

ECONOMIC AND SOCIAL CONSULTATIVE ASSEMBLY

BULLETIN

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ECONOMIC AND SOCIAL COMMITTEE

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I. 291st Plenary Session of 27 and 28 November 1991

The Economic and Social Committee of the European Communities held its 291st Plenary Session on 27 and 28 November last.

During the session the Committee adopted the following Opinions:

1. IMMIGRATION (Own-initiative Opinion)

Case for the Own-initiative Opinion

The phasing out of internal frontiers is creating a need for alignment or even full-scale standardization of policy on non-EC nationals entering or immigrating into the Community. The joint policy will be formulated against the background of rapidly increasing immigration triggered by a combination of demographic, economic, social and political factors.

Following an earlier phase of intra-Community migration (movement from southern to northern Europe), those countries which used to export labour are now having to absorb non-Community labour. Attention should focus on migration from ACP and non-EC Mediterranean countries.

Recent political changes in Central and Eastern Europe, which are irreversible and entail a high social cost, coupled with ever-greater freedom of movement for their citizens, are already beginning to have an impact on the employment markets of other European countries, EC or otherwise.

The countries of Central and Eastern Europe are facing *inter alia*, high unemployment and severe economic, industrial, environmental and social problems; in spite of aid policies including investment in training, restructuring and joint projects with the EC, migration towards the Community has already begun.

Migration from Eastern Europe adds a new dimension to the problem of current immigration into Europe.

The Social Affairs Section is presently drafting an Own-initiative Opinion on the status of migrant workers from outside the Community. Given the situation outlined above, the Committee has decided to supplement that Opinion with a separate Own-initiative Opinion on immigration policy, focusing on the external relations dimension.

Gist of the Committee Opinion ¹

The policy of each Member State will have effects on the policies of other Member States of the EC and on the EC as a whole. If major problems are not to arise — from the inevitable and increasing flow of immigrants — for the Community in terms of unemployment, conditions of hygiene and safety and social security measures, housing, education facilities and so on, then steps must be taken at the EC level to bring about effective cooperation towards harmonizing the approaches in the different Member States' national immigration policies. A way may be found towards establishing the legal EC competency for such cooperation in the revision to the Treaty emanating from the intergovernmental conference. Meanwhile the Committee would wish to see the control of immigration at the outer frontiers of the Community to be both efficient and effective.

The responsibilities of intergovernmental agencies should be transferred to Community competence, involving all EC institutional bodies and thus allow for democratic scrutiny and openness as coordination, coherence and harmonization are needed, especially on the external relations aspects.

The overall EC policy on immigration should be to prevent, control or stem immigration by helping the countries of origin to bring about economic growth and a better quality of life in their own countries.

Persons who have immigrated legally or who have been living legally for a long time in the Community should have the opportunity to acquire the basic rights of EC citizens, with the exception of certain political rights. EC social minimum standards should be applied to legal immigrants from third countries in accordance with ILO — and UN — conventions.

¹ CES 1394/91.

Most people do not emigrate because they are 'looking for paradise'; they would prefer to live in their own countries. But if people are living on 'the threshold of misery' then a major influx in immigration is likely to occur. Where immigration has occurred then every effort, consistent with human rights and fundamental freedoms, should be made by the host country in a policy of re-emigration to enable people to go back to their own countries if they so wish.

Within the multilateral GATT framework and negotiations as well as in the frame of bilateral agreements, the EC should carefully review its policies which would create trade barriers that could lead to immigration because the emigrants cannot earn a living in their own countries.

As an immediate policy the EC should provide training programmes and investment incentives for immigrants aimed at enabling them to return home equipped with basic skills and management expertise.

Through investment in economic development and the provision of training courses the EC should make a major contribution to prevent the brain-drain from the Central and Eastern European countries. Such a brain-drain is adverse to the chances of these countries recovering economically in the transition stages from a command economic system to a market economy (though not necessarily the Adam Smith model). Such a failure would lead to increased unemployment and this would in turn only make the unemployed become potential immigrants. The aim of EC policy generally ought to be to help to create stable political and socio-economic conditions in the countries of potential emigration.

The Committee stresses the fact that immigration is not only a single-person problem for the host country — it is also a family problem for which the host country has to provide for not only the immigrant himself but for his wife/husband and children also. Extra provision therefore has to be made in the area of public expenditure for education, housing, health and social security — all of which constitute a heavy budgetary cost on immigration to be borne by the host country.

A few principles underpinning a joint immigration policy specifically in relation to temporary migration should usefully be established in line with the discussions at the Prague meeting of European Employment Ministers in April 1991.

Neither Central and Eastern Europe nor the Mediterranean third countries want to become a recruiting ground for the underground economy, and Western Europe does not want to attract more job-seekers than it has vacancies for. The Committee underlines that negotiations and agreements are therefore needed. For the present these could even be bilateral until the EC or other supranational bodies acquire a remit for immigration matters.

The aim of EC policies should be to help the countries of origin to enable them in future to help themselves in the development of their own resources for their economic and social progress.

This Opinion, adopted by a majority, with seven abstentions, 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 — Workers). The rapporteur was Mr Tomás Roseingrave (Ireland — Various Interests); co-rapporteur: Mr Bernard Mourgues (France — Workers).

2. FINANCIAL COOPERATION — MEDITERRANEAN COUNTRIES (second Additional Opinion)

The Community's Mediterranean policy

Gist of the Committee Opinion ¹

This is a second Additional Opinion. The Committee originally gave an Opinion in July 1989 and then gave a first Additional Opinion calling for an overall strategy in April 1990 just before the Commission came out with its definitive proposals contained in a communication on redirecting the Community's Mediterranean policy.

Thereafter the Committee called for a regional financial protocol with the Arab Maghreb Union.

At the end of 1990 the Council took a package decision covering various aspects of the updated Mediterranean policy. Now, in 1991, the Commission is in the process of implementing this overall Council Decision of December 1990.

The Committee's second Additional Opinion sets out to check to what extent the Community is taking on board its earlier proposals,

¹ CES 1388/91.

to generally assess the thrust of the renewed financial protocols, and to make further recommendations regarding the implementation of the revamped Mediterranean policy.

The Council has failed to take up some of the proposals made by the Committee in its two previous Opinions. The Commission for its part is accused by the Committee of showing no sign of changing its underlying strategy *vis-à-vis* non-Community Mediterranean countries: i.e. it has not yet taken up the key elements for a new Community policy as proposed by the Committee, namely a Euro-Mediterranean policy of co-development; a global approach including consideration of problems of the Community's own Mediterranean regions; the use of development agreements as the basic instrument for co-development; and the adoption by the Community of a coordinating role for both bilateral and multi-lateral Mediterranean cooperation policies implemented by Member States.

The Opinion deals in some detail with the question of debt and structural adjustment, with trade cooperation, with financial cooperation concerning all the MNC, and gives some guidelines for renewing the financial protocols.

As regards the assessment of the package decision of the Council in December last, the Committee states that the first and key shortcoming is the relatively low level of funding involved: some 35% less than the Commission proposal.

The Committee comments critically on each one of the parts of the package decision. In commenting on the draft Regulation on the import of certain agricultural products, the Committee notes that the measures indicated by the Council go beyond the proposals contained in the Commission communication on an up-dated Mediterranean policy of June 1990. The Commission, then, considered it advisable to make no new proposals, simply reaffirming the importance it attached to the maintenance of traditional flows.

The Committee would raise an objection of principle to the measures indicated by the Council, and formally proposed by the Commission in its proposal for a Regulation, emphasizing its opposition to a Mediterranean policy approach which concentrates on the opening up of Community markets without a serious effort, financial and otherwise, to implement a real policy of co-development. In short, the Committee would not have any changes to the degree of protection as regards agricultural produce originating in non-Community Mediterranean countries.

Finally, the Committee criticizes the procedure whereby the Commission, in preparing Regulations constituting and implementing the new Mediterranean policy, is locked into, by the mandate the Council gave it, too tight a strait-jacket. The Commission should have been asked to make proposals that fall within broad policy framework guidelines.

This Opinion, adopted by a majority, with 13 votes against and 14 abstentions, 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 — Workers). The rapporteur was Mr Andrea Amato (Italy — Workers).

3. INDUSTRIAL POLICY — ELECTRONICS AND INFORMATION TECHNOLOGY (Own-initiative Opinion)

The European electronics and information technology industry: state of play, issues at stake and proposals for action
(SEC(91) 565 final)

Gist of the Commission document

The purpose of this communication is to apply the concept of industrial policy as defined by the Commission in its communication of November 1990 'Industrial policy in an open and competitive environment' to the Community information technology (IT) and electronics industry. Such an open, horizontal and offensive approach has a natural application in the Community's IT and electronics industries, which are facing severe structural adjustment problems at present.

The communication is intended to serve as background for a debate with the Member States, the European Parliament, the Economic and Social Committee as well as the industries, manufacturers and users concerned, for the purpose of analysing the situation as perceived by the Commission and discussing what action needs to be taken. This should enable the Commission to enter into fruitful dialogue with industry, users and investors, assess the situation in greater depth from a dynamic perspective and identify conditions for a long-term recovery, while respecting the roles of the parties concerned.

In its document the Commission first looks at the relative industrial and technological conditions of the Community's electronics and IT industries in the world context.

The Commission notes that while European industry has made significant progress in fields such as computer software and services and industrial automation it is still weak in certain key areas: semi-conductors, peripherals and consumer electronics.

The worrying situation of European industry can partially be explained by the current economic climate (e.g. a slowing-down of growth). But most causes are structural, such as the high degree of market fragmentation, unfavourable financing conditions, relatively little vertical integration in the field of production and limited co-operation between Community and international partners.

The Commission then defines a coherent package of measures that the Community and the Member States should implement in the medium and long term with the commitment of industrial partners.

The first condition to be satisfied is that of ensuring a favourable business environment which respects rules for competition at international level and the principle of subsidiarity. Stress is laid on the completion of the single market, which should guarantee market access for products, investments and technologies.

The Commission proposes five types of Community action:

Demand: the setting-up of trans-European networks and infrastructures which satisfy users' needs will require investments financed mostly by those directly concerned, although there could be some support from the Community. There must therefore be a study of the most appropriate financial machinery, without forgetting the specific needs of smaller firms.

Technology: there are plans for launching a second generation of R&TD, ranging from projects at the pre-competitive stage to projects geared more closely to the market.

This effort should be characterized by the concentration of work on a smaller number of better targeted and more ambitious objectives, closer cooperation with users, the provisions of training linked to advanced research and an opening-up to international cooperation.

Training: this must be particularly directed at training staff and at staff engaged in production and management in firms using and supplying computerized telecommunications equipment and services. As new IT technologies are superseding each other more and more quickly the Community urgently needs to train researchers

and engineers capable of developing and using them to the utmost. Training must therefore be as multidisciplinary and flexible as possible.

External relations: the emphasis here is put on trade policy. This must, as far as possible, be open to links with producer countries in the electronics and IT sectors. It must both promote scientific and technological cooperation and preserve fair conditions of competition with these countries. Particular concern is shown for supporting the restructuring of the economies of Eastern Europe and for continuing a constructive dialogue with EFTA. A particularly important role will be played by the new measures on merger control and by the European standardization rules; anti-dumping measures should be used as little as possible.

Business environment: the public authorities and the banking and financial sector should collaborate closely in seeking new solutions to companies' high financing needs. Structural policies should be introduced which help the development of electronics and IT by promoting infrastructure, in particular by creating a network for co-operation between smaller firms, large companies and research centres.

Gist of the Committee Opinion ¹

The Committee notes with regret that employment policy and the socially and environmentally acceptable use of technology are barely mentioned in these five points.

The Committee thinks that suitable industrial policy measures are needed to provide the European IT and electronics industry with competitive structures and good job prospects offering good working conditions. At a time when the major world markets of the USA, Japan and Europe are being reshaped, coordinated EC-level action, agreed between the various social groups, is needed to secure the competitive future of an independent European IT and electronics industry. The aim is to give the current policy of establishing a single European internal market a solid foundation by means of specific industrial policy measures to improve the strategic environment for firms and the sector as a whole. For the electronics industry and its workforce these strategically important conditions need to be met in the following areas: research and

¹ CES 1392/91.

technology, infrastructure, optimum productive capacity, training and skills. Action should be taken in certain areas.

The Committee feels that trade policy measures should protect the interests of both consumers and producers. Such measures should be part of a broader policy embracing demand, production and technology. The following trade policy principles should be applied:

- *Anti-dumping*

In those areas where the price policy of competitors clearly distorts competition, the existing anti-dumping measures must be applied and, if necessary, intensified with due consideration for GATT rules.

- *Reciprocity*

Conditions have to be created on the Japanese market which are at least equivalent to the conditions which Japanese exporters and producers encounter on the European market.

- *Local content*

It should in the long term be required that a high percentage of value be added in the Community, while bearing in mind the particular situations of certain disadvantaged regions of the Community.

The Committee argues for stabilization of the long-term demand for IT and electronics products which will require a more active infrastructure and equipment policy on the part of the European countries and public institutions. With the unfolding of the internal market the trans-European networks urgently need to be improved.

The Committee proposes certain activities connected with enterprise and production (e.g. improved vertical cooperation between IT and electronics firms; the development of links between producers and users; the application of international standards; improved financing conditions) and a policy on technology and innovation (which should take account of the specific characteristics of the sector).

The Committee also proposes a series of measures on employment and vocational qualifications (in-service vocational training; a forward-looking employment policy in the sector; participation by industry, workers and their organizations in EC research projects; workers to be informed of, consulted on and involved in certain decisions concerning the organization and operation of firms).

This Opinion, adopted by a majority, with three votes against and three 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 (UK — Employers). The rapporteur was Mr Paul Flum (Germany — Workers).

4. CAP REFORM (Own-initiative Opinion)

**Communication of the Commission to the Council on
the development and future of the CAP**
(COM(91) 100 final and COM(91) 252 final)

Gist of the Commission communication

The mechanisms of the CAP were devised to remedy a deficit situation in food production. Basically they support internal prices and incomes, either through border protection or through deficiency payments to processors using higher-priced Community agricultural products.

As Community agriculture has moved increasingly into surplus, the system has revealed a number of shortcomings:

- (a) production is increasing at a faster rate than the ability of the market to absorb it;
- (b) a lack of support for small and medium-sized farms;
- (c) a fall in the per capita purchasing power of those engaged in agriculture;
- (d) a comparison between the constant growth in the budget and the virtual stagnation of farm incomes, together with the decline in the agricultural workforce, clearly shows that the system is not working.

To put matters right, the Commission suggests the following objectives:

- (1) In order to preserve the natural environment, a sufficient number of farmers must be kept on the land. This requires an active rural development policy.
- (2) Recognition of the dual role of the farmer, as food producer and protector of the environment and countryside.
- (3) Greater importance must be attached to the production of raw materials for non-food uses. The farmer must continue to act as environment manager.

- (4) Rural development must be encouraged through other forms of economic activity besides farming.
- (5) The build-up of stocks must be avoided, in particular through extensification.
- (6) The market organizations should also encourage extensification.
- (7) The Community must recognize the fact of international interdependence and accept its responsibilities on the world market.
- (8) Support must be more evenly distributed among farmers; the support instruments used must have a more direct impact on farm incomes and take account of environmental requirements.
- (9) Direct aid measures should be integrated into the market organizations.

The constraints resulting from quantitative arrangements should be in proportion to farm size.

In July 1991 the Commission issued a communication (COM(91) 258 final) containing proposals. These include aligning market prices on world prices, and reinforcing the instruments already deployed to limit production (set-aside, extensification, protection of the environment by means of less polluting techniques, early retirement schemes for farmers). Farmers would also receive direct aid to compensate their loss of income. In the interests of financial solidarity and so as to distribute the available funds more fairly, aid should vary in line with the need to support economic and social cohesion and to assist the many farmers who are unable to reap the full benefits of the CAP. At the same time, the financial stabilizers which underpin the fixing of the maximum guaranteed quantities and the co-responsibility levies would be eliminated or reduced, depending on the production sector involved. The proposed reform would affect around 75% of the value of Community agricultural production and for the moment would not involve amendment of the common market organizations for olive oil, sugar, fruit and vegetables or wine.

Gist of the Committee Opinion ¹

The Commission proposals do not take sufficient account of the structural, geographical, regional and local peculiarities of Com-

¹ CES 1387/91.

munity agriculture: in the medium to long term, the weakest sectors will be forced out of production.

If the aim is to ensure that agricultural activities are limited to farms with efficient structures and technologies, then alternative development opportunities must be created for those forced to relinquish their market share.

The distinction between 'small' and 'professional' producers which underpins the reform package is economically, socially and politically unacceptable. The Committee proposes instead that the reform measures be based on a classification of Community farms that takes account of their current total average cost structure. This would group farms into three broad categories:

- (a) a limited category of farms whose total average costs (both variable and fixed costs) are more than covered by the current market price and therefore make an 'extra profit';
- (b) farms which cover their variable costs and a part of their fixed costs at present market prices;
- (c) marginal farms which cover their variable costs, but not their fixed costs, at present market prices.

The new policy for controlling supply must clearly be assessed in the light of these three categories. Better targeted measures must then be devised both to compensate for lost income and to make agriculture competitive.

The Committee notes the obvious link between the proposal to reform the CAP and the GATT negotiations, and stresses the marginal nature of the world agricultural markets. The Committee considers that the CAP must be seen in a world context of generalized support for agriculture. Lastly, the Committee wonders what will happen to Community preference if EC prices are to be aligned on world prices.

The Opinion makes some preliminary comments about the overall rationale of the Commission's proposals for certain production sectors and accompanying measures. The Committee will consider individual products in detail when it comes to draw up its Opinions on the Commission's specific proposals.

This Opinion, adopted by 96 votes for, 26 against and 11 abstentions, was drawn up in the light of the paper produced by the rapporteur-general, Mr Giovanni Mantovani (Italy — Various Interests).

5. BANANAS (Information report)

Community banana market in the run-up to 1993

Gist of the information report ¹

EC banana production caters for 25% of the European market. Bananas are grown in:

- the Canary Islands (Spain): 350 000 to 400 000 tonnes per year,
- Madeira (Portugal): 40 000 tonnes per year,
- Crete (Greece): 12 000 tonnes per year,
- Guadeloupe and Martinique (France): 350 000 to 400 000 tonnes per year.

Other traditional suppliers of the EC market are:

- ACP States: accounting for about 25% of the European market;
- third countries: 50% of the EC market.

Unless precautionary steps are taken, completion of the EC internal market in 1993 may jeopardize not only the development of the Community's banana production, but its very survival, because of the cumulative effect of handicaps besetting the sector, namely:

- handicaps in terms of production costs, and
- handicaps in commercial terms.

The creation of the single European market should bring with it solutions to the problems of the banana sector so as to:

- (i) achieve the free circulation of this product between the Member States;
- (ii) introduce common import arrangements;
- (iii) improve the production and distribution structure for bananas in the EC and the ACP countries.

To that end, a really effective Community system for bananas will be needed. This will entail:

- (a) respect for Community preference (Articles 226 and 227 of the Treaty of Rome);
- (b) respect for the Lomé Agreements;

¹ CES 1012/91 final.

- (c) respect for trade flows from third countries;
- (d) respect for consumers' interests.

The EC has an opportunity here to take account of the legitimate interests of certain regions.

This information report 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 Guy Ovide Etienne (France — Various Interests).

The Plenary Session decided by a majority (five abstentions) to transmit this information report to the other institutions.

6. INDUSTRIAL POLICY

Industrial policy in an open and competitive environment
(COM(90) 556 final)

Gist of the Commission document

With the Community speeding up the process of economic, monetary and political integration, and with the first vital step due to be taken at the end of 1992 towards establishment of a single market, the Commission feels that the time has come to propose to Member States a coherent industrial policy concept.

The Commission considers that only a competitive industry will allow the Community to maintain its position in the world economy.

The necessary process of reflection should focus on the following:

- (a) definition of common interests and areas of potential conflict with the main competitors;
- (b) development of a forward analysis of the relative industrial and technological situation of the Community;
- (c) discussion of industrial problems from a medium-term perspective;
- (d) development of joint operations based on new types of industrial co-operation in areas of common interest with our partners.

With a high standard of living to preserve and improve, EC industry has to take the lead in the technological, commercial

and financial fields if the necessary expenditure in the social sphere and on environmental protection is to be forthcoming.

The economic environment is bound to become more difficult because:

- (a) competition is becoming increasingly global on both the world and Community markets;
- (b) technological know-how requires ever higher investment and constantly shortens product life cycles;
- (c) the role of global corporate strategies is decisive at a time when, more than ever, the siting of plants is a matter of company strategy;
- (d) three other factors will have a crucial effect on manufacturing investment: the increasing role of environmental preoccupations, the need to reconstruct efficient economies in Central Europe and the challenge of coping with the consequences of our ageing society.
- (e) the manufacturing economies of Western Europe remain fragile.

Added to this is the fact that the Community, as the largest trading bloc in the world, is also more sensitive than its large industrial competitors to the legitimate aspirations of developing countries, which are faced with the triple challenge of debt, falling prices of certain raw materials and difficulties in exporting traditional products.

This combination of factors presents four main challenges for EC industry:

- (i) the capacity to stay abreast of international industrial competition;
- (ii) the capacity to invest more efficiently in equipment, in know-how and in training and qualifications;
- (iii) the capacity to master completely the diffusion of technological innovation;
- (iv) the capacity to develop human resources.

Structural adjustment: the key to the industrial policy concept

The industrial policy concept proposed by the Commission has three main components:

(1) Prerequisites for adjustment

The Commission lists five prerequisites for structural adjustment:

- (a) competition;
- (b) economic environment;
- (c) high level of educational attainment;
- (d) social cohesion;
- (e) environmental protection.

(2) Catalysts

The Commission mentions two catalysts which are vital for structural change:

- (a) the single market;
- (b) international trade.

(3) Instruments to accelerate adjustment

The Commission is counting on four factors to speed up the process of structural adjustment:

- (a) the development of the technological capacity of the Community;
- (b) a dynamic policy towards small and medium-sized enterprises;
- (c) better use of human resources;
- (d) providing firms with a genuine common market in services.

The Commission will launch an ambitious technological policy initiative aimed at ensuring the long-term competitiveness of the technological base in the Community.

The industrial policy concept that the Commission is proposing is based more on a consensus than on a compromise involving the lowest common denominator acceptable to all.

It clearly favours a convergence of views, a sort of 'partnership' between all the parties involved: businessmen, researchers, European bodies, national, regional and local authorities.

Gist of the Committee Opinion ¹

The Committee welcomes the Commission's attempt to develop the concept of a modern and dynamic industrial policy. The focal point of this concept is the Community interest.

The Committee agrees with the Commission that greater European integration implies that industrial policy should be solved at European level and that structural adjustment measures should take the Community market into account. It also endorses the view that only an efficient and competitive industry can contribute towards Europe's economic and social development. The European Community will not master the challenges it has set itself in the Treaties, or intends to set on the path towards political union, by building a wall around its market and pursuing defensive policies to preserve existing structures.

However, the Committee would criticize the failure of the Community blueprint to give sufficient consideration to industrial policy's regional and social dimension. The strengthening of European industry's competitiveness will not suffice to develop industry in lagging regions or to cater for social needs. Therefore, the Commission must give greater prominence in its industrial policy blueprint to the interests of remote regions and work these interests more convincingly into its policy instruments. The general reference to the Community's structural Funds does not go far enough. The view that dialogue and partnership between industry and the public authorities also has a 'vital' role to play in promoting economic and social cohesion is ambiguous and therefore requires urgent clarification.

In practical terms, the Committee would urge that, apart from the horizontal measures for assisting structural change and increasing industry's adaptability a place must be retained for an industrial policy which (a) provides secondary support for the requisite (regional and sectoral) adjustment processes in problem areas, (b) cushions the social impact of structural change with the aid of suitable transitional measures and (c) reduces distortions of competition arising from international factors. This policy should include:

- (i) a regional policy which is geared to evening out discrepancies, and which strengthens lagging regions' potential and ability to develop;

¹ CES 1384/91.

- (ii) adjustment assistance for offsetting social hardship in times of structural crisis or when industry is being slimmed down;
- (iii) measures under GATT to defend against and eliminate third-country corporate strategies which distort competition.

The Committee thinks that it would make sense to include key objectives and elements of a Community industrial policy in the Treaty, thereby providing firms in the Member States with the right conditions for exploiting to the full the benefits of the single market, economic and monetary union and the common research and technology policy. Provision should also be made for coordinating national industrial policy decisions with corresponding measures taken at Community level and for involving the Economic and Social Committee in this.

This Opinion, adopted by a majority, with one abstention, was drawn up in the light of the paper produced by the Section for Industry, Commerce, Crafts and Services, chaired by Mrs Ann Robinson (UK — Employers). The rapporteur was Mr Jens Peter Petersen (Germany — Employers).

7. NEW LÄNDER (Additional Opinion)

New Länder — Community support framework for the areas of East Berlin, Mecklenburg-Vorpommern, Brandenburg, Sachsen-Anhalt, Thüringen and Sachsen (1991-93)

Gist of the Community support framework

On 19 December 1990 the Federal Republic of Germany submitted to the Commission its plan for the development of the five new German *Länder* and East Berlin. By a Decision of 13 March 1991 the Commission approved the support framework for the period 1 January 1991 to 31 December 1993.

An extra ECU 3 000 million is to be provided for the new *Länder* from the structural Funds: half from the ERDF, 900 million from the ESF and 600 million from the EAGGF (Guidance Section). The resultant national financing requirement, ECU 4 380 million for the public sector and 6 555 million for the private sector, may be partially covered by Community loans from EIB and ECSC funds. The total cost is therefore ECU 13 935 million.

The Community support framework covers all areas of the new *Länder* and has nine priorities:

- (1) infrastructure,
- (2) productive investments,
- (3) development of human resources,
- (4) long-term unemployment,
- (5) youth unemployment,
- (6) agriculture and fisheries,
- (7) improvement of rural areas,
- (8) agriculture and environment,
- (9) technical assistance.

In the context of the partnership, a monitoring committee will be set up at interregional level composed of Commission, EIB and Member State representatives. There will also be six subcommittees at regional level (five *Länder* and East Berlin) which may include representatives of the social partners (CSF, Ch. VIII, 1.2.1.).

The Community support framework contains some basic data on the economic and social development of the new *Länder* and a list of the relevant Community policies which apply to the new *Länder* (competition rules, investment in crisis regions, award of public contracts, protection of the environment, completion of the single market, fisheries, energy, research and development, telecommunications, agriculture, social policy).

Gist of the Committee Opinion ¹

The Committee's assessment is based on, *inter alia*, the hearings of representatives of economic and social interest groups and the governments of Saxony, Thuringia and Berlin held on 17 and 18 October 1991 in Leipzig.

The Committee notes the serious situation in the new *Länder*, in particular as regards industrial production and employment. But as it is already becoming clear that some regions are progressing faster than others, the Committee calls for the gradual 'concentration of aid on the structurally weakest areas' and maximum rates of aid for those regions faced with major agricultural and industrial restructuring.

¹ CES 1383/91.

The Committee calls for greater participation of the social partners and local authorities in the preparation of regional development plans. It welcomes the Commission's willingness to include the social partners in the regional monitoring committees and urges the Federal Government and *Länder* to open an appropriate dialogue on structural policy.

By way of specific proposals the Committee recommends strengthening the consultation infrastructure, which should also be accessible to the social partners, and providing additional aid for border regions as part of the 'European agreements' with Poland and Czechoslovakia.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the Section for Regional Development, Town and Country Planning, chaired by Mr Robert J. Moreland (UK — Various Interests). The rapporteur was Mr Klaus Schmitz (Germany — Workers).

8. WASTE LANDFILL

Proposal for a Council Directive on the landfill of waste (COM(91) 102 final — SYN 335)

The primary objective of the proposal, based on Article 100a and largely drawn from the guidelines contained in the Resolution of 7 May 1990 on a Community strategy for waste management (OJ C 122, 18 May 1990), is to harmonize the environmental and technical standards for the landfill of wastes to ensure a high level of protection for the environment, and particularly for the soil and groundwater resources, and to prevent market distortion.

A further objective is to minimize landfilling of waste, promoting prevention and recycling. The price charged for landfilling must at least take into account all costs involved in the setting-up, operation and after-care of the facility: this will act as a deterrent for avoidable disposal and encourage the search for alternatives. For waste which must be disposed of, appropriate treatment should be provided to reduce potential harmfulness to a minimum.

The proposal lays down the general requirements for all types of waste, and defines which of these are acceptable for the different classes of landfill (for hazardous, inert and municipal waste). Rules are proposed for governing waste acceptance procedures at the various types of site, and control procedures in operation and after-

care phases. A system of authorization for new sites, alterations to existing ones, and eventual closure is put forward.

The draft Directive assigns civil liability for any damage and impairment of the environment caused by the site to the operator, sets up a financial guarantee to be provided by the operator to cover the estimated costs of closure and after-care operations, and establishes a landfill after-care fund.

Gist of the Committee Opinion ¹

The Committee approves the proposal for a Directive, which reflects the best international experiences in planning, implementing and running environment-friendly landfill operations.

Based on the overall preventive approach which the ESC has long advocated in its Opinions, comprehensive 'cradle-to-grave' waste measures need to be adopted incorporating proposals to regulate individual 'end-of-pipe' technologies for disposal.

On the basis of Dutch and Austrian experiences, the Committee calls on the Commission to consider whether prevention policies might not be strengthened by a clearer statement of reduction deadlines and targets at the source of the problem and by progressive dissemination of recovery and recycling technologies. This approach is clearly applicable to both municipal and industrial waste. The promotion of differentiated collection is essential for municipal waste in order to separate substances such as solvents, medicines, glass, electric batteries, etc.

The Committee calls upon the Commission to take urgent steps to draw up a complete list of illicit landfill sites within the Community, so as to assess needs more accurately, including the financial resources required to deal with them, with a view to future economic and tax measures and better identification of measures to prevent any spread of this practice. Effective supervisory machinery is essential in order to prevent even the strictest regulations on landfill being evaded, increasing illicit activity. Adequate penalties should be available.

The Committee regrets that the proposal makes no mention of initial and in-service training of landfill personnel: competent, qualified management is an essential element in the protection of the environment from the risks which may arise from this activity.

¹ CES 1395/91.

Lastly, the Committee considers it essential to set up public information and consultation machinery, respecting the principle of freedom of environmental information, especially in view of the concerns over harmful effects frequently voiced by local residents directly affected by landfill sites.

The Committee would ask the Commission to examine in the greatest detail authorization to mix different types of waste, given the environmental risks presented by this practice.

The Committee acknowledges the impossibility of achieving Europe-wide harmonization of costs, in view of the widely differing geological conditions among Member States. It believes, nevertheless, that harmonization of environmental protection standards and their effective implementation will help to reduce divergences in disposal costs. The Commission is called upon to collect aggregate national data, using the annual reports, on disposal costs and on disposal costs per tonne for each landfill operation, so as to build up a detailed statistical picture.

However, landfill site management should never pursue economic efficiency objectives at the expense of the primary aim of shielding the environment and health factors from pollution.

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 Sergio Colombo (Italy — Workers).

9. ANIMALS IN ZOOS

Proposal for a Council Directive laying down minimum standards for the keeping of animals in zoos
(COM(91) 177 final)

Gist of the Commission proposal

The object of this proposal is to lay down uniform minimum standards for the management of zoos in the EC, covering the keeping of animals, the safety and training of staff and the safety and education of the visiting public.

Gist of the Committee Opinion ¹

The Committee approves the Commission's proposal and considers it a judicious compromise between the argument whether detailed rules on zoos should be drawn up by the Community or by the Member States; it also considers that the legal basis of Article 130s is the correct one.

Nevertheless, the Committee makes the following suggestions:

- (a) the eighth recital proposing the establishment of an implementation committee should be deleted;
- (b) financial assistance may be necessary for some zoos to enable them to implement the Directive;
- (c) the Commission should make technical data available to the Member States, possibly in the form of a manual or guide;
- (d) in certain cases a period of grace of more than 12 months should be allowed to enable zoos to implement the Directive.

This Opinion, adopted by a majority 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 Pedro Carvalho Vidal (Portugal — Various Interests); the co-rapporteurs were Mr Konstantinos Douvis (Greece — Employers) and Mr Ettore Masucci (Italy — Workers).

10. GENEVA CONVENTION — AIR POLLUTION

Proposal for a Council Decision on accession by the European Economic Community to the Protocol to the Geneva Convention on long-range transboundary air pollution on the reduction of emissions of nitrogen oxides or their transboundary fluxes
(COM(91 268 final)

Gist of the Commission proposal

This is a proposal that the EC should accede to the Protocol on nitrogen oxide (NO_x) attached to the 1979 Geneva Convention on long-range transboundary air pollution.

¹ CES 1372/91.

Gist of the Committee Opinion ¹

The Committee agrees with the Commission's proposal, but draws attention to the consequences of noxious emissions emanating from non-EC countries interacting with emissions from EC States and vice versa.

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 Klaus Boisseree (Germany — Various Interests).

11. DANGEROUS SUBSTANCES — CODIFICATION

**Proposal for a Council Directive on the approximation of laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations
(SEC(91) 1608 final/2)**

Gist of the Commission proposal

The proposed consolidated version of Directive 76/769/EEC aims at consolidation according to the principles which the Council, Parliament and the Commission agreed on in 1974. This would be a legislative consolidation: the existing Directives would be replaced by one new one, which would leave their substance untouched but would assemble them in a single text, with only the formal amendments required by the consolidation operation itself being made.

Gist of the Committee Opinion ²

Having ascertained that there is no change in the substance of the texts to be consolidated, the Committee endorses the proposal and welcomes this attempt at rationalization.

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

¹ CES 1373/91.

² CES 1375/91.

Herrero (Spain — Various Interests). The rapporteur was Mr Enzo Beltrami (Italy — Employers).

12. LOT IDENTIFICATION — FOODSTUFFS

Proposal for a Council Directive amending Directive 89/396/EEC on indications or marks identifying the lot to which a foodstuff belongs
(COM(91) 297 final — SYN 357)

Gist of the Commission document

Directive 89/396/EEC on lot identification was scheduled to go into operation in June 1991, but as, for technical reasons, this has not proved possible, the Commission now proposes to postpone the implementation date by one year.

Gist of the Committee Opinion ¹

The Committee accepts the Commission's proposal, while deploring the reasons for it.

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 Kenneth J. Gardner (UK — Employers).

13. SPECIFIC CHARACTER — FOODSTUFFS

Proposal for a Council Regulation (EEC) on certificates of specific character for foodstuffs
(SEC(90) 2414 final)

Gist of the Commission proposal

This is a proposal for a Regulation laying down the rules under which food producers may obtain a Community 'certificate of specific character' in respect of their products which will then be entered in a register kept by the Commission.

¹ CES 1374/91.

The proposal provides for three labelling elements: (1) an EEC symbol, (2) the expression 'registered specific character' and (3) a trade description.

A system of inspection is to be set up.

It is claimed that this procedure will promote food quality and benefit the following categories of persons:

- (a) farmers: by contributing to rural development under the CAP, by retaining rural population in certain areas, and by maintaining certain specific forms of local production;
- (b) food processors and distributors: by providing them with a means of enhancing the market value of their products, i.e. by higher prices and greater market share;
- (c) consumers: by protecting them against improper practices and ensuring fair trade.

Gist of the Committee Opinion ¹

While considering that the proposal is well intentioned, the Committee cannot approve it unless certain fundamental defects are remedied, and particularly those referred to below:

- (a) confusion concerning the legal basis and the inclusion of manufactured foods not covered by Annex II of the Treaty;
- (b) confusion concerning the use of the term 'quality';
- (c) confusion for the consumer who may be led to believe that a registered product is of superior 'quality' when in fact there is no genuine consumer benefit;
- (d) confusion between the proposed registration system and existing national systems;
- (e) confusion regarding the scope and responsibilities of 'groups of producers';
- (f) ambiguity regarding the procedure for the amendment of a product specification;
- (g) the registration of trade descriptions could operate against free competition;
- (h) the administrative procedures are rather complicated and the cost and time involved in establishing them seem out of propor-

¹ CES 1371/91.

tion to any potential benefits to farmers, producers and consumers;

- (i) unsatisfactory consultation procedures;
- (j) questionable claims: e.g. that the proposed system will improve farm incomes under the CAP and will retain rural population in certain areas.

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 Kenneth J. Gardner (UK — Employers).

14. FREE MOVEMENT OF WORKERS

Proposal for a Council Regulation (EEC) changing Part II of Regulation (EEC) No 1612/68 on freedom of movement for workers within the Community (COM(91) 316 final — SYN 359)

Gist of the Commission recommendation

In the proposed Regulation the Commission has taken a further step towards an agreement on the rights of workers with a view to achieving the social dimension of the internal market as well as fostering greater transparency on the EC labour market in the interest of all partners.

This draft is a further proposal to the Council for a revision of Regulation (EEC) No 1612/68, which is one of the key instruments for ensuring the fundamental right of freedom of movement for workers, established by the Treaty in clear-cut terms.

Part II of Regulation (EEC) No 1612/68 lays down the obligation for the Member States to exchange job vacancies and applications for employment and to cooperate with the employment services of the other Member States and the Commission in an effort to facilitate the mobility of workers within the Community.

On the basis of these provisions the Member States and the Commission developed in the early 1970s the Sedoc system (Système européen de diffusion des offres et demandes d'emploi en compensation).

The radically changing face of today's employment market necessitates an overhaul of this system — in some details — and of the Regulation's legal basis.

The main objectives and principles of this revision are to:

- (i) modify the basic criteria used to select job vacancies for exchange at EC level and facilitate such exchange for as many vacancies as possible;
- (ii) establish a mechanism to respond to the demand by job-seekers for information, in their home country, on a par with the quality and rapidity of information in the Member State where they wish to work;
- (iii) simplify procedures for users and authorities.

Gist of the Committee Opinion ¹

The Committee welcomes the proposed amendment to the Regulation, but expresses some reservations as to whether it will be able fully to achieve the objectives set.

The proposed amendments allow for direct access by workers concerned to appropriate sources of information — which thereby gain greater transparency — and also cut through a certain amount of red tape.

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 Emmanuel Saitis (Greece — Various Interests).

15. CHILDCARE

Proposal for a Council Recommendation on childcare (COM(91) 233 final)

Gist of the Commission proposal

The Commission has just adopted, on an initiative by Ms Vasso Papandreou, EC Commissioner responsible for social affairs, a Council Recommendation on childcare: a subject to which it attaches considerable importance. A major change that has taken place in employment in the past 20 years is the growing proportion

¹ CES 1370/91.

of women (especially married women) in the labour force. However, women's increased participation in the world of work has not been accompanied by the measures necessary to achieve a matching reduction in women's share of family responsibilities.

The internal market will produce new jobs and women will be able to take advantage of these, but only if support measures, including services providing care for children, are available and affordable. These support services are also essential if women are to undertake training and retraining which is crucial during periods of labour market restructuring. Such services are equally essential if the Community is to make the optimum use of women's skills, talents and abilities. It is thus economically and socially desirable to improve the quantity and quality of services providing care for children.

In all Member States, the demand for childcare considerably exceeds the existing supply. Disparities exist both between Member States and between regions within Member States. Some Member States have taken measures in this area, but they have often remained limited.

There are, furthermore, serious gaps in information which make it impossible to provide comprehensive and comparative data in Member States. These gaps are, in themselves, a serious concern and impede monitoring, analysis and policy development.

Given this situation, it is important to establish Community guidelines for carrying out a number of specific comprehensive actions in this area.

The Recommendation concerns not only the provision of good quality services providing care for children, but also measures to enable parents to take up those services, such as flexible working hours and the question of a more equal sharing of family responsibilities between men and women. An essential component of childcare is conducive to the welfare and development of the child. Besides, services should be flexible, local and multifunctional.

It is recommended that Member States undertake measures in four areas, each of which is an essential element: the provision of care for children while parents are employed or in education or training; leave arrangements for employed parents; the environment, structure and organization of the workplace; the sharing of family responsibilities between men and women arising from the care and upbringing of children.

The Recommendation on childcare is one of first concrete initiatives within the framework of the EC Commission's new five-year (1991-95) action programme on equal opportunities.

Gist of the Committee Opinion ¹

The Committee fully endorses the Recommendation.

The Committee believes that the restriction of women's employment opportunities because of a lack of adequate childcare provision results in a serious underutilization of women's skills and abilities, with detrimental consequences to individual women, their families and to national economies.

While the Committee believes that parents should be free to choose whether to care for their children themselves at home or enter paid employment, the current lack of childcare provision is such as to create substantial obstacles to women re-entering paid employment after having a child and choice is therefore weighted against maternal employment.

The Committee endorses the Recommendation's broad approach to childcare, encompassing both the provision of services and the provision of leave and flexible working arrangements to enable parents to fulfil their wish to care for their children themselves.

It would like to see greater emphasis given to the need for a comprehensive and coherent national policy for service provision, and supports the Recommendation's insistence on the essential role of public funding in the provision of childcare services.

The Committee would like to add to Article 3:

'(f) examine the question of quality of services both within public and private (market) provision, with the objective of defining a minimum standard of care, covering issues such as staffing ratios, training requirements for childcare workers and health and safety standards. The implementation and monitoring of these standards should be the responsibility of public authorities.'

The Committee believes that it is very important that, when necessary, employment conditions in childcare occupations are improved and that the status of these occupations is raised, thereby giving recognition to the social importance of the work.

¹ CES 1390/91.

The Committee recognizes the importance of increased participation by men in caring for their children and sees this primarily as a cultural problem which will be resolved by education and changing attitudes.

This Opinion, adopted by a majority vote with one abstention, 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 Mrs Angela Guillaume (UK — Various Interests).

16. CONVERGENCE OF SOCIAL PROTECTION

Proposal for a Council Recommendation on the convergence of social protection objectives and policies (COM(91) 228 final)

Gist of the Commission proposal

On 26 June 1991, acting on an initiative from Ms Vasso Papanreou, the Commission adopted a proposal for a Council Recommendation on the convergence of social protection objectives and policies.

This is the second Commission initiative on social protection under its programme of action to implement the Community Charter of the Fundamental Social Rights of Workers; the first concerned the guaranteeing of resources and benefits.

The Commission has made it clear that the intention is not to harmonize social protection systems, which each have their own background and culture.

However, as part of the completion of the internal market, it is necessary to prevent disparities between social protection levels from acting as an obstacle to the mobility of persons and to prevent competition between systems from creating a risk of depressing social standards. Furthermore, all systems of social protection are confronted with similar problems, namely demographic changes and ageing of the population, the labour market situation (especially long-term unemployment), and changes in family structures.

In this context the Commission is proposing a convergence strategy for social protection objectives and policies, with a view to:

- (a) fixing common objectives to serve as a guide for the development of Member States' social protection objectives;

- (b) allowing the Member States to implement these objectives through their own procedures under their national systems, with full responsibility for the organization and financing of their systems;
- (c) providing for regular monitoring and evaluation in order to assess the progress achieved and the obstacles encountered along the road to convergence.

The text of the proposal for a Recommendation sets out three fundamental principles of social protection applicable to each Member State:

- (i) to guarantee a decent minimum standard of living to every person who is legally resident within the territory of the Member State and to give every resident person the chance to receive whatever care is necessary to restore him or her to health;
- (ii) to help to further the social integration of all residents and the economic integration of those who are in a position to exercise a gainful activity;
- (iii) to ensure that the standard of living of workers is not appreciably reduced as a result of sickness, accident, maternity, invalidity, unemployment or retirement.

Referring to each of the main fields of social protection (health care, maternity, unemployment, incapacity for work, old age and family), the text also proposes specific objectives as to how the national systems should be adapted to deal with the problems with which they are all confronted.

Finally, within three years of adoption of this Recommendation, the Commission will prepare a report describing the social protection situation in each of the Member States with reference to the objectives defined above and specifying the progress still to be made in order to achieve them.

It will also submit regular reports to the Council on progress in achieving these objectives, define and develop the use of appropriate indicators to this effect and, where necessary, present suitable proposals taking into account demographic, economic and social changes in the Community.

Gist of the Committee Opinion ¹

Deeply rooted and distinctive historical and cultural traditions, together with financial, economic and administrative structures which vary from country to country, have militated against the development of a single approach to social protection.

Such protection, provided in the event of sickness, accident, maternity, unemployment, incapacity for work, old age and family problems, guarantees the resources required to maintain an adequate standard of living in order to prevent the social exclusion of those in question.

Thus identified, social protection may be included among the elements of what is known as 'social policy', understood as 'the totality of measures for improving working and living conditions', set out in Articles 117 and 118 of the Treaty of Rome.

An inadequate legal basis is common to the areas covered by social policy, effective legislative action by the Community consequently proving impossible.

The Commission proposal, based on a most realistic overview of social policy, in the light of the Community's very limited scope and authority in this area, sets a minimum target.

The lack of proper legal instruments means that the Commission can do no more than make limited proposals, despite the importance of this area. The Committee has made its views abundantly clear on a number of occasions.

While endorsing the declared principles, which seek to set common objectives in this field for the individual Member States, the Committee would point to the contradiction between certain of the statements made and the lack of specific indications of how to put them into practice.

The Committee endorses the proposal, although it has a number of comments to make on various sections in it.

In particular, it endorses the overall strategy, based on a progressive programme, which seeks to bring the various Member State social protection policies in line with a set of common objectives.

¹ CES 1391/91.

The forthcoming amendment of the Treaty should give greater prominence to social policy, and to social protection in particular. The Community institutions must be equipped with broader legal powers and more effective means with which to exercise them.

The Committee, which attaches great importance to this matter, calls for the necessary changes to be carried out swiftly, in furtherance of the objectives set by the Commission itself.

The undeniably complex question of social protection must be viewed from a realistic and, most importantly, dynamic perspective, in line with the process of overall integration and without ruling out eventual harmonization — in the sense of closer alignment of national schemes.

This Opinion, adopted by 39 votes for, six against and 10 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 Giancarlo Pasquali (Italy — Various Interests).

17. HIGH-DEFINITION TELEVISION (HDTV)

Proposal for a Council Directive on the adoption of standards for satellite broadcasting of television signals

(COM(91) 242 final — SYN 350)

Gist of the Commission proposal

The strategy to ensure the successful introduction in the Community of European high-definition television (HDTV) is to progress towards HDTV while maintaining compatibility with existing systems. In technical terms, the strategy involves developing HDTV using the European HD-MAC standard, passing through an intermediate stage involving the MAC/packet family of standards, in particular D2-MAC, as developed by the Eureka 95 project.

Direct broadcasting by satellite of television programmes is currently governed by the Council Directive of 3 November 1986, which expires on 31 December 1991. The Directive gave rise to a dual regime: it made use of the MAC/packet system compulsory for high-power satellite broadcasts (BSS satellites), while use of the system for broadcasts by other satellites remained non-compulsory.

To replace the divergence which has arisen with a convergent approach, the Commission has taken the initiative of consulting all

parties concerned (industry, private and public broadcasters, satellite and cable operators, programme producers) in order to request their active participation in developing a comprehensive strategy.

Following these consultations, the Commission has identified two instruments which can assist its HDTV strategy: a new Directive and a memorandum of understanding between the parties concerned.

The Directive proposed hinges on five main points:

- (i) HD-MAC is recognized as the only European standard for HDTV. This objective will be attained via an intermediate standard, D2-MAC in 16:9 format.
- (ii) Any new service and any new satellite coming into operation after the entry into force of the Directive must use only the D2-MAC standard.
- (iii) Notwithstanding the preceding point, PAL/Secam services already in operation before the entry into force of the Directive may continue; however, the memorandum of understanding will include incentives for the simultaneous transmission of these services using D2-MAC ('Simulcast').
- (iv) Equipment put on sale in the Community from 1 January 1993 will have the obligation to contain the mechanisms necessary to receive D2-MAC.
- (v) The Directive is to apply for a period of 10 years. Every two years the Commission will draw up a progress report and will, if necessary, make further proposals.

It is possible to outline the main components of the memorandum of understanding:

- (a) coordinated action to promote the D2-MAC standard on a 16:9 format with a view to the introduction of HDTV;
- (b) legally-binding reciprocal undertakings by the signatories setting out, for example, the minimum number of each type of TV set to be produced, the number of programmes hours to be broadcast, the availability of satellites, etc.;
- (c) a system of incentives, financed mainly by the Community, aimed in particular at facilitating 'simulcast' and supporting the start-up of D2-MAC broadcasts: to this end the Commission intends to commit a Community contribution of some ECU 100 million a year over five years;

- (d) setting-up by the signatories of a consortium to coordinate promotional activities, to administer the Community incentives and to monitor compliance with the undertakings given by the various parties;
- (e) the memorandum of understanding would last for five years and be renewable; it would be open for signature by all interested parties (industry, private and public broadcasters, satellite and cable operators) and the Commission.

The Commission aims to have the Directive adopted by the Council and the memorandum of understanding signed by the interested parties by the end of the year.

Gist of the Committee Opinion ¹

The Committee welcomes the new techniques in the field of HDTV which aim at meeting consumer demand for more programmes and increased cultural variety, on condition that consumers conserve their freedom of choice.

The Committee renews its support for a set of standards which have, in its eyes, the great merits of being compatible with existing systems, as well as being available and European.

Nevertheless, the Committee can only approve the proposal subject to the following comments and changes:

The Committee agrees with Article 2(1). HD-MAC should be the only HDTV standard.

Article 2(2), however, has to be made optional by deleting the word 'only'.

Making MAC compulsory for new non-HDTV services is anti-competitive — it would reduce growth in the satellite market and entrench the position of existing operators and increase cost to the consumer.

Article 4 should be reworded. This Article goes too far in requiring all sets with screens bigger than 52 cm to have a D2-MAC decoder. The D2-MAC decoder should only be required on sets capable of receiving satellite transmissions, whether directly or via hyperband or cable. Thus, only consumers opting for sets enabling them to watch satellite transmissions would pay for a D2-MAC decoder.

¹ CES 1393/91.

Such a provision would leave consumers the choice between the traditional and new satellite services.

Article 6 should be modified to permit adaptation to technical progress in the field of conditional access systems. Improved compatible access systems manufactured according to a recognized European standard should be allowed even if such standard is approved by a European standard organization after the date of implementation of the Directive.

The Committee considers that the matters of intellectual property in respect of encryption systems, as well as the D2-MAC and HD-MAC in general, need to be addressed in some way.

This Opinion, adopted by a majority, with two votes against and nine 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 (UK — Employers). The rapporteur was Mr Philip H. Noordwal (Netherlands — Employers).

18. DIGITAL SHORT-RANGE RADIO (DSRR)

Proposal for a Council Directive on the frequency bands to be designated for the coordinated introduction of digital short-range radio (DSRR) in the Community
(COM(91) 215 final — SYN 345)

Gist of the Commission proposal

The proposal for a Council Directive on the frequency bands to be designated for the coordinated introduction of digital short-range radio (DSRR) in the Community is based on the Commission's 1987 Green Paper on the development of the common market for telecommunications services and equipment.

The allocation of frequency bands falls under the auspices of the European Technical Standards Institute (ETSI), and the frequency bands 888-890 MHz and 933-935 MHz have been designated to short-range digital communications, either in a simplex, one-frequency or a duplex, two-frequency operating mode.

The provision of radio frequencies is the most critical factor in the implementation of DSRR, and the proposal calls for the abovementioned bands to be common throughout the Community through a Council Directive based on Article 100a of the Treaty.

Furthermore, the Commission will give high priority to the mutual recognition of telecommunications equipment type approval and the specification of the appropriate European telecommunications standard and apply the Council's Directives on standardization. The Council is requested to take note of these additional preparatory measures, which the Commission will undertake in collaboration with ETSI and CEPT (European Conference of Postal and Telecommunications Administrations).

Gist of the Committee Opinion ¹

Whilst the Committee is in general agreement with the measures set out in the proposal, it does, however, have reservations with respect to several of the detailed provisions of the proposal, in particular those relating to the proposed timetable for implementation. They are:

- (a) the deadlines (1 January 1992 for designation by Member States of the relevant frequencies for DSRR and 31 December 1991 for completion of relevant laws, regulations and administrative provisions) are unrealistic;
- (b) the reporting provisions set out in Article 4 of the proposal are neither satisfactory nor will they be helpful.

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 Miss Jocelyn Barrow (United Kingdom — Various Interests).

¹ CES 1379/91.

19. CARRIAGE OF DANGEROUS GOODS — APPOINTMENT AND QUALIFICATIONS OF A RISK PREVENTION OFFICER

Proposal for a Council Directive on the appointment of an officer for the prevention of the risks inherent in the carriage of dangerous goods in undertakings which transport such goods and on the vocational qualification of such officers
(COM(91) 4 final)

Gist of the Commission proposal

In order to implement the instruments contained in the Commission's report on the transport of dangerous goods (COM(87) 182 final, 16 June 1987), the Commission now presents a Directive in order to ensure an adequate level of vocational competence in all undertakings which transport dangerous goods.

It requires undertakings which transport goods, whether as their main or as a secondary activity, to appoint a suitably qualified risk prevention officer.

The main task of the risk prevention officer shall be to seek all appropriate means and promote all appropriate action to ensure that dangerous goods are transported in the safest possible way.

The risk prevention officer must hold a vocational training certificate valid for one or more forms of transport. The said certificate shall be issued by the authority of the body designated by the Member State.

In the annexes of the proposed Directive are listed the duties of the risk prevention officer and the minimum list of subjects which candidates are required to know in order to obtain a vocational training certificate.

In order to ensure that the vocational qualification of risk prevention officers is as uniform as possible, the Commission will draw up as soon as possible a proposal laying down uniform conditions for obtaining the abovementioned certificate.

Gist of the Committee Opinion ¹

The Committee welcomes and supports in principle this EC initiative to improve the safety of dangerous goods shipments.

It points out, however, that, whilst the dangerous goods transported are themselves the source of the risk, other factors such as the design and choice of routes and the conduct of other road users can also compromise the safety of dangerous goods shipments. Such risks cannot be eliminated by rules on transport.

The list of the responsibilities of the risk prevention officer should therefore be redrawn to ensure that the responsible persons within a firm or external experts are made responsible for ensuring compliance with all the rules governing the transport of dangerous goods and that they have the thorough and up-to-date knowledge required.

However, the Committee notes that the present Directive applies only to carriers. It believes that similar requirements should apply to consigners/ shippers and firms or bodies on whose property or under whose supervision dangerous goods are transported or temporarily stored (e.g. port authorities).

The Committee therefore calls on the Commission to formulate an exact list of all the firms, areas and acts forming part of the dangerous goods transport chain and to give urgent consideration to the preparation of a parallel Directive which would ensure that the handling of dangerous goods by them would receive comparable supervision.

The Committee calls on the Commission to include in the Directive an exact list of all firms, areas and acts forming part of the dangerous goods transport chain which are affected by the Directive.

It feels that the degree of risk posed by the dangerous goods transported should alone determine whether or not a risk prevention officer is appointed.

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 — Workers). The rapporteur was Mr Helmet Giesecke (Germany — Employers).

¹ CES 1385/91.

20. SPEED LIMITATION DEVICES — INSTALLATION AND USE

Proposal for a Council Directive relating to speed limitation devices of certain categories of motor vehicles

(COM(91) 240 final — SYN 349)

and

Proposal for a Council Directive on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community

(COM(91) 291 final)

Gist of the Commission proposals

The Commission is submitting two proposals on speed limitation devices for lorries and buses.

These proposals are a follow-up to two resolutions by the European Parliament from 1984 and 1986, which call upon the Council and the Commission to take the necessary measures to promote road safety and reduce road accidents.

The mandatory fitting of speed limiters to heavy goods vehicles is aimed at improving road safety, reducing the severity of injuries in the case of accidents and achieving a reduction in air pollution and fuel consumption.

Some Member States have already made speed limitation devices compulsory for certain categories of vehicles, and other Member States are considering introducing or extending these obligations. In order to eliminate the distortion of competition between Member States with and without these obligations, a Community legislation aiming at a harmonized application of speed limitation devices on vehicles which are most involved in international transport is justified.

The procedures put forward in these two proposals are in accordance with those laid down in the framework Directive 70/156/EEC concerning type-approval procedures for motor vehicles and their trailers.

Gist of the Committee Opinion ¹

The Committee welcomes the measures planned by the Commission, which are aimed at limiting environmental nuisances and saving fuel, and which, after the failures to introduce general speed limitation measures at Community level, will have the advantage of being a general, Community-wide measure; such measures will make it possible to avoid having to step up road checks.

However, the Committee wonders about the limited application of such a device to vehicles in category N3 (i.e. over 12 tonnes) when other road transport directives use different weight limits.

The Committee has noted that the cost of the device must be set at such a level that its introduction would not be incompatible with the normal management of a transport firm and that, on the contrary, the amortization of the investment by savings on fuel should lead to its being in general use fairly rapidly, so as not to lead to operating disparities on the road between old and new vehicles.

For these reasons the Committee is in favour of the two proposed directives COM(91) 240 final and COM(91) 291 final and calls upon the Commission to go further in this area by proposing a series of measures to help improve road safety and the environment.

This Opinion, adopted by a majority, with eight votes against and 11 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 René Bleser (Luxembourg — Workers).

¹ CES 1386/91.

21. LIBERALIZATION OF INTERNATIONAL CARRIAGE OF GOODS BY ROAD

Proposal for a Council Regulation (EEC) on access to the market for the carriage of goods by road in the European Community to or from the territory of a Member State or passing across the territory of one or more Member States
(COM(91) 293 final)

Gist of the Commission proposal

Under Regulation (EEC) No 1841/88 the Council decided, *inter alia*, to:

- (a) abolish for Community hauliers, from 1 January 1993, all quotas relating to intra-Community carriage of goods by road on Community territory, and
- (b) replace those quotas with a system of Community licences issued on the basis of qualitative criteria.

The current proposal is aimed at enabling the Council to adopt the measures required to apply those decisions.

As regards the carriage of goods by road between Member States and in international operations, the arrangements for access to the market recommended by the Commission are founded on the scrapping of quantitative restrictions and introduction of a set of qualitative conditions that road hauliers have to satisfy before they can obtain a Community authorization as a haulier.

Compliance with those qualitative conditions and all the other obligations incumbent on road hauliers is checked at least once every three years by the competent authorities in the Member States, which have to carry out a regular in-depth examination of the activities and conduct of hauliers. The purpose is to see that only hauliers offering all the necessary guarantees as regards reliability and professionalism may hold a Community authorization.

The Regulation pursues previous efforts to harmonize and liberalize this sector and therefore is a component in the consistent and uniform organization which is a prerequisite if the market for international carriage of goods in the Community is to function properly.

Gist of the Committee Opinion ¹

The Commission proposal leaves many questions unanswered and, if introduced in its present form, will involve a lot of red tape. The Committee endorses the content of the proposal, but is of the view that some provisions are too vaguely worded to adequately ensure their uniform application in all Member States, particularly concerning:

- (a) the surveillance of compliance with the provisions,
- (b) the withdrawal of authorizations, and
- (c) the uniform implementation of the rules in all the Member States.

This Opinion, adopted by a majority, with one abstention, 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).

22. EEC CIVIL AVIATION AGREEMENT WITH NORWAY AND SWEDEN

Proposal for a Council Decision concerning an agreement between the European Economic Community, the Kingdom of Norway and the Kingdom of Sweden on civil aviation
(COM(91) 299 final)

Gist of the Commission proposal

Further to the Council Decision of 18 and 19 June 1990 the Commission conducted negotiations with a joint delegation from Norway and Sweden and consensus was reached on an agreement whereby all Community legislation affecting the air-transport sector would be applicable in Norway and Sweden.

Since the agreement is seen as a component of the common commercial policy, the legal base is Article 113 of the Treaty.

The proposed agreement's six chapters:

- (i) deal with the scope of the agreement;
- (ii) contain a transcription of the Treaty's competition rules;

¹ CES 1378/91.

- (iii) concern the Commission's powers;
- (iv) establish a joint committee;
- (v) contain provisions for consultation; and
- (vi) set out provisions regarding the entry into force and review of the agreement.

On the joint committee referred to in the fourth chapter, the Commission — in conjunction with representatives of the Member States — represents the EC.

Gist of the Committee Opinion ¹

The Committee largely agrees with the thrust of the Commission's proposal, especially in the light of the EC-EFTA Cooperation Agreement concluded on 21 October 1991.

In its Decision of 7 October 1991 the Council approved the substance of the aviation agreement and decided to consult the European Parliament, drawing the latter's attention to the problems connected with the proposal's legal base. The Committee feels that it too should be consulted on this matter.

The Committee considers that the legal base (Article 113) is clearly questionable and instead recommends Article 84(2).

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 Bo Green (Denmark — Employers).

23. SUMMER TIME

Proposal for a sixth Council Directive on summer time arrangements

(COM(91) 253 final — SYN 351)

Gist of the Commission proposal

All Member States apply summer time arrangements, meaning the period of the year during which the time is advanced by 60 minutes in relation to the time for the rest of the year (COM(91) 253, page 3).

¹ CES 1380/91.

It is important for the establishment and functioning of the internal market that a common date and time for both the beginning and end of the summer time period should be fixed in the whole Community area from 1993 onwards (COM(91) 253, page 2) as these have been fixed since 1981 by five previous Council Directives.

However, for geographical reasons, Ireland and the United Kingdom should still be afforded the possibility of fixing, during one or both of those two years, an end date for summer time different from that provided for the other Member States (COM(91) 253, page 2).

The Commission, therefore, proposes that the summer time in all Member States in 1993 and 1994 begins on the last Sunday in March and ends on the last Sunday in September.

Ireland and the United Kingdom may, however, take the measures necessary to ensure that the summer time period for 1993 and 1994 ends on the fourth Sunday in October, that is to say four weeks later than for the rest of the Community (COM(91) 253, page 3).

Gist of the Committee Opinion ¹

If summer time arrangements were to end on the same day throughout the Community, transport operators, travellers and the business world would be spared the considerable difficulties and costs caused by the different days on which the clocks are changed.

The Committee therefore endorses the objective laid down in the Commission proposal but believes that the countries involved should be encouraged to fall into line voluntarily, so that this anomaly may be resolved expeditiously.

This Opinion, adopted by a majority, with one abstention, 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 Mrs Angela Guillaume (United Kingdom — Various Interests).

¹ CES 1377/91.

24. TRANSIT YUGOSLAVIA

**Proposal for a Council Decision concerning the conclusion of the agreement between the European Economic Community and the Socialist Federal Republic of Yugoslavia in the field of transport
(COM(91) 223 final)**

Gist of the Commission proposal

The Council Decisions of 7 December 1987 and 19 December 1988 on the first and second phases of negotiations between the EEC and Yugoslavia in the transport sector authorized the Commission to open negotiations with a view to concluding an agreement with Yugoslavia.

The main purpose of this agreement is to (a) resolve difficulties encountered by Community traffic transiting Yugoslav territory and (b) facilitate that transit traffic by removing various obstacles and by cooperation on infrastructure for the main road and rail route across Yugoslavia.

The main points of the agreement are as follows:

- (a) an annual, cumulative 5% increase in road capacity, starting in 1991. The transitional agreements for that year *inter alia* fix quotas which, in the case of Greece, amount to a 33% increase over the previous year;
- (b) a commitment on Yugoslavia's part to develop on its territory, with EC cofinancing, the main road and rail route linking Greece with the other Member States. This financial contribution consists of (a) ECU 580 million in loans from the European Investment Bank for transport infrastructure and (b) a two-point interest-rate subsidy, up to a maximum of ECU 77 million, for interest-rate subsidies on loans for transport infrastructure;
- (c) promotion of rail transport and combined transport (enhanced cooperation between railways and inclusion of Yugoslav Railways in the Community railways' computer system, improved organization of combined transport, etc.). These measures relate in particular to modernization of Yugoslav Railways by encouraging combined transport and defining the tasks incumbent on railway managements.

The agreement, signed on 24 June 1991, covers a period of 10 years with automatic renewal for a period of one year, subject to termination on 12 months' notice.

Gist of the Committee Opinion ¹

The Committee expresses its deep concern over and wish for an early solution to the present crisis in Yugoslavia, which has grave repercussions for the transport of the Community's external trade through Yugoslavia to Greece and the Middle East. The Committee also notes with concern that Greece's exports to other EC Member States as well as the transport of EC passengers (tourists) to Greece via Yugoslavia are being seriously hampered; it calls on the Community to take alternative action if the crisis persists.

The 10-year agreement between the Community and Yugoslavia provides for an annual cumulative 5% increase in the total number of transit authorizations for the Community. The Committee reserves its position on the distribution of these additional authorizations between the Member States; this is a matter for a Commission proposal.

The Committee calls on the Community to start negotiations for an agreement on maritime transport, air transport and inland waterways transport between the EC and Yugoslavia which respects the *acquis communautaire* in these fields.

This Opinion, adopted by a majority with one abstention, 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 Mrs Anna Bredima-Savopoulou (Greece — Employers).

¹ CES 1376/91.

25. COMMUNITY-COST/BRIDGE COOPERATION AGREEMENT

Proposal for a Council Decision concerning the conclusion of a multilateral Cooperation Agreement 'Community-COST' on five concerted action projects in the field of research in biotechnology (Bridge programme) between the European Economic Community and COST third States
(COM(91) 290 final — SYN 354)

Gist of the Commission proposal

A specific research and technological development programme in the field of biotechnology (1990-94) (Bridge) was adopted by a Decision of the Council of 27 November 1989.¹

Article 8 of this Decision authorizes the Commission, in accordance with Article 130n of the Treaty, to negotiate agreements in particular with countries involved in European cooperation in the field of scientific and technical research (COST), with a view to their being wholly or partly involved in the programme.

Set up in 1971, 'European cooperation in the field of scientific and technical research (COST)' constitutes a cooperation framework whereby:

- (i) third countries from within Europe are able to participate in Community research and technological development programmes drawn up by the Council, and
- (ii) concerted action can be taken to coordinate research projects carried out in the States participating in such cooperation.

Apart from the 12 Member States of the Community, seven third countries are involved in cooperation: five of the seven Member States of EFTA (Austria, Finland, Norway, Sweden and Switzerland) along with Turkey and Yugoslavia.

Iceland together with three countries of Central and Eastern Europe (Poland, Hungary and Czechoslovakia), which currently have observer status, will become fully-fledged members of COST at the ministerial conference bringing together participant countries in November 1991.

¹ OJ L 360, 9.12.1989, p. 32.

The resolution adopted by the Council on 20 June 1989¹ concerning cooperation in the field of scientific and technical research (COST) and the European Communities simplifies and redefines the categories of COST actions. Two categories of actions, to which different procedures apply, need to be identified:

- (i) concerted action projects forming an integral part of a Community research and development programme, which are open on a multilateral basis to COST third State participation (category A);
- (ii) concerted action projects, not forming part of a Community programme, which are proposed either by COST States or by the Commission. Individual COST States and the Commission may participate in these projects (category B).

The five concerted action projects in the field of research in biotechnology, regarding which the present proposal for a Decision seeks to conclude a cooperation agreement, fall under category A.

Implementation of the five concerted action projects is dealt with in the Council Decision on the Bridge programme. Annex I of this Decision lists the five research areas to be covered by the concerted action projects, the aim of the latter being to ensure coordination between R&TD activities carried out in the Community, and those carried out by COST third countries participating in the implementation of the agreement in the five research areas in question.

The five research areas, which are set out in detail in Annex A to the Cooperation Agreement, are as follows:

- (i) aquatic primary biomass;
- (ii) *in vitro* cultures for the purification and propagation of plants;
- (iii) methods for early detection and identification of plant diseases;
- (iv) vesicular-arbuscular mycorrhizae;
- (v) vaccines against coccidiosis.

The Council Decision on the Bridge programme provides for an ECU 2 million Community contribution towards implementation of the five concerted action projects.

¹ OJ C 171, 6.7.1989, p. 1.

The Cooperation Agreement, which is attached to the draft Decision, also provides, in particular, for:

- (a) a financial contribution from COST non-Member States participating in the concerted action projects; the contribution, which will cover coordination expenditure, will be ECU 34 000 per non-Member State and per concerted action project. The rules governing the financing of this agreement are set out in the Annex;
- (b) the establishment of a cooperation committee to assist the Commission in the implementation of concerted action projects, such a committee consisting of representatives of the Community and the participating non-Member States;
- (c) the exchange of information resulting from the carrying out of the research covered by the concerted action projects;
- (d) the publication of reports on the results of the concerted action programmes;
- (e) the conditions and rules for participating in concerted action projects;
- (f) the conditions governing the renegotiation, renewal or denunciation of the agreement.

In its Opinion on the Bridge programme ¹ delivered on 26 April 1989, the Committee approved the implementation of the five COST action projects in question and, more generally, the extension of the programme to non-Member States from within Europe.

Gist of the Committee Opinion ²

The Committee endorses the proposal for a Council Decision. It does, however, urge that, in connection with each concerted action covered by the Cooperation Agreement, an evaluation be made of the social, ethical and environmental impact of research by the participant countries in the five fields concerned.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the rapporteur working alone, Mr Javier Velasco Mancebo (Spain — Workers).

¹ OJ C 159, 26.6.1989, p. 26.

² CES 1381/91.

26. COMMUNITY-COST/FLAIR COOPERATION AGREEMENT

Proposal for a Council Decision concerning the conclusion of a multilateral Cooperation Agreement 'Community-COST' on 11 concerted action projects in the field of food science and technology (Flair programme) between the European Economic Community and COST third States
(COM(91) 289 final — SYN 355)

Gist of the Commission proposal

The specific technological research and development programme in the field of food science and technology (1989-93) (Flair) was adopted by a Council Decision of 20 June 1989.

Article 3 of the Council Decision lays down that the programme shall be carried out in the form of concerted shared-cost actions and of training and mobility scholarships open also to the countries taking part in the COST operation. Article 7 of the Decision authorizes the Commission to negotiate, in particular, cooperation agreements with these countries in accordance with Article 130n of the Treaty.

The Resolution adopted by the Council on 20 June 1989 on the European Communities and European cooperation in scientific/technical research provided for simplification and redefinition of the various categories of COST action projects. Two categories of action projects must be differentiated, to which different procedures apply:

- (i) concerted action projects forming an integral part of a Community research and development project, which are open on a multilateral basis to COST third countries (category A);
- (ii) concerted action projects not forming part of a Community programme, which are proposed either by COST countries or by the Commission. The various COST countries and the Commission can participate in these projects.

The present proposal seeks to make possible the conclusion of a cooperation agreement envisaging 11 concerted action projects, which aim to ensure coordination between the R&TD activities carried out in the Community and corresponding activities in third countries which are members of COST. These action projects,

which belong to the first category mentioned, cover the following research topics:

- (a) spectroscopic techniques (near infrared (NIR), Fourier transform infrared (FTIR), nuclear magnetic resonance (NMR)) for the rapid direct measurement of food quality;
- (b) relating sensory, instrumental and consumer choice studies;
- (c) predictive modelling of microbial growth and survival in foods;
- (d) prevention and control of potentially pathogenic micro-organisms in poultry and poultry-meat processing;
- (e) food safety and quality based on the application of combined processes and hazard analysis critical control point (HACCP);
- (f) *in vitro* toxicological studies and real-time analysis of residues in food;
- (g) improvement of food safety and quality through the use of interactive and competitive bindings of food lectins and bacterial adhesions in the gut;
- (h) measurement of micronutrient absorption and status;
- (i) physiological implication of the consumption of resistant starch in man;
- (j) improvement of the quality and compatibility of food consumption and food composition data in Europe;
- (k) information flow and food technology, food safety and healthy eating, for small and medium-sized enterprises (SMEs) and consumers ('Flair-FLOW' project).

The cooperation agreement attached to the draft Decision also provides, among other things, for:

- (a) a financial contribution by the Community and the third countries which are members of COST and take part in the projects; the amount of each contribution is specified in Article 2 of the agreement; the rules covering the financing of the agreement are set out in an annex;
- (b) the establishment of a cooperation committee to assist the Commission in the implementation of the concerted action projects; this committee would consist of representatives of the Commission and of the participating non-Member States;
- (c) exchange of information resulting from the carrying-out of the research covered by the concerted action projects;
- (d) publication of reports on the results of the concerted action projects;

- (e) conditions and procedures for participation in the concerted action projects;
- (f) conditions for renegotiation, renewal or denunciation of the agreement.

Gist of the Committee Opinion ¹

The Committee endorses the proposal whilst asking that provision be made, in respect of each of the concerned action projects, for appraisals of the social, human and economic consequences of the research carried out in the participating States in the 11 fields concerted, together with appraisals of any technological hazards involved in such research.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the rapporteur working alone, Mr Javier Velasco Mancebo (Spain — Workers).

¹ CES 1382/91.

27. ANIMAL HEALTH — CLASSICAL SWINE FEVER

Proposal for a Council Directive amending Directive 80/217/EEC introducing Community measures for the control of classical swine fever

Proposal for a Council Decision amending Directive 80/1095/EEC and Decision 80/1096/EEC as regards certain measures relating to classical swine fever

Proposal for a Council Directive amending Directives 64/432/EEC, 72/461/EEC and 80/215/EEC as regards certain measures relating to classical swine fever

**Proposal for a Council Directive amending Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine and fresh meat or meat products from third countries
(COM(91) 270 final)**

Gist of the Commission proposal

The completion of the single market and experience in implementing eradication plans justify (i) changes in existing working procedures and (ii) amendments to current legislation on disease eradication and trade in live pigs, fresh pigmeat and pigmeat products.

Finally, the Commission Decision seeks to add classical swine fever to the diseases scheduled in Article 3(1) of Council Decision 90/424/EEC on expenditure in the veterinary field.

Gist of the Committee Opinion ¹

The Committee endorses the Commission proposal with minor amendments.

This Opinion, adopted unanimously, was drawn up in the light of the paper produced by the rapporteur-general, Mr Erik Hovgaard Jakobsen (Denmark — Various Interests).

¹ CES 1389/91.

II. Presence and impact of the Economic and Social Committee

Activities of the Chairman and the Secretary-General

5 November 1991 — Brussels: meeting preliminary to the inter-governmental conference on economic union.

12 November 1991 — Brussels: meeting preliminary to the intergovernmental conference on economic union.

30 November 1991 — The Hague: 23rd joint meeting of the ESC and the EFTA Consultative Committee, chaired jointly by Ms Susanne Tiemann and Mr Heinz Zourek

2 and 3 December 1991 — Brussels: ESC headquarters; organization of 15th annual meeting of representatives of ACP/EEC socio-economic interests

III. Visits to the ESC

During the period under review, the following visits were made to the Economic and Social Committee.

- 6 November 1991: Professors from the former GDR
- 6 November 1991: Europäische Akademie Bayern, Munich (Germany)
- 6 November 1991: DAG-Jugendgruppe, Berlin, Germany (Youth group of German employees union)
- 6 November 1991: Movimento studentesco per l'organizzazione internazionale — Gruppo di Milano (Italy)
- 8 November 1991: UIL Europe — Il Sindacato dei Cittadini (People's Union), Brussels
- 11 November 1991: CCP — Confederação de Comércio Português (Portuguese trade confederation) (Lisbon (Portugal))
- 12 November 1991: Bayerisches Staatsministerium für Bundes- und Europaangelegenheiten, Munich (Germany)
- 12 November 1991: Key to Europe — Students from Rijks-hogeschool, Groningen (Netherlands)
- 13 November 1991: Group from the École supérieure de commerce de Nantes Atlantique (France)
- 13 November 1991: Dallas University (USA)
- 14 November 1991: Cologne University (Germany)
- 14 November 1991: Fachhochschule, Osnabrück (Germany)
- 14 November 1991: Bremen information office (Germany)
- 15 November 1991: ILO (Latin American group)

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- 18 November 1991: Europa Zentrum Tübingen (Germany)
- 18 November 1991: Hogeschool Gelderland (Netherlands)
- 18 November 1991: Association parisienne du commerce international (étudiants en commerce international à l'École nationale de commerce), Paris
- 19 November 1991: Hoger Instituut voor Economisch, Paramedisch en Sociaal Onderwijs, Kortrijk (Belgium)
- 19 November 1991: General Council of the département des Bouches du Rhône, Marseilles
- 19 November 1991: Friedrich-Ebert Foundation (Journalists of the 'new Länder') (Germany)
- 20 November 1991: Finnish social assistance and security federation, Helsinki (Finland)
- 21 November 1991: Key to Europe — Group 'Rijkshogeschool Groningen' (Netherlands)
- 21 November 1991: Association de coopération entre la Bretagne et les pays de la Loire, Brussels
- 22 November 1991: Tunisian delegation
- 25 November 1991: FTF — Funktionærernes og Tjenestemændenes Fællesråd (Danish civil servants and employers)
- 28 November 1991: Europa information — Centralforeningen for Danske Assurandører, Copenhagen (Denmark)

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)
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Available from the EC Publications Office

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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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