social Committee

### **III. Fact-finding visits**

During April, the following groups visited the Committee:

- 2 April 1991: Bradford & Ilkley Community College (UK)
- 3 April 1991: Fløng School (Denmark)
- 4 April 1991: Women's Centre for Continuous Education (Belgium)
- 4 April 1991: 'Icoges' school (France)
- 9 April 1991: Brandbjerg University (Denmark)
- 9 April 1991: Magherafelt College of Further Education, Northern Ireland (UK)
- 10 April 1991: Quaker Council for European Affairs (UK)
- 10 April 1991: National Education Federation (FEN) (France)
- 10 April 1991: University College of Agricultural Engineering (INEA) (Spain)
- 11 April 1991: Gustave Eiffel de Gannat Vocational Training School (France)
- 12 April 1991: Biggensee Political Academy (Germany)
- 12 April 1991: Education and Social Services of the German Civil Servants' Association (DBB) (Germany)
- 12 April 1991: Bjerringbro Grammar School (Denmark)
- 15 April 1991: European Centre — Tübingen (Germany)
- 15 April 1991: Friedrich-Ebert Foundation (Austria)
- 16 April 1991: La Ville-Davy Private Agricultural Secondary School (France)
- 16 April 1991: Europa Information — 'Venstre 3' (Denmark)

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- 17 April 1991: Italian Trade Union Confederation (CISL) (Italy)
- 17 April 1991: Windsor & Maidenhead College (UK)
- 17 April 1991: Staffordshire Polytechnic (UK)
- 17 April 1991: Lincolnshire County Council (UK)
- 17 April 1991: Thessaloniki University (Greece)
- 18 April 1991: IUC Svendborg International Centre (Denmark)
- 18 April 1991: Romain-Rolland Secondary School (France)
- 18 April 1991: Colmar Technical School (France)
- 19 April 1991: Hans-Seidel Foundation (Germany)
- 19 April 1991: National College of Administration (France)
- 19 April 1991: Marie Kruses School (Denmark)
- 22 April 1991: University of Exeter (UK)
- 22 April 1991: Bavarian State University for Labour, Family and Social Affairs, Munich (Germany)
- 23 April 1991: Vendée Regional Council (France)
- 24 April 1991: Alpes-Maritimes Business Forum (France)
- 25 April 1991: Olivaint Conférence — Independent (non-party) Political Education Centre (France)
- 29 April 1991: Socia Ande — Socia Inner Wheel (Italian Women's Group) (Italy)
- 30 April 1991: Polish students (Poland)

## LIST OF PUBLICATIONS AND BROCHURES

### Available from the ESC

#### *General documentation*

- The other European Assembly (CES 90-024)
- Leaflet on the ESC

#### *Opinions and studies*

- Disadvantaged island regions (July 1988) (ESC 88-009)
- Horizon 1992: The ESC supports the removal of fiscal frontiers (July 1988) (eight Opinions)
- Target date 1992: The ESC supports 'the new-frontier Europe' (June 1988) (seven Opinions) (ESC 88-010)
- A policy for upland areas (December 1988)
- Contribution to a European environmental policy (ESC-89-020)
- Economic and monetary union in the European Community (ESC-89-021)
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- Consumer information (ESC-90-008)
- The future of rural society (ESC-90-011)
- Statute for the European company (ESC-90-016)

#### **Available from the EC Publications Office**

- Bulletin (monthly) (per issue: ECU 5; annual subscription: ECU 45)
- Annual Report 1989 (ECU 12)
- Effects of the CAP on the social situation of farmworkers in the European Community (Brussels, 1987) (ECU 3.40)
- European environment policy: air, water, waste management (Brussels, 1987) (ECU 3.50)
- Community rail policy (ECU 7.40)
- EEC maritime transport policy (Brussels, June 1986) (ECU 3.40)
- EEC air transport policy (October 1985) (ECU 5.50)
- GATT — towards a new round (Opinion) (Brussels, 1986) (ECU 2.20)
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