

ECONOMIC AND SOCIAL CONSULTATIVE ASSEMBLY

# BULLETIN



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## I. 287th Plenary Session of 29 and 30 May 1991

The Economic and Social Committee of the European Communities held its 287th Plenary Session in Brussels on 29 and 30 May 1991. Mr François Staedelin, Committee Chairman, presided.

The following Opinions were adopted at this Plenary Session.

### 1. EUROPE AGAINST AIDS

**Proposal for a decision of the Council and the Ministers for Health of the Member States meeting within the Council adopting a plan of action in the framework of the 1991-93 'Europe against AIDS' programme [COM(90) 601 final]**

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

Following on a large number of resolutions and conclusions adopted by the Council of Ministers (listed in Annex A) and action by the Member States, it is proposed to adopt a plan of action 1991-93, 'Europe against AIDS', to boost the effectiveness of national programmes through the exchange of information and activities in the following fields:

- informing the public about AIDS prevention campaigns;
- prevention of HIV infection and health education in schools;
- Eurobarometer surveys on AIDS and its prevention;
- exchanges of experience on counselling and treatment services;
- the development of models for the costing of the management of AIDS;
- reduction of HIV transmission in blood and blood-based products;
- improvements to the system for gathering the data on AIDS;
- systems of university training for health-care workers; mobility of medical and nursing students.

The plan of action is to be implemented in close coordination with the competent authorities of the Member States and in cooperation with international organizations active in this field such as the WHO and the Council of Europe.

The Commission is to provide 100% funding for the proposed activities. The amount of money available for 1991 could be ECU 2 million; the estimated appropriations for 1992 and 1993 are ECU 3 million and ECU 4 million respectively but there can be no certainty that these amounts can actually be provided.

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

The Committee applauds the Commission's proposal.

Public health is now beginning to acquire a European dimension, as requested by the Economic and Social Committee on several occasions. In the Opinion of the ESC, this should be reflected in the forthcoming revision of the Treaties with the inclusion of a chapter on health policy.

According to the Committee, joint efforts need to be stepped up to find a vaccine as soon as possible. In the mean time AIDS prevention needs to be improved to reduce the numbers of those at risk of infection. There are two basic instruments for achieving this: information and education.

As far as information is concerned, there is an urgent need:

- (i) to devise a system for compiling an objective, standardized and reliable databank which would provide updated epidemiological statistics on the disease;
- (ii) to provide accurate information on the pathways of transmission of the disease, be they classical (sexual relations, intravenous drug abuse, etc.) or less well known, and to use videocassettes to provide such information to potential audiences at a variety of levels (schools, medical and paramedical staff);
- (iii) to provide clear information on methods of protecting oneself and others (condoms, non-reusable syringes, safe injecting material, safe methods for the disposal of used syringes, essential clinical practices);

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<sup>1</sup> CES 700/91.

- (iv) to provide scientifically accurate information on the real damage AIDS can cause, not so much in itself, but as a condition conducive to the development of secondary illnesses resulting from a reduction of the immunological defence capacity;
- (v) to provide information on HIV infection and the potentially devastating effects it can have on reproduction and the sexual life of both males and females.

As far as education is concerned, in addition to a general AIDS prevention campaign aimed in particular at educating young people, health workers should be provided with better pedagogical tools for educating people about the risks of AIDS, bearing in mind the fundamental role played by doctors and nurses in providing the public with information.

At the same time, the Committee would like to emphasize the contribution which the social partners can make to the success of the proposed actions, particularly with regard to information at the workplace.

In addition to the WHO, and the Council of Europe, the Committee would recommend that the International Red Cross be involved.

There should be close cooperation between national health authorities and the European Centre for the Epidemiological Monitoring of AIDS whose effective and valuable contribution should be turned to full account and used as a model for the European-level monitoring of other transmittable diseases.

The Committee would reiterate its deep concern that the appropriations fall below what is needed to fund the proposed activities. The Committee also considers that the share of the appropriations allotted to epidemiology is inadequate.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, under the chairmanship of Mr Francisco Ceballos Herrero (Spain — Various Interests). The rapporteur was Mrs Beatrice Rangoni-Machiavelli (Italy — Various Interests).*

## 2. TOBACCO LABELLING

**Proposal for a Council Directive amending Directive 89/662/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products**  
[COM(90) 538 final — SYN 314]

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

The Commission proposes to introduce three new features into Directive 89/662/EEC. The Directive fully harmonized the labelling on cigarette packets, but only laid down a general warning for other tobacco products.

In line with an undertaking made to the Council, the Commission now proposes specific warnings for these other products. Three product groups are involved:

rolling tobacco (which will have to carry the same warnings as cigarettes);

pipe tobacco, cigars and cigarillos (the lack of scientific data means that there will be no warnings linking their use to heart disease);

smokeless tobacco products such as chewing tobacco and snuff (specific warning that these products can cause cancer).

Secondly, the Commission is taking advantage of the present opportunity in order to extend the list of warnings to include a warning about the addictive nature of tobacco products.

Lastly, the Commission is to harmonize national provisions on moist snuff tobaccos for oral use, by introducing an Article 8(a) prohibiting the marketing of these products. This follows similar bans in the UK and Ireland.

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

Mindful of the warnings published by cancer experts about tobacco health hazards, the Committee considers that more far-reaching health-protection measures, including special warnings, are in the interest of consumers.

The Committee considers that there is an urgent need for a coherent EC policy, including redevelopment programmes for the

<sup>1</sup> CES 710/91.



raw tobacco sector, and back-up measures and support for those who lose their jobs and income as a result of this Directive.

The Committee wonders whether a Directive on product labelling should be used to ban moist snuff tobacco products for oral use.

The Committee considers that the proposals for the rotation of warnings are excessively geared to the cigarette market where there are relatively few brands, and these are manufactured by a handful of major multinationals able to meet the labelling requirements by using modern techniques.

Greater account should be taken of the practical problems faced by the many small and medium-sized firms producing pipe tobacco, cigars, cigarillos, etc. in exempting them from the obligation to rotate warnings.

Finally, the Committee regrets that the Commission has not acted on its comments with respect to the trade barriers caused by the varying national languages, or the recommendation to consider using a pictogram. We thus still have the anomaly that the Commission proposal for warnings in the national languages can cause trade barriers, although it is the purpose of Article 100a to remove such barriers.

*This Opinion, adopted by 78 votes to 33 with 4 abstentions, was drawn up on the basis of the paper drawn up by the Section for Protection of the Environment, Public Health and Consumer Affairs, under the chairmanship of Mr Francisco Ceballos Herrero (Spain — Various Interests). The rapporteur was Mr Philip H. Noordwal (Netherlands — Employers).*

### 3. PROTECTION OF NORTHERN MARINE ENVIRONMENT (NORSPA)

**Proposal for a Council Regulation (EEC) on specific action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean**  
[COM(90) 498 final]

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

Under the fourth environment action programme 1987-92, the Commission put forward two specific actions to protect the EC marine environment: (1) the Medspa programme in respect of the

Mediterranean which is currently before the Council, and (2) the Norspa programme in respect of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean which is the subject of the present proposal.

Under Norspa a sum of ECU 10 million is earmarked for 1991 (4 million) and 1992 (6 million) to finance priority environmental measures listed in the annex under the following headings:

1. Nutrient inputs (e.g. fertilizers);
2. Dangerous substances (e.g. sewage sludge, industrial waste, ship pollution);
3. Emissions by industry;
4. Protection of species and habitats;
5. Cooperation measures between Member States;
6. Management of the programme.

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

The Committee notes that it is now proposed that the Norspa proposal be integrated into the LIFE programme; it approves this procedure but submits the following observations as if Norspa were to operate separately:

- (i) the objectives of Norspa are not achievable within the budget proposed, and substantially greater financing is necessary;
- (ii) in the case of coastal erosion, (a) priority should be given to protection from pollution by public utilities and public amenities; and (b) account should be taken of coasts facing the open sea and estuaries subject to erosion by tidal currents;
- (iii) special provision should be made in the proposal in respect of radiation hazards in the Irish Sea.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, under the chairmanship of Mr Francisco Ceballo Herrero (Spain — Various Interests). The rapporteur was Mr Tomás Roseingrave (Ireland — Various Interests).*

<sup>1</sup> CES 698/91.

#### 4. EUROPEAN HIGH-SPEED TRAIN NETWORK

**Proposal for a Council Decision on the development of  
a European high-speed train network  
[SEC(90) 2402 final]**

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

In its December 1989 communication on a common rail policy,<sup>1</sup> the Commission underlined the importance it attached to the development of a European high-speed train network. At its meeting on 4 and 5 December 1989, the Council adopted a resolution on drawing up a master plan specifying the priority projects to be undertaken, and the necessary measures to ensure the technical compatibility of infrastructure between the different parts of the network. The Council invited the Commission to consult a working party on these subjects.

The Commission therefore convened a working party composed of representatives of the various interests involved in the development of high-speed trains in Europe. On the basis of the work carried out by this group, the Commission proposed that the Council

- (i) adopt the master plan drawn up on the basis of data currently available;
- (ii) adopt the list shown below of key links, for which priority action should be taken in the appropriate framework:
  1. Hamburg-Copenhagen
  2. Belfast-Dublin-Holyhead-Crewe
  3. Utrecht-Arnheim-Emmerich-Duisburg
  4. The interconnections near Strasbourg and Saarbrücken
  5. London-Channel Tunnel
  6. Brussels-Luxembourg
  7. Rhine-Rhône
  8. Lyon-Turin
  9. Madrid-Barcelona-Perpignan
  10. (a) Portugal-Spain  
(b) Vitoria-Dax
  11. Milan-Basle
  12. Brenner Axis
  13. Tarvisio-Vienna
  14. Links with and within Greece.

<sup>1</sup> Communication COM(89) 564 final/ESC Opinion: OJ C 225, 10.9.1990, p. 27.

The Commission also intends to present in the near future

- (i) a draft directive to ensure technical compatibility throughout the network, covering the convergence of legal, regulatory and administrative provisions, as regards the running of modern trains on the European high-speed rail network;
- (ii) a strategy for the modernization of the control-command system in the Community, based on the completion in the short term of harmonized systems and research, and in the medium term on a unified system.

The Commission stresses the need for complementary studies to be undertaken on:

- (i) the socio-economic impact on the integrated transport market;
- (ii) the overall environmental impact of the network;
- (iii) the financing of the key links and other difficult parts of the network.

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

The Committee welcomes the Commission's current efforts to set up a properly integrated network of high-speed trains on a Community or even a continental scale.

However, the Committee notes with regret that some Member States have not finally decided on the main routes for high-speed railway lines crossing their territory. This could put at risk the very aims of the master plan for the European high-speed train network envisaged by the Council.

While the draft Decision mentions an appropriate framework for priority actions and for the establishment of key links, this framework needs to be defined. Will it be at Community level or will it be the sole prerogative of the Member States? Great attention must be paid to the Member States' transport policies, in order to make them compatible with the Council Decision. To optimize the establishment of key links, the Commission should have the requisite resources to control and finance their implementation, and should ensure coordinated planning of the European railway network. Existing liaison with bodies and institutions should be placed on an even more operational footing.

<sup>1</sup> CES 705/91.

The Committee feels that, at the present stage, the term 'master plan' runs the risk of being interpreted differently from one country to another. For some a 'plan' is an indicative, evolutionary concept which does not involve much commitment, but for others it serves to provide guidance or for finalizing planning. In the Committee's view, once the Council has taken the decision, both the master plan and the key links should be given more binding force.

The work of the high-level working party identified 14 important 'corridors' of the European high-speed network. Existing and potential developments of all the lines making up these corridors have not been included in the master plan. The Committee takes the view that the working party's study could serve as a useful basis to clarify questions relating to the access of European regions to the main future high-speed rail routes.

Coordinated land-use planning should take place in parallel, at the European level.

Commercial assessment of the project must take external costs into account. However, the impact of the new infrastructure on town and country planning is imperfectly understood by regional or local authorities.

The Committee wonders which financial instruments are to be deployed to guarantee the support needed to establish the key links, which cannot be justified solely on grounds of financial viability.

Financial aid, above all for regional projects, requires Community-level coordination. The costs should be redistributed to place less strain on disadvantaged regions.

*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 René Bleser (Luxembourg — Workers).*

## 5. FINANCIAL CODE FOR ENVIRONMENT PROGRAMME

**Proposal for a Council Regulation (EEC) establishing a financial instrument for the environment (LIFE)**  
[COM(91) 28 final]

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

The LIFE regulation establishes a framework financial instrument to cover overall Community expenditure on the environment and into which existing financial instruments will be incorporated. Specifically in 1992, this will cover:

Medspa (Mediterranean),  
Norspa (North Sea, etc.),  
ACE (demonstration projects),  
Acnat (nature conservation).

It is proposed to provide ECU 30 million in 1991, and ECU 35 million in 1992; the level of funding after that has not been specified, but a figure of ECU 500 million by 1995 has been proposed by the European Parliament.

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

The Committee supports the LIFE proposal and is strongly of the view that the level of funding indicated is necessary, and that it be linked to the fifth environmental action programme. The Committee also makes the following observations:

- (i) funding initially should be provided from the Community budget rather than from the proceeds of an eco-tax;
- (ii) while flexibility in fund allocation has its place, a consistent programmed approach is better;
- (iii) LIFE should be allowed to finance infrastructure and not be confined to support of demonstration projects or technologies;
- (iv) terrestrial problems should not be allowed to dominate marine problems; specifically coastal erosion, dealt with in Norspa, should be given due priority;

<sup>1</sup> CES 699/91.

- (v) the concept of an advisory committee is acceptable subject to certain procedural recommendations;
- (vi) the proposed European Environment Agency should be given a central role in the LIFE programme;
- (vii) provision should be made to commission studies to establish priorities in certain circumstances.

*This Opinion, adopted unanimously, 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 Ceballo Herrero (Spain — Various Interests). The rapporteur was Mr Tomás Roseingrave (Ireland — Various Interests).*

## 6. WORKERS WITH REDUCED MOBILITY (WORK-RELATED TRAVEL)

**Proposal for a Council Directive on minimum requirements to improve the mobility and the safe transport to work of workers with reduced mobility**  
[COM(90) 588 final — SYN 327]

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

The purpose of this Directive is not to adapt all means of transport to make them accessible for workers with reduced mobility, but to enable such persons to travel safely either by means of transport or by other equivalent measures.

A flexible approach has been selected. This means a sufficient number and frequency of means of transport, and appropriate timetables.

Moreover, in order to improve the accessibility of means of transport, three technical alternatives are provided for:

- (i) either a technical aid incorporated in the means of transport;
- (ii) or a technical aid external to the means of transport;
- (iii) or personal aid provided by a specially-trained staff.

In the third place, the possibility of interchanging the various means of transport for the trip to and from work should be seen as an acceptable solution for the persons concerned.

The Commission thus considers that all these provisions take sufficient account of the principle of subsidiarity. This is of particular importance in the field of public transport, which (except for trains)

is organized at local or regional level in almost all the Member States. Consequently, the Directive sets the aim to be achieved and leaves each competent authority to choose how best to implement the Directive according to the real needs of these users.

The Directive allows the Member States time to bring into force the necessary laws, regulations and administrative provisions by the end of 1992 and to present a timetable for their implementation by the end of 1999.

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

The Committee welcomes the proposal, which comes under the Commission action programme implementing the Social Charter and reflects a renewed Community interest in integrating the handicapped into society and the employment market.

The Committee warmly welcomes both the inclusion of this Directive in the Article 118a procedure, and the Commission's intention to enshrine specific provisions regarding workers with reduced mobility in its proposals for directives on the health and safety of workers.

The definition of 'workers with reduced mobility' (Article 2) is broad. In the Committee's view, it covers not only those in active employment, but anyone suffering a physical, mental or sensory handicap which makes work-related travel difficult.

Adapting vehicles and infrastructures to make them accessible to all clearly covers a far broader swathe of society — with a consequent reduction in marginal costs, due to the wider spread. The best solution would therefore be general adaptation of vehicles and infrastructure, although this should be phased in.

The Committee suggests three options for safe access: technical aids incorporated into the vehicle, external technical aids, and personal assistance. It does not consider these to be true alternatives, but rather variants which are not necessarily mutually exclusive within a single system.

The Committee welcomes the requirement for Member States to submit timetables for implementing both sets of measures concurrently with the entry into force of the provisions needed to conform with the directive. This will encourage them to plan their

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<sup>1</sup> CES 697/91.



strategy for adapting vehicles in good time, and stagger the costs over a longer period.

Nevertheless, the Committee feels that both deadlines are too lax, and should be tightened.

It also recommends that incentives for implementation be provided by tying Community aid for the creation of transport networks and infrastructures to the fulfilment of the targets set out in the Directive.

The Directive should clearly state that safety objectives must also be met by private means of transport. From this point of view, the Directive should also cover personal means of transport (private cars). In particular, reserved parking spaces should be provided for disabled drivers and disabled drivers should receive State financial support (e.g. tax exemption) for buying specially adapted cars.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs, under the chairmanship of Mr Vasco Cal (Portugal — Workers). The rapporteur was Mrs Giacomina Cassina (Italy — Workers).*

## 7. EXTRACTIVE INDUSTRIES (HEALTH AND SAFETY)

**Proposal for a Council Directive concerning minimum requirements for improving the safety and health protection of workers in the extractive industries**  
[COM(90) 663 final — SYN 321]

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

This proposal is based on Article 118a of the EEC Treaty and takes the form of an individual Directive within the meaning of Article 16(1) of Council Directive 89/391/EEC on the introduction of measures to encourage improvements in the safety and health of workers at work.

It comes within the scope of the communication by the Commission on its programme concerning safety, hygiene and health at work, which the Council addressed in its resolution of 21 December 1987. It also features among the new initiatives in this field which the Commission announced in its communication concerning its action

programme relating to the implementation of the Community Charter of the Fundamental Social Rights of Workers.

The proposal forms part of the social measures intended to accompany the completion of the internal market.

The proposal has the following aims:

- (i) to improve the safety and health protection of workers in the extractive industries concerned with
  - (a) the exploration for and exploitation of minerals by means of boreholes,
  - (b) the exploration for and exploitation of minerals in surface workings and quarries,
  - (c) the exploration for and exploitation of minerals underground;
- (ii) as part of the social dimension of the internal market, to harmonize the minimum requirements in respect of workers' safety and health protection in the extractive industries;
- (iii) to fulfil the task imposed by the European Parliament which, following the Piper Alpha disaster, asked the Commission to submit a proposal concerning the improvement of workers' safety and health on offshore installations,
- (iv) to avoid accidents such as occurred, for example:
  - on Piper Alpha, an offshore installation in the North Sea used for the extraction and distribution of oil and gas, where, on 6 July 1988, 167 workers lost their lives as a result of several explosions and violent fires,
  - at the Stolzenbach Mine, Germany, where on 1 June 1988, 51 miners were killed as a result of an explosion of lignite dust;
- (v) to fill the gap in legislative coverage resulting from the exclusion of the extractive industries from the scope of Council Directive 89/654/EEC by Article 1 (2)(c) thereof.

The proposal aims to improve the safety and health protection of workers by laying down minimum requirements for workplaces in the extractive industries including working methods, equipment and provision of sanitary and rest facilities, within the context of the internal market of the Community.

This proposal does not cover:

operations related to the transport of workers and products;  
diving operations.

The Commission is submitting the present proposal in response to the urgent request from the European Parliament that it submit as quickly as possible a proposal for a Directive to improve the health and safety of workers in the offshore oil and gas industry.

This document contains an Annex I 'Minimum requirements for improving the safety and health protection of workers in the industrial sector of the extractive industries concerned with the exploration for and the exploitation of minerals by means of boreholes'.

This Annex contains the common requirements applicable to the onshore and offshore sectors and the special requirements applicable to the onshore and offshore sectors.

It is intended to complete subsequently the Annex setting out minimum requirements for improving the safety and health protection of workers in the two other industrial sectors of the extractive industries concerned with

the exploration for and the exploitation of minerals in surface workings and quarries,

the exploration and exploitation of minerals underground.

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

The Committee emphatically welcomes the draft Directive, representing, as it does, an important step forward in improving protection against accidents in a sector where workplaces are particularly hazardous.

The extractive industries involve higher-than-average risks. The Committee shares the Commission's view as regards the particular urgency of improving safety and health protection in these industries.

The minimum requirements proposed in the draft Directive provide the basis for a uniform standard of health and safety which also takes account of the interests of small and medium-sized enterprises.

The Committee recognizes that, in accordance with Treaty Article 118a, Member State provisions which are more stringent than the proposed minimum requirements will not be affected by the draft Directive.

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<sup>1</sup> CES 709/91.

The Committee notes that British experts involved in the investigation of the Piper Alpha disaster collaborated in the drafting of the document under review, thereby contributing their experience to the draft Directive.

However, the Committee makes a number of specific observations, notably with regard to Article 3 of the Directive. The Committee considers that the draft Directive should make reference to the proposal for a Council Directive concerning the minimum requirements for the provision of safety and/or health signs at work [COM(90) 664 final]; the relevant references in the present draft document should be corrected.

*This Opinion, adopted by a majority with 14 abstentions, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs, under the chairmanship of Mr Vasco Cal (Portugal — Workers). The rapporteur was Mr Paul Flum (Germany — Workers).*

## 8. SOCIAL DEVELOPMENTS IN THE COMMUNITY IN 1990 (Own-initiative Opinion)

### Social developments in the Community in 1990

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

As in previous years the Commission will ask the Committee to issue an Opinion on social developments in the Community over the past year, taking as its basis the Commission's report on social developments in 1990.

The Committee regrets that it does not have the Commission's annual report on social developments in 1990. It invites the Commission to look into the possibility of publishing future reports in good time.

Since the work programme of the Economic and Social Committee provides for the drawing up of an Opinion on employment in Europe in 1990, the Opinion on social developments does not contain any recommendations on employment but none the less recalls some of the main employment trends in 1990.

Similarly, the Opinion does not refer to the problems posed by migration in the Community, even though (a) they have been one

<sup>1</sup> CES 708/91.

of the main features of social developments over the last year and (b) migration policies, accompanied by carefully-considered policies of social integration, will necessarily have to take into account any associated social phenomena.

The general recognition of the need to attach equal importance to Europe's social and economic dimensions was borne out in late 1989 with the adoption of the Commission's action programme for implementing the Community Charter of the Fundamental Social Rights of Workers.

In stating that 'the Community Charter of Social Rights cannot be put into practice without the active participation of the two sides of industry', the President of the Commission, Mr Jacques Delors, clearly has in mind, among other things, the deepening of social dialogue.

This generally refers to the social dialogue normally held between the ETUC and Unice/CEEP. In the course of 1990 the Commission also continued its consultation of sectoral interests.

This social dialogue is enshrined, *inter alia*, in Article 118b of the Single Act which states that 'the Commission shall endeavour to develop the dialogue between management and labour at European level which could, if the two sides consider it desirable, lead to relations based on agreement'. The 'relations based on agreement' might also include European-level framework agreements. It will therefore be necessary to go beyond the simple dialogue stage and seek to make negotiated agreements a key element of efforts to achieve European integration.

This being so, the regulation of social questions could be based on a mixed system, relying partly on directives and regulations, and partly on the outcome of social dialogue.

The ESC accordingly recommends that the intergovernmental conference should look at the social dialogue as an instrument of progress, and examine the most suitable role for the Committee in this context.

In the same context, the Committee calls for a re-examination of the application of the principle of subsidiarity to social issues. The problem of responsibilities and legal bases also has a decisive role to play in the implementation of the Social Charter.

The problem of legal bases is obviously directly linked to that of powers and this will certainly be examined at the intergovernmental conference.

The Committee regrets that the procedure adopted in preparing the conference prevents it from commenting on these issues.

The Commission adopted several draft Directives in 1990, essentially concerning the health and safety protection of workers, non-standard employment, worker consultation and information in undertakings, a form of proof of an employment relationship, protection of the elderly, and the improvement of the mobility of handicapped workers.

With regard to other activities, a number of programmes were presented.

Because there was no legal basis, the Commission has not submitted any proposals on the harmonization of social security objectives, or on a minimum income or minimum social reintegration income to reduce levels of poverty.

The President of the Commission has on various occasions expressed dismay about delays in implementing the 'social dimension'. This might be a reference, *inter alia*, to the fact that the Council has taken few formal decisions. The Committee shares this concern and accordingly welcomes the Luxembourg Presidency's statement that it is keen to expedite future work and make a 'social Europe' one of its priorities.

There is evidently an interaction between the 'economic' and 'social' dimensions. The harmonious development of both within the Community is a precondition for the successful establishment of the single market. Harmonious development is also needed if the constant drive to 'achieve progress whilst securing improvements' is to succeed. With regard to implementation of the Social Charter, there are a number of factors which form as it were a 'connective tissue', holding together and strengthening economic and social cohesion. Factors likely to weaken this cohesion should be identified.

It should also be noted that the absence of Community regulations may create a certain vacuum between social and economic aspects.

In the interests of greater cohesion, more account should be taken of the social dimension in implementing the different Community policies.

The Community's vocational policy is an excellent cement for reinforcing economic and social cohesion.

The Committee would encourage the Commission in its effort to revitalize and streamline vocational training policy.

Social policies are very deeply rooted in the history and culture of each individual Member State and the Committee is aware of the difficulties and complexities of implementing recommendations in this field. It would nevertheless draw attention to a number of major concerns in areas such as the elderly, child-support measures and the campaign to eliminate poverty.

In conclusion the Committee expresses its interest in the report which the Commission will be drawing up on the implementation of the Social Charter. The report, which is already somewhat overdue, will be all the more interesting as it is likely to be based on the results of a survey carried out in all the Member States on the basis of a questionnaire. It should therefore contain useful information on ways of making progress in the social sphere.

The Committee would appreciate an opportunity to be able to express its views on this report, as was agreed by the President of the Commission at its February 1991 Plenary Session.

In laying down guidelines for the future shape of Europe, it is important to have an overall, integrated view of the problems and be able to evaluate correctly their impact on the fundamental objective of creating general prosperity for all Community citizens and opposing whatever might undermine that goal.

After the formal announcement of the Social Charter, it is necessary to adopt a more concrete and specific approach in order to strengthen the existing foundations to underpin the pillars of a social policy necessary for the balanced development of the Community.

*This Opinion, adopted by a large majority, with 2 votes against and 10 abstentions, was drawn up in the light of the paper produced by the Section for Social, Family, Educational and Cultural Affairs, under the chairmanship of Mr Vasco Cal (Portugal — Workers). The rapporteur was Mr Eugène Muller (Luxembourg — Various Interests).*

## 9. PUBLIC CONTRACTS (SERVICES)

**Proposal for a Council Directive relating to the coordination of procedures on the award of public service contracts**  
[COM(90) 372 final]

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

This proposal is designed to establish a Community framework for the purchasing of services by central, regional and local public authorities.

Purchases of services by public entities are considerable, accounting for in the region of 20% of total public purchasing. The services in question refer to a vast range of activities showing as much variety as the products bought by the public sector.

The proposed Directive is designed to cover all such purchases provided the contracts are of a sufficient size to make cross-frontier operations a worthwhile proposition.

The remedies Directive 89/665/EEC, adopted in December 1989, also applies to the service contracts covered by the proposal.

In accordance with the objective of completing the system of EC procurement rules, the proposal starts with a broad definition of service contracts. By this it means all contracts which are not yet covered by existing directives unless they fall within certain well-defined exceptions.

In so doing, the proposal leaves the coverage of the existing directives unchanged.

The proposed Directive also addresses as a matter of priority public service concessions, that is, transactions whereby public authorities delegate to an external organization the rendering of a service to the public.

Services have been classified as priority or residual on the basis of a number of factors.

The classification is contained in Annex IA (full application of the Directive) and Annex IB (minimum requirements).

The proposal refers for the purpose of defining categories of services to the Central Product Classification (CPC) of the United Nations.



The proposal encompasses all contracting authorities covered by either the supplies or the public works Directives.

The acquisition of services is covered by this proposal only in so far as it takes place on the basis of contracts involving payment.

The Directive provides for the standard derogations contained in existing directives. These concern secrecy and State security and contracts governed by special procurement rules. The Directive is applicable in the field of defence, albeit within the limits established by Article 223 of the Treaty.

The exclusion of real estate contracts is desirable for clarification purposes.

Other derogations from the Directive are necessary in the field of audiovisual services.

A specific derogation is also necessary in the field of telecommunications services, in order to make the Directive conform to the overall liberalization of the telecommunications services market.

A further specific derogation is necessary for arbitration and conciliation services.

It is impossible at present to contemplate applying the Directive to certain types of financial services such as the issue of government bonds and activities related to public debt management.

### **Thresholds**

Article 8(4) of the proposal lays down the same minimum contract value as the supplies Directive for most of the service categories.

### **Procedural obligations**

The Directive provides for a full procurement regime for priority services in line with existing directives.

### **Design contests**

The Directive concentrates on some key aspects for making sure that design contests are open to EC-wide participation. When contests are independent from procurement procedures, these rules apply only if the total amount of prizes and payments exceeds ECU 200 000.

The provision of certain services may, under certain national regulations, be reserved to particular professions.

The field of registration and quality assurance is relevant for the purposes of the Directive.

The relevant provisions of existing directives on the use of harmonized standards are applicable.

The Directive deals with public service concessions in the same way that the works Directive deals with public works concessions.

The Directive also addresses questions relating to in-house performance, reserved activities and distortions of competition/State aids.

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

The Committee approves the Commission proposal but would make the following comments:

The Commission's principle of trying to cover all public procurement procedures for all types of services will make the Directive extremely difficult to implement.

The system introduced by the Directive could adversely affect certain providers of services, particularly in the professions.

The various definitions in the explanatory memorandum must be consistent with both the recitals and the text of the Directive and spell out, in particular, the distinction between providers of intellectual services and suppliers of other services.

Leasing or rentals should not be excluded from these public service contract procedures.

Design contests for the provision of intellectual services must involve the award of prizes, bearing in mind their heavy costs for the providers.

Public service concessions must comply with the general rules of the Directive.

A public service concession in respect of an activity already covered by an invitation to tender under the public works contract procedure should not be the subject of any further tendering procedure.

As regards thresholds, the Commission should use a concept which directly covers the value of the intellectual service provided in the contract, and not the overall cost of the work.

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<sup>1</sup> CES 711/91..

The procedures proposed with regard to third countries should be consistent with those laid down in earlier directives, particularly the remedies Directive.

Any social dumping resulting from labour movements triggered by tenders must be avoided. Labour laws must therefore be applied properly by all, and the contracting authority must have the powers to be able to ensure this.

*This Opinion, adopted by a large majority with 2 abstentions, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services, under the chairmanship of Mrs Ann Robinson (United Kingdom — Employers). The rapporteur was Mr Henry Salmon (France — Various Interests).*

## 10. IMPORT AND EXPORT OF DANGEROUS CHEMICALS

**Proposal for a Council Regulation (EEC) concerning export and import of certain dangerous chemicals**  
[COM(90) 591 final]

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

The proposal replaces Regulation (EEC) No 1734/88 concerning exports and imports of certain dangerous chemicals.

The main innovation is the introduction of the principle of prior informed consent (PIC), established by the United Nations Environment Programme (UNEP) and the UN Food and Agriculture Organization (FAO).

Under this principle, international shipment of a chemical that is banned or severely restricted in order to protect human health or the environment should not proceed without the agreement (where such agreement exists) or contrary to the decision of the designated national authority of the importing country.

This principle was included in the original Commission proposal,<sup>1</sup> but was rejected by the Council as most Member States considered it advisable to await the outcome of discussions at international level. In its Opinion of 1 July 1987,<sup>2</sup> the Committee expressed the hope that Member States that wished to experiment with such a

<sup>1</sup> COM(86) 362 final, OJ C 177, 15.7.1986.

<sup>2</sup> OJ C 232, 31.8.1987.

system would be encouraged to do so voluntarily; the Committee asked the Commission to consider whether the proposals needed to be revised at a later stage in the light of experience (point 1.6 of the Committee Opinion).

Since then, considerable progress has been achieved at international level with the active participation of the Commission. The present proposal is designed to guarantee common Community participation in the procedures drawn up by the OECD, UNEP and FAO.

The annexes to the Regulation are also to be updated on the basis of developments in Community chemicals legislation. The procedures for updating the annexes are laid down in Article 10.

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

The Committee approves the aims and principles of the Council proposal.

Over 80 countries, including the United States and Japan, have already expressed their interest in taking part in the voluntary PIC scheme. EC adoption of these procedures is a positive step in the international control of dangerous chemicals, and will benefit health and the environment in third countries.

The Committee urges the Community and the international organizations to implement a programme to publicize the new procedures in the importing countries, and help the less-developed nations to set up appropriate instruments enabling them to act swiftly on any information notified. To help Community businesses implement the Regulation, the Committee suggests that a handbook be drawn up to explain the procedures.

The Committee reiterates that development aid policy should include an element of information, education and training in environmental matters. Manufacturers should be encouraged to offer training and other information procedures.

Information and safety would be further improved if all dangerous chemicals were labelled in accordance with Directive 67/548/EEC, in cases where the legislation of third-country importers does not guarantee inclusion on the label of all the health, safety and environmental information required in the EC. The Committee was

<sup>1</sup> CES 702/91.

interested to learn that the Commission is currently considering whether to amend the proposal accordingly.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, under the chairmanship of Mr Francisco Ceballos Herrero (Spain — Various Interests). The rapporteur was Mr Enzo Beltrami (Italy — Employers).*

## 11. DANGEROUS SUBSTANCES (12th amendment)

**Proposal for a Council Directive amending Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations [COM(91) 7 final — SYN 325]**

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

The proposal for an amendment relating to restrictions on the use of PBBEs (polybromobiphenyl ethers) follows from a communication from the Federal German authorities on the dangers to human health and the environment posed by this family of chemicals.

PBBEs are incorporated as flame retardants in the plastics used to make components and final products (e.g. televisions, computers, motor vehicles, etc.).

In the long term, however, they pose an unacceptable threat to human health and the environment. This danger arises mainly from the release of furans into the atmosphere by thermal exposure of plastics containing PBBEs. PBBEs should therefore be phased out once safer substitutes can be found.

The approach adopted by the Commission is a gradual withdrawal of PBBEs from the market. This would take the form of an immediate ban on the seven PBBE homologues not presently in commercial use and on preparations and products potentially containing them, and of an eventual ban five years later on three commercially important homologues and their preparations and products.

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

The Committee fully endorses the aim of the proposal, and approves the proposed immediate ban on marketing of the seven PBBEs which are not yet in common use. This preventive measure will improve human and environmental protection and will not cause any problems for user industries.

The Committee approves the decision to allow use of the three PBBEs which are produced commercially (decabromobiphenyl ether, octabromobiphenyl ether, pentabromobiphenyl ether) for a provisional period of five years.

It asks the Commission, before introducing a definitive ban, to assess the findings of studies and to ascertain the effective availability of substitutes which are proven to be safe.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, under the chairmanship of Mr Francisco Ceballos Herrero (Spain — Various Interests). The rapporteur was Mr Enzo Beltrami (Italy — Employers).*

## **12. EUROPEAN OBSERVATION SYSTEM (INLAND GOODS TRANSPORT MARKETS)**

**Proposal for a Council Decision for the European system for observing the inland goods transport markets**

[COM(90) 652 final]

### **Gist of the Commission's document**

The Commission's document consists of a report and a decision proposal.

The scope of the report is to examine the market observation system in a general way rather than to concentrate on technical issues such as price indices.

The report summarizes the recent developments which have fundamentally changed Community transport policy, thus affecting the market observation system.

<sup>1</sup> CES 703/91.

The developments of transport policy and data availability are presented, concerning: the internal market, infrastructure planning, trade statistics, service statistics, international intra-Community road transport quotas, road prices, crisis mechanism for road haulage, road cabotage, road haulage with third countries, rail, inland waterways, and combined transport.

The report concludes that the existing experimental market observation system, which until now has been able to monitor how policy developments adapt to changing needs, will be needed even more so as to ensure future transparency of the market.

The gradual integration of national and international markets means that it is essential for the market observation system to cover both aspects.

The decision proposal thus calls for the establishment of a freight market observation system which:

- (i) shall provide an overview of the market as a whole (national, international, intra- and extra-Community aspects);
- (ii) shall be sufficiently flexible to adapt to the changing demands of transport and related policies (environment, competition, taxation and external relations);
- (iii) will provide accurate, reliable and speedy information for decision-makers in the relevant sectors.

This freight market observation system shall include:

- (i) market analysis (involving, in particular, the demand for transport, the economic position of transport undertakings, the social situation in the transport sector, and the balance between supply and demand in the transport sector);
- (ii) forecasting trends in certain aspects of markets; and
- (iii) gathering the statistical information on the markets necessary for this analysis and forecasting.

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

The Committee points out that it is quite natural that the Commission should be proposing a European system for observing the inland goods transport markets. In the Dutch text, however, it would be better to use the term 'inland-goederenvervoer' rather

<sup>1</sup> CES 706/91.

than 'over-land-goederenvervoer' as the proposed system covers transport by inland waterway as well as road and rail.

The proposal is very general. This raises the question as to whether the Commission will be spelling out in more detail the data it wishes to receive.

The Committee

- (i) urges the Commission to involve the statistical offices of the Member States when compiling data in order to avoid problems and duplication of work;
- (ii) asks the Commission to define standard methods of data collection, evaluation and analysis on which to base the market observation system;
- (iii) calls on the Commission to do its utmost to ensure that all Member States submit the statistical data promptly and regularly.

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

### 13. POSEICAN

### 14. POSEIMA

**Proposals for a Council Regulation (EEC) on the application of the provisions of Community law to the Canary Islands and for a Council Decision setting up a programme of options specific to the remote and insular nature of the Canary Islands (Poseican) and on the proposal for a Council Decision setting up a programme of options specific to the remote and insular nature of Madeira and the Azores (Poseima) [COM(90) 686 final and COM(90) 687 final]**

### **Gist of the Commission's proposals**

Just as Poseidom was intended to ensure that the French overseas departments play a full role in the forthcoming EC internal market, so Poseican and Poseima are specific measures to help the Canary Islands, Madeira and the Azores. There is, however, one key difference in the case of the Canary Islands: before there can be any question of an action programme, a Council Regulation is needed to change the status of the Islands, i.e. to phase out the system of



exemptions which they have enjoyed since the accession of Spain and to create a region fully integrated into the European Community.

Accordingly, the Commission has submitted two documents on the Canary Islands, namely a draft Council Regulation and a draft Decision presenting the action programme, and one document on Madeira and the Azores, namely a draft Decision containing the programme of specific actions aimed at offsetting the handicaps of remoteness and insularity.

As regards the Canary Islands, all EC common policies will be applied gradually and flexibly; the principal policies concerned are the agricultural, fisheries and customs policies. The Islands' special indirect taxation arrangements will be maintained for a maximum of 10 years.

The specific actions are designed to ensure that the Islands are supplied with essential products needed for consumption or processing, and provide aid for local activities such as fishing. They also maintain the free zone concessions.

The specific actions for Madeira and the Azores cover much the same ground, plus temporary aid to compensate for the high cost of energy imports and measures to assist craft industries.

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

The Opinion on Poseican welcomes the application of Community policies to the Canary Islands, although it feels that in some sectors longer or open-ended deadlines are needed if the adjustment process is to run more smoothly. This is the case with the special tax arrangements and the 'arbitrio' tax on production and imports, and with the measures to protect certain sensitive agricultural products (tobacco, livestock, bananas, tomatoes, fishery products, potatoes). The Opinion calls for detailed specification of the structural Funds' contribution to the programme's funding. The operating programmes should also be subject to the consensus and involvement of the social partners.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Rapporteur-General, Mr Rodolfo Machado von Tschusi (Spain — Employers).*

<sup>1</sup> CES 713/91.

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

The Opinion on Poseima welcomes the draft Council Decision, subject to certain specific recommendations aimed at improving sectoral diversification. The fishery sector should be included in the future initiatives, along with all areas of livestock farming. Special attention should be paid to diversification of energy supplies, improvement of transport connections, and support for business. Adaptation of tax arrangements should take account of the higher production costs caused by the islands' geographical situation.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Rapporteur-General, Mr José Bento Gonçalves (Portugal — Employers).*

## **15. QUALITY WINES (SPECIFIED REGIONS, SPARKLING WINES)**

**Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 823/87 laying down special provisions relating to quality wines produced in specified regions and the proposal for a Council Regulation (EEC) amending Regulation (EEC) No 358/79 on sparkling wines produced in the Community.**  
[COM(90) 554 final]

## **Gist of the Commission proposal**

### **Amendments to Regulation (EEC) No 823/87**

The first indent of Article 6(1) of Regulation (EEC) No 823/87 establishes the principle that quality wines produced in a specified region (quality wines psr) may be produced only from grapes harvested within the specified region whose name they bear. Notwithstanding that principle, Article 6(2) allows, in the case of a traditional practice and subject to the express authorization of the Member State concerned, a quality wine psr to be obtained by adjusting the basic product of that wine by adding one or more wine-sector products which do not originate in the specified region whose name the wine bears. The effect of this provision is to weaken the Community's position when protecting designations of origin at interna-

<sup>1</sup> CES 714/91.

tional level. The derogation should therefore be amended so that it is clearly restricted to a relatively short transitional period.

In addition, it should be specified that the geographical name designating a specified region should be sufficiently distinctive to avoid confusion with trade descriptions which are actually established and recognized.

### **Amendments to Regulation (EEC) No 358/79**

When the proposal for a Regulation to consolidate Council Regulation (EEC) No 358/79 was examined, it turned out to be necessary to extend the periods during which the maximum sulphur dioxide contents of sparkling wines now in force can continue to be used.

It also emerged from examination of the proposal that the rules on the production of sparkling wines should distinguish between quality sparkling wines of the aromatic type and quality sparkling wines of the aromatic type produced in specified regions (quality sparkling wines psr of the aromatic type).

The substantial changes in the rules required are beyond the scope of a simple consolidation of Regulation (EEC) No 358/79 and a Commission proposal for amendment of the Regulation is therefore required.

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

The Committee approves the Commission proposals.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, under the chairmanship of Mr André Laur (France — Various Interests). The rapporteur was Mr Rudolf Schnieders (Germany — Employers).*

<sup>1</sup> CES 712/91.

## 16. WILD BIRDS

### **Proposal for a Council Directive amending Annex II to Directive 79/409/EEC on the conservation of wild birds [COM(91) 42 final]**

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

The object of this proposal is to amend the original 'Birds Directive' 79/409/EEC by adding five species to the annexed list of birds which may be hunted, i.e. are no longer protected. The five species are considered pests and are as follows: jay, magpie, jackdaw, rook and crow.

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

The Committee approves the Commission's proposal subject to the following comments:

- (1) It is now clear that the Committee was correct in proposing in an earlier Opinion that the five species referred to should be excluded from the list of protected birds; this recommendation was not accepted by the Council at the time (1979).
- (2) The word 'harmful' to describe a species is inappropriate and should be replaced by the word 'opportunist', i.e. only harmful in certain circumstances.
- (3) The procedure whereby derogations to allow hunting may be granted regularly every year is also inappropriate; derogations should only be allowed in specific irregular circumstances.
- (4) The various annexes to Directive 79/409 should be reviewed every five years as socio-economic circumstances may influence the necessity for bird control, e.g. at present the protected species cormorant and the eider duck are causing extensive damage.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, under the chairmanship of Mr Francisco Ceballo Herrero (Spain — Various Interests). The rapporteur was Mr Hans-Jürgen Wick (Germany — Employers).*

<sup>1</sup> CES 701/91.

## 17. PROTECTION OF THE ELBE

**Proposal for a Council Decision concerning the approval of the Convention on the International Commission for the Protection of the Elbe**  
[COM(91) 78 final]

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

This is a proposal for the ratification by the EC of a Convention on the protection of the Elbe signed at Magdeburg in October 1990 between Germany, Czechoslovakia and the EEC.

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

The Committee approves the proposal but draws attention to the fact that it largely applies to an area which until recently was part of the Eastern Bloc, i.e. East Germany and Czechoslovakia. Accordingly, particular attention must be paid to ensuring that the necessary institutions, procedures and financing are properly implemented.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Protection of the Environment, Public Health and Consumer Affairs, under the chairmanship of Mr Francisco Ceballo Herrero (Spain — Various Interests). The rapporteur was Mr Helmut Giesecke (Germany — Employers). Co-rapporteurs: Mr Klaus Boisseree (Germany — Various Interests) and Mr Klaus Schmitz (Germany — Workers).*

## 18. COMPOUND FEEDINGSTUFFS

**Proposal for a Council Directive amending Directive 90/44/EEC amending Directive 79/373/EEC on the marketing of compound feedingstuffs**  
[COM(91) 90 final]

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

On 22 January 1990 the Council adopted Directive 90/44/EEC, which substantially amends the rules on labelling laid down by Directive 79/373/EEC concerning compound feedingstuffs.

<sup>1</sup> CES 704/91.

According to the provisions on implementation set down in Directive 90/44/EEC, the new provisions on labelling must be observed throughout the Community on the precise date of 22 January 1992.

Compliance with the obligation poses difficulties for traders, who after 22 January 1992 will still possess compound feedingstuffs with labels which do not conform with the new regulations.

In order to remedy this problem the Commission proposes to permit, until 31 December 1992, the marketing of compound feedingstuffs manufactured before 22 January 1992 with a label corresponding to the rules in force on that date.

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

The Committee approves the Commission proposal.

*This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Agriculture and Fisheries, under the chairmanship of Mr André Laur (France — Various Interests). The rapporteur was Mr Sergio Colombo (Italy — Workers).*

## **19. FINANCIAL REGULATION**

**Draft Commission Regulation (EEC) laying down detailed rules for the implementation of certain provisions of the Financial Regulation of 21 December 1977 [SEC(91) 201 final]**

### **Gist of the draft Regulation**

On 13 March 1990 the Council adopted the general revision of the Financial Regulation. As a result of this revision, the Commission Regulation laying down detailed rules for implementation now needs to be updated, in accordance with Article 126 of the Financial Regulation.

The updating covers technical provisions relating, *inter alia*, to: the conditions under which the ecu is to be applied; management by means of integrated computer systems; the rules applicable to the accounting officer; updating by indexation of the various thresholds in respect of contracts; and the application by the Community institution of Council Directives on public works and supplies.

<sup>1</sup> CES 707/91.

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

The Committee endorses this proposal, which relates primarily to technical aspects, but regrets that it was not consulted on the Financial Regulation.

The Committee is pleased to note that the duties of the accounting officer are further clarified. It also welcomes the indexed updating of the various thresholds in respect of contracts and application by the Community institutions of the relevant Council Directives.

The Committee firmly supports the Commission's proposals regarding the use of the ecu and advocates that the Financial Regulation and the detailed rules for its implementation make provision to this effect.

In addition, each Community institution should adopt appropriate rules of procedure.

*This Opinion, adopted unanimously, was drawn up in the light of the paper drawn up by the Section for Economic, Financial and Monetary Questions, under the chairmanship of Mr Jean Pardon (Belgium — Employers). The rapporteur was Mr Roger Burnel (France — Various Interests).*

<sup>1</sup> CES 696/91.





## **II. Presence and influence of the Economic and Social Committee**

### **Activities of the Chairman and Secretary-General**

1 May 1991 — Ambly (Belgium): meeting of the Secretaries-General of the European institutions.

3 May 1991 — Brussels: meeting with Mr Jürgen Trumpf, Permanent Representative of the Federal Republic of Germany to the EC.

8 to 10 May 1991 — Quebec (Canada): second international meeting of Economic and Social Councils and similar institutions, organized by the Quebec Government.

15 May 1991 — Strasbourg: participation in the interinstitutional preparatory conference on political union.

16 May 1991 — Luxembourg: participation in the seventh statutory congress of the European Trade Union Confederation.

21 and 22 May 1991 — Vienna: participation in the 22nd joint meeting of the delegations from the Economic and Social Committee and the EFTA Consultative Committee, under the chairmanship of Mr François Staedelin and Mr Heinz Zourek.

31 May 1991 — Roanne (France): participation in a dinner debate organized by the French Socialist Party.



### III. Information visits

During the period under review the following information visits were made to the Committee:

- 2 May 1991 Deutsches Rotes Kreuz (German Red Cross)
- 3 May 1991 Deutschlandpolitisches Bildungswerk — Nordrhein-Westfalen (Germany)
- 3 May 1991 Vocational Training Association of the Dunkirk Steel Industry (France)
- 6 May 1991 Noroff-Fagreiser (Norway)
- 6 May 1991 Europa-Studien-Kurs Kreuzberg, Bonn (Germany) (German European studies students)
- 7 May 1991 Youth Section of the Swedish Liberal Party
- 8 May 1991 Histadrut (Israel)
- 14 May 1991 Brittany-Loire Cooperation Association (France)
- 15 May 1991 Theodor-Heuss-Volkshochschule (Germany)
- 15 May 1991 Rheinisch-Westfälische Auslandsgesellschaft eV (Germany)
- 16 May 1991 École nationale supérieure des Sciences agronomiques appliquées (France)
- 16 May 1991 Landeszentrale für Politische Bildung (Germany)
- 17 May 1991 Erasmus University (Netherlands)
- 17 May 1991 CESR Centre (France) (Regional Committee for the Central Region, France)
- 22 May 1991 Catholic Women's Guild (Netherlands)

- 23 May 1991 Bavarian Ministry of State, Munich (Germany)
- 27 May 1991 FTF (Funktionærernes og Tjenestemændenes Fællesråd), Copenhagen (Denmark) (Danish Confederation of Civil Servants' and Employees' Organizations)
- 27 May 1991 AOK-Bundesverband (Ortskrankenkassen) (National Association of Local Sickness Insurance Funds) (Germany)
- 27 May 1991 Schrobenhausen Gymnasium (Germany)
- 27 May 1991 East-West Study Group (Germany)
- 27 May 1991 Freie Universität Berlin (Germany)
- 30 May 1991 Johann-Wolfgang-von-Goethe-Universität (Germany)
- 30 May 1991 Stichting Amsterdams Academies (Netherlands)
- 31 May 1991 IG-Metall Mannheim (Steel-workers' Trade Union, Germany)
- 31 May 1991 Evangelische Kirche Westfalen (German Protestant Church Group)
- 31 May 1991 Metalskolen Jørlunde (Denmark)
- 31 May 1991 Vlekho (Belgian-Polish Group)

## 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)
- Competition policy (ESC-90-003)
- The right of the European citizen to move freely (ESC-90-004)
- 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 1990 (ECU 13)
- 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)
- Competition policy (ECU 3.40)
- The economic and social situation in the Community (1989) (ECU 7.50)



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