# **Bulletin**of the European Communities

Commission



No 1/2 1991

INCLIDING TOP

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# **Bulletin**of the European Communities

# Commission

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#### References in text and footnotes

References to other parts of the same issue of the Bulletin are given in parentheses in text, thus  $(\rightarrow \text{ point } 2.1.53)$ .

Standardized abbreviations for the designation of certain monetary units in the different languages of the Community:

ECU = European currency unit

BFR = Belgische frank / Franc belge

DKR = Dansk krone

DM = Deutsche Mark

DR = Greek drachma

ESC = Escudo

FF = Franc français

HFL = Nederlandse gulden (Hollandse florijn)

IRL = Irish pound / punt LFR = Franc luxembourgeois

LIT = Lira italiana PTA = Peseta

UKL = Pound sterling

USD = United States dollar

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1/91 The Commission's programme for 1991

# **PART ONE**

# ACTIVITIES IN JANUARY/ FEBRUARY 1991

# News in brief

#### Internal market

The Commission adopts a communication on the customs union in the context of the single market  $(\rightarrow \text{ point } 1.2.4)$ .

The Commission adopts a proposal for a Directive fixing certain rates and target rates of excise duty on mineral oils (→ point 1.2.5).

The Commission adopts a proposal for a third life assurance Directive ( $\rightarrow$  point 1.2.6).

## Transport policy

The Commission adopts a communication on the effects of the Gulf hostilities on the European air transport industry (→ point 1.2.95).

#### **Energy policy**

The Commission adopts a proposal on a European Energy Charter (→ point 1.2.106).

#### Coordination of structural policies

The Commission approves a Community support framework for eastern Berlin, Mecklenburg-Western Pomerania, Brandenburg, Saxony-Anhalt, Thuringia and Saxony (→ point 1.2.111).

#### Social dimension

The Commission adopts a proposal for a Directive to improve the mobility and the safe transport to work of workers with reduced mobility (→ point 1.2.112).

#### Agricultural policy

The Commission adopts a communication on the future of the common agricultural policy ( $\rightarrow$  point 1.2.131).

The Commission approves proposals on agricultural prices and related measures for 1991/92 ( $\rightarrow$  point 1.2.132).

The Commission adopts its 1990 report on the agricultural situation in the Community  $(\rightarrow \text{ point } 1.2.133)$ .

#### **Environment**

The Commission adopts a proposal for a Regulation establishing a financial instrument for the environment (LIFE) ( $\rightarrow$  point 1.2.220).

#### Mediterranean and Middle East

The Commission adopts a proposal for a Regulation concerning financial cooperation in respect of the Mediterranean non-member countries (→ point 1.3.22).

The Commission adopts a proposal for a Regulation on financial aid to Israel and the Occupied Territories (→ point 1.3.23).

# African, Caribbean and Pacific countries

The Commission adopts a communication on the relief of ACP debt (→ point 1.3.46).

# Towards European union

# Follow-up to the Rome II **European Council**

#### 1.1.1. Parliament resolution on the Rome Summit.

Reference: Conclusions of the Rome II European Council: Bull. EC 12-1990, points I.1 to Ĭ.31

Adopted on 24 January. While valuing the role which the European Council plays and must continue to play as a political driving force, Parliament stressed the urgent need for the creation of a common foreign and security policy. It also observed that the guidelines set by the European Council with regard to the elimination of the democratic deficit in the Community contained ambiguities and that initiatives on citizenship deprived it of the right to be consulted when taken in an intergovernmental context.

Parliament pointed to the importance of the interinstitutional preparatory conferences, expressed its wish to be consulted on the results of the Intergovernmental Conferences before they were wound up, and called for an assent procedure to be introduced in respect of all international agreements of significant impact.

OIC 48, 25.2.1991

# Economic and monetary union

# Intergovernmental Conference

References:

Report of the Delors Committee: Bull. EC 4-1989, points 1.1.1 to 1.1.15

Conclusions of the special meeting of the

European Council, Dublin: Bull. EC 4-1990,

Commission communication to the Council on economic and monetary union: Bull. EC 7/ 8-1990, point 1.3.2

Conclusions of the Rome I European Council: Bull. EC 10-1990, point I.5

Conclusions of the Rome II European Council: Bull. EC 12-1990, point I.10

## 1.1.2. Ministerial meetings.

Opening meeting: Bull. EC 12-1990, point 1.1.9

Second meeting held in Brussels on 28 January. With Mr Juncker, Finance Minister of Luxembourg, in the chair, the meeting was attended by Mr Delors and Mr Christophersen. President and Vice-President of the Commission respectively. Ministers agreed that the Commission working paper containing a preliminary draft Treaty on EMU should provide the basis for their deliberations and noted the Presidency's intention to make sure that the conclusions of the Rome I and Rome II European Councils were taken as a mandate for creating a single currency and establishing a single monetary policy. They took formal note of Ministers' comments, of the tabling of a French contribution in the shape of a draft Treaty with a view to establishing full and complete economic union, on the basis of Rome II, and of a Spanish memorandum.

Winding up the discussion, Mr Delors reminded Ministers that a number of questions were still unanswered: the final shape of EMU, the relationship between EMU and economic and social cohesion, the ecu as a single currency, the nature of the transition and the institutional balance to ensure democratic accountability, the role of the Council and Eurofed, and the geographical shift in taxation.

Third meeting held in Brussels on 25 February. With Mr Juncker, Finance Minister of Luxembourg, in the chair, the meeting, which was attended by Mr Delors and Mr Christophersen, President and Vice-President of the Commission respectively, focused on the results of the deliberations by the Ministers' personal representatives on the objectives and economic aspects of economic and monetary union, reflecting what delegations felt to be the prevailing trends. Ministers secured a broad consensus from most delegations on the objectives and principles of economic and monetary union and the general framework of multiannual economic policy guidelines and multilateral

surveillance, as set out in the documents drawn up by the Presidency following the talks by the personal representatives. With the exception of the British Minister, they also widened the area of agreement on the rules to which Member States' budgetary policies would be subject and acknowledged the need for sanctions, as yet undefined, against any Member State running an excessive budget deficit. They also noted the reservations expressed by certain delegations on machinery for the coordination of Member States' economic policies, in the form of multiannual guidelines adopted at Community level. Mr Delors underlined the risks of a narrow approach to economic and monetary union based solely on monetary policy and budgetary discipline without wider objectives.

1.1.3. Commission working papers and other documents.

The Commission approved a paper for the Intergovernmental Conference on the use of the ecu.

1.1.4. Additional Economic and Social Committee opinion on economic and monetary union.

#### References:

Own-initiative opinion of the Economic and Social Committee on the report on economic and monetary union in the Community: Bull. EC 10-1990, point 2.1.1

Economic and Social Committee opinion on convergence and on the Council Decision on cooperation between the central banks of the Member States: OJ C 56, 7.3.1990; Bull. EC 11-1989, point 2.1.2

Adopted on 27 February. The Committee reviewed progress since its previous opinions, with particular reference to the timetable for successive stages, the liberalization of capital movements and multilateral surveillance, the entry of new currencies into the exchange-rate mechanism, the draft Statute of the ESCB, and the launching of the Intergovernmental Conference. The Committee stressed that there was still uncertainty and firm resistance in certain quarters. It made specific comments on monetary policy and on economic and budgetary policy and ended with some thoughts on Stage II and the transitional arrangements in Stage III relating to a common currency.

# Implementation of Stage I of EMU

1.1.5. Second multilateral surveillance exercise.

#### References:

Report of the Delors Committee: Bull. EC 4-1989, points 1.1.1 to 1.1.5 Council Decision 90/141/EEC: OJ L 78, 24.3.1990; Bull. EC 3-1990, point 1.1.1

First exercise: Bull. EC 6-1990, point 1.3.3

Conducted by the Council on 28 January. The object of the exercise was to survey economic policy and performance in the Community Member States on the basis of a communication from the Commission and reports by the Chairmen of the Monetary Committee and the Committee of Governors of the Central Banks.

# Political union

# Intergovernmental Conference

#### References:

Conclusions of the special meeting of the European Council, Dublin: Bull. EC 4-1990, point I.12

Conclusions of the Dublin European

Council: Bull. EC 6-1990, point I.11

Commission opinion on the proposal for amendment of the Treaty establishing the European Economic Community with a view to political union: COM(90) 600; Bull. EC 10-1990, point 1.1.5

Conclusions of the Rome I European Council: Bull. EC 10-1990, point I.4

Conclusions of the Rome II European

Council: Bull. EC 12-1990, points I.4 to I.9

# 1.1.6. Ministerial meeting.

Opening meeting: Bull. EC 12-1990, point 1.1.7

Second meeting held in Brussels on 4 February. The meeting was chaired by Mr Poos, President of the Council, and attended by Mr Delors and Mr Andriessen, President

and Vice-President of the Commission respectively. Ministers had a detailed exchange of views on the common foreign and security policy (CFSP) and reached consensus on the basic issues, i.e. that common objectives must be defined, that certain fields should not be excluded from the outset, that a step-by-step approach should be adopted, that CFSP decisions should be binding, and that a single, stronger institutional framework should be established. On the decision-making front, however, the respective roles of the European Council and the Council and the rules for majority voting remain wide open.

1.1.7. Commission working papers and other documents.

The Commission approved working papers on the following for the Intergovernmental Conference:

union citizenship;

common external policy;

democratic legitimacy: hierarchy of norms, executive powers, legislative process (codecision procedure);

research and technological development;

energy;

trans-European networks;

culture and protection of the cultural heritage;

health.

# 2. The single market and the Community economic and social area

# **Economic and monetary policy**

I

#### Medium-term assistance to Greece

- 1.2.1. Proposal for a Council Decision concerning a Community loan in favour of the Hellenic Republic.
- Reference: Council Regulation (EEC) No 1969/ 88 establishing a single facility providing medium-term financial assistance for Member States' balances of payments: OJ L 178, 8.7.1988; Bull. EC 6-1988, point 2.1.6

Approved by the Council on 25 February. Purpose: to grant Greece, pursuant to Council Regulation (EEC) No 1969/88, a

loan of ECU 2 200 million or the equivalent amount in other currencies.

The loan is being made available to Greece in three instalments. The average duration of each instalment will not exceed six years. The three instalments will be paid over as follows:

- (i) the first instalment, amounting to ECU 1 000 million or the equivalent amount in other currencies, as soon as the borrowing operations are completed (→ point 1.5.13);
- (ii) the second instalment, amounting to ECU 600 million or the equivalent amount in other currencies, not earlier than 1 February 1992; in any case, the second instalment will not be released until the Commission, after consulting the Council and in the light of an examination carried out in conjunction with the Monetary Com-

mittee of the results of the execution of the programme, is satisfied that the agreed measures have been fully implemented and the targets of the programme achieved or that the necessary additional measures to achieve the targets have been adopted or fully implemented;

(iii) the third instalment, amounting to ECU 600 million or the equivalent in other currencies, not earlier than 1 February 1993 and subject to the same examinations, verification and consultation as in the case of the second instalment.

The loan is being granted on the basis of Greece's decision to implement the economic recovery programme which it has presented and the objectives of which are set out in the recitals to the Decision.

The Commission, in conjunction with the Monetary Committee, is to examine at regular intervals the economic situation in Greece and the execution of the economic recovery programme. These examinations will continue until the loan has been repaid in full.

II

#### **Economic situation**

- 1.2.2. Annual Economic Report 1990-91.
- Reference: Annual Economic Report: Bull. EC 12-1990, point 1.3.1

Endorsed by the Economic and Social Committee on 27 February. The Committee analysed the report and expressed its satisfaction with the approach chosen to achieve economic and monetary union and with the emphasis placed on a policy governed by the principle of subsidiarity.

# Community initiatives and financial engineering

1.2.3. Fourteenth six-monthly report on the rate of utilization of the NCI tranches.

- Basic Decision: Council Decision 83/200/EEC of 19 April 1983: OJ L 112, 28.4.1983; Bull. EC 4-1983, point 2.1.8
- Previous report: Bull. EC 6-1990, point 1.3.5

Adopted by the Commission on 13 February. This report covers the period 1 January to 30 June 1990.

#### Internal market

I

# The customs union in the context of the single market

- 1.2.4. Commission communication on the customs union in the context of the single market.
- Reference: White Paper on completing the internal market—Office for Official Publications, Luxembourg, Document series, COM(85) 310; Bull. EC 6-1985, points 1.3.1 to 1.3.9

Adopted by the Commission on 31 January. The communication seeks to draw attention to the key role currently played by the customs union and to the priority nature of the action programme embarked on for fully realizing it in the context of completing the internal market by 1993.

The Commission takes the view that for customs union to be fully realized, a number of priority changes need to be made on both the legislative and operational fronts. On the legislative front, it considers that it will be necessary to adopt a Community customs code, to adapt customs legislation in the light of the abolition of internal frontiers, to perfect the customs mechanisms of the common policies, to work towards common provisions regarding penalties, and to improve decision-making machinery. On the operational front, it suggests that adjustments be made to administrative structures, particularly as regards the definition of tasks, the organization of services,

the training of officials (Matthaeus programme), working methods and resources; it also calls for greater cooperation between the various administrations involved and increased dialogue with trade and industry.

COM(90) 572

#### Excise duties on motor fuels

1.2.5. Proposal for a Council Directive fixing certain rates and target rates of excise duty on mineral oils.

#### References:

Conclusions of the second European Council meeting in Rome: Bull. EC 12-1990, point I.13

Amended proposal for a Council Directive on the approximation of the rates of excise duty on mineral oils: OJ C 16, 23.1.1990; COM(89) 526; Bull. EC 10-1989, point 2.1.38

Proposal for a Council Directive on the harmonization of the structures of excise duties on mineral oils: OJ C 322, 21.12.1990; COM(90) 434; Bull. EC 9-1990, point 1.2.5

Commission working paper on possible ways of achieving a Community objective of stabilizing CO<sub>2</sub> emissions: Bull. EC 12-1990, point 1.3.142

Adopted by the Commission on 13 February. The proposal, which is in response to the European Council's call for decisions on harmonization in the road transport sector to be taken by 30 June 1991, is designed to supplement the proposals on the approximation of the rates of excise duty on mineral oils with a view to the removal of tax frontiers in this field. It is also consistent with the Commission's guidelines for reducing CO<sub>2</sub> emissions. The Commission is proposing that the target rate for leaded petrol be set at ECU 495 per 1 000 litres and that for unleaded petrol at ECU 445 per 1 000 litres. It is also proposing that the rate band for excise duty on diesel fuel be raised and widened in order to ensure better cover for infrastructure costs; the band proposed is ECU 245 to ECU 270 per 1 000 litres.

OJ C 66, 14.3.1991; COM(91) 43

#### Direct life assurance

1.2.6. Proposal for a third Council Directive on the coordination of laws, regulations

and administrative provisions relating to the taking-up and pursuit of the business of direct life assurance and amending Directives 79/267/EEC and 90/619/EEC.

#### Directives to be amended:

First Council Directive 79/267/EEC; OJ L 63, 13.3.1979; Bull. EC 3-1979, point 2.1.145

Second Council Directive 90/619/EEC; OJ L 330, 29.11.1990; Bull. EC 11-1990, point 1.3.4

Adopted by the Commission on 20 February. This proposal completes the Directives on the taking-up and pursuit of the business of life assurance in the Community; its aim is to complete the internal market in this sector.

It is proposed, on the basis of prior harmonization of the rules governing the financial supervision of the undertakings concerned (and in particular the rules governing technical provisions and the investment of assets), to apply the principle of mutual recognition of authorizations and prudential systems by the Member States. There are specific provisions relating to composite undertakings (life and non-life insurance). The aim of the proposal is that any insurance undertaking authorized in a Member State should be able to establish itself, enter into commitments or provide services throughout the Community without requesting additional authorization, with supervision of the undertaking (including branches established in other Member States) being the responsibility of the authorities in the home Member State. It is intended that the interests of policy-holders should be protected under the law of their country of residence or country of nationality; equality of treatment, regardless of nationality or country of residence, is guaranteed, however, in the event of liquidation, and specific provisions are designed to reinforce such protection (information prior to signing of contract, cooling-off period).

COM(91) 57

II

# Removal of physical frontiers

## Checks on goods

# Simplification of customs formalities

- 1.2.7. Proposal for a Council Regulation applying Decision No 1/90 of the EEC-EFTA Joint Committee 'Common transit' amending Appendices I and II to the Convention of 20 May 1987 on a common transit procedure.
- Reference: Council Decision 87/415/EEC concerning the conclusion of a Convention between the European Economic Community, the Republic of Austria, the Republic of Finland, the Republic of Iceland, the Kingdom of Norway, the Kingdom of Sweden and the Swiss Confederation on a common transit procedure: OJ L 226, 13.8.1987; Bull. EC 6-1987, point 2.1.59

Adopted by the Commission on 28 January. The aim of the proposal is to make such amendments to the Convention as are necessitated by the amendments made to Community law, i.e. the amendments connected with the abolition of transit advice notes and those designed to clarify, in the interests of combating fraud, the railways' responsibility in the field of combined railroad transport and to simplify, through the use of commercial documents, procedures for establishing the Community status of goods.

COM(91) 9

1.2.8. Proposal for a Council Directive amending Directive 83/643/EEC on the facilitation of physical inspections and administrative formalities in respect of the carriage of goods between Member States.

- Directive to be amended: Council Directive 83/ 643/EEC: OJ L 359, 22.12.1983
- Commission proposal: OJ C 204, 15.8.1990;
   COM(90) 356; Bull. EC 7/8-1990, point 1.3.6
- Parliament opinion (first reading): OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.13

Endorsed by the Economic and Social Committee on 30 January. The Committee calls for Alpine transit to be facilitated and for improved coordination of public holidays between Member States.

OJ C 69, 18.3.1991

1.2.9. Proposal for a Regulation concerning the single administrative document.

- Commission proposal: OJ C 214, 29.8.1990; COM(90) 363; Bull. EC 7/8-1990, point 1.3.7
- Parliament opinion (first reading): OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.12
- Economic and Social Committee opinion: OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.12
- Council common position: Bull. EC 12-1990, point 1.3.12

Endorsed by Parliament (second reading) on 20 February.

OJ C 72, 18.3.1991

# Common Customs Tariff and Combined Nomenclature

1.2.10. Council Regulation (EEC) No 196/91 amending Annex I to Regulation (EEC) No 288/82 on common rules for imports, in respect of products which are subject to national quantitative restrictions.

- Regulation to be amended: Council Regulation (EEC) No 288/82: OJ L 35, 9.2.1982
- Commission proposal: COM(90) 194; Bull. EC 4-1990, point 1.1.8
- Amended Commission proposal: COM(90) 587; Bull. EC 12-1990, point 1.3.18

Adopted by the Council on 21 January.
OIL 21, 26.1.1991

1.2.11. Council Regulation (EEC) No 197/91 amending Annex II to Council Regulation (EEC) No 288/82 on common rules for imports with regard to products subject to surveillance.

- Regulation to be amended: Council Regulation (EEC) No 288/82: OJ L 35, 9.2.1982
- Commission proposal: COM(90) 604

Adopted by the Council on 21 January. Objective: to take account of the adoption of the Combined Nomenclature.

OJ L 21, 26.1.1991

#### Matthaeus programme and training

- 1.2.12. Proposal for a Council Decision on the adoption of a programme of Community action on the subject of the vocational training of customs officials (the Matthaeus programme).
- Commission proposal: OJ C 13, 19.1.1991;
   COM(90) 605; Bull. EC 12-1990, point 1.3.27

Endorsed by the Economic and Social Committee on 27 February. The Committee stresses the importance of language training for those concerned, suggests increasing the number of officials involved and considers that implementation of the programme should lead to the setting-up of a European centre for the training of customs officials.

## General legislation

- 1.2.13. Proposal for a Council Regulation amending Regulation (EEC) No 918/83 setting up a Community system of reliefs from customs duty.
- Regulation to be amended: Council Regulation (EEC) No 918/83: OJ L 105, 23.4.1983; Bull. EC 3-1983, point 2.1.28

Adopted by the Commission on 27 February. The aims of the proposal are to extend the duty relief provided for in Regulation (EEC) No 918/83 to all imports of goods of negligible value and to review the administrative procedure for granting relief for imports of certain scientific instruments or apparatus into the EEC (know as 'Unesco' reliefs).

COM(91) 25

- 1.2.14. Proposal for a Regulation amending Regulation (EEC) No 3/84 introducing arrangements for movement within the Community of goods sent from one Member State for temporary use in one or more other Member States.
- Regulation to be amended: Council Regulation (EEC) No 3/84: OJ L 2, 4.1.1984; Bull. EC 12-1983, point 2.1.25
- Commission proposal: OJ C 212, 25.8.1990;
   COM(90) 354; Bull. EC 7/8-1990, point 1.3.10

- Economic and Social Committee opinion: OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.7
- Parliament opinion (first reading): OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.7
- Council common position: Bull. EC 12-1990, point 1.3.16

Endorsed by Parliament (second reading) on 20 February.

OJ C 72, 18.3.1991

- 1.2.15. Proposal for a Council Regulation establishing a Community customs code—proposal for a Regulation determining the cases and the special conditions under which the temporary importation arrangements may be used with total relief from import duties.
- Commission proposals: OJ C 128, 23.5.1990;
   COM(90) 71; Bull. EC 1/2-1990, point 1.1.5
- Economic and Social Committee opinion: OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.14

Endorsed by Parliament (first reading) on 22 February, subject to various amendments designed in particular to increase harmonization of the methods of customs control in the various Member States.

OJ C 72, 18.3.1991

# Origin of goods

- 1.2.16. Council Regulation (EEC) No 456/91 amending Regulation (EEC) No 802/68 on the common definition of the concept of the origin of goods.
- Regulation to be amended: Council Regulation (EEC) No 802/68: OJ L 148, 28.6.1968
- Commission proposal: COM(90) 518; Bull. EC 12-1990, point 1.3.20

Adopted by the Council on 25 February. OJ L 54, 28.2.1991

## International cooperation

- 1.2.17. Proposal for a Regulation on the use in the Community of TIR carnets and, as transit documents, of ATA carnets.
- Commission proposal: OJ C 142, 12.6.1990; COM(90) 203; Bull. EC 5-1990, point 1.2.19
- Economic and Social Committee opinion: OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.10

- Parliament opinion (first reading): OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.10
- Council common position: Bull. EC 12-1990, point 1.3.26

Endorsed by Parliament (second reading) on 20 February.

OJ C 72, 18.3.1991

## Free movement of persons

1.2.18. Conference on movements of persons from Central and Eastern European countries.

Held in Vienna on 24 and 25 January. The conference, in which the Commission took part, was attended by ministers from the member countries of the Council of Europe and from the Central and Eastern European countries and by observers from the United States, Canada, Australia, Albania and various international organizations. The final communiqué stressed the need for a common approach to be adopted to the problems of migration, and in particular to the right of asylum. It also invited the member countries to examine the possibility of acceding to the international treaties relating to human rights and to the Geneva Convention and the New York Protocol relating to the status of refugees.

#### Removal of technical frontiers

# Free movement of goods

#### Removal of trade barriers

#### Industrial products

1.2.19. Proposal for a Council Directive on the control of the acquisition and possession of weapons.

- Commission proposal: OJ C 235, 1.9.1987;
   COM(87) 383; Bull. EC 7/8-1987, point 2.1.10
- Economic and Social Committee opinion: OJ C 35, 8.2.1988; Bull. EC 12-1987, point 2.4.29
- First amended Commission proposal: OJ C 299, 28.11.1989; COM(89) 446; Bull. EC 9-1989, point 2.1.13

- Parliament opinion (first reading): OJ C 231, 17.9.1990; Bull. EC 7/8-1990, point 1.3.22
- Second amended Commission proposal: OJ C 265, 20.10.1990; COM(90) 453; Bull. EC 9-1990, point 1.2.15
- Council agreement on a common position: Bull. EC 12-1990, point 1.3.28

Common position formally adopted by the Council on 4 February.

- 1.2.20. Proposal for a Council Directive amending for the ninth time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.
- Directive to be amended: Council Directive 76/ 769/EEC: OJ L 262, 27.9.1976
- Commission proposal: OJ C 117, 4.5.1988;
   COM(88) 190; Bull. EC 4-1988, point 2.1.15
- Economic and Social Committee opinion: OJ C 208, 8.8.1988; Bull. EC 6-1988, point 2.4.40
- Parliament opinion (first reading): OJ C 291, 20.11.1989; Bull. EC 10-1989, point 2.1.21
- Council common position: Bull. EC 10-1990, point 1.3.21

Endorsed by Parliament (second reading) on 24 January.

OJ C 48, 25.2.1991

- 1.2.21. Proposal for a Council Directive amending for the 10th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.
- Directive to be amended: Council Directive 76/ 769/EEC: OJ L 262, 27.9.1976
- Commission proposal: OJ C 309, 8.12.1989;
   COM(89) 548; Bull. EC 11-1989, point 2.1.14
- Economic and Social Committee opinion: OJ C 112, 7.5.1990; Bull. EC 3-1990, point 1.1.19
- Parliament opinion (first reading): OJ C 260, 15.10.1990; Bull. EC 9-1990, point 1.2.18
- Amended Commission proposal: COM(90) 545; Bull. EC 11-1990, point 1.3.11
- Council agreement on a common position: Bull. EC 12-1990, point 1.3.31

Common position formally adopted by the Council on 5 February.

1.2.22. Proposal for a Council Directive amending for the 11th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.

- Directive to be amended: Council Directive 76/769/EEC: O J L 262, 27.9.1976
- Commission proposal: OJ C 24, 1.1.1990;
   COM(89) 665; Bull. EC 1/2-1990, point 1.1.20
- Economic and Social Committee opinion: OJ C 168, 10.7.1990; Bull. EC 4-1990, point 1.1.11
- Parliament opinion (first reading): OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.22
- Amended Commission proposal: COM(90) 562; Bull. EC 11-1990, point 1.3.12
- Council agreement on a common position: Bull. EC 12-1990, point 1.3.32

Common position formally adopted by the Council on 5 February.

- 1.2.23. Proposal for a Directive amending for the 12th time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations.
- Directive to be amended: Council Directive 76/769/EEC: OJ L 262, 27.9.1976

Adopted by the Commission on 28 January. Objective: to add to Annex 1 to the Directive, in order to restrict their marketing and use, 10 new compounds (polybromobiphenyl ethers or PBBEs) which are used as fire retardants and which present a danger to public health and the environment.

OJ C 46, 22.2.1991; COM(91) 7

1.2.24. Proposal for a Council Directive on safety glazing and glazing materials on motor vehicles and their trailers.

- Commission proposal: OJ C 95, 12.4.1990; COM(89) 653; Bull. EC 1/2-1990, point 1.1.19
- Economic and Social Committee opinion: OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.23
- Parliament opinion (first reading): OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.18

Amended proposal adopted by the Commission on 8 February.

OJ C 51, 27.2.1991; COM(91) 38

1.2.25. Proposal for a Council Directive on the masses and dimensions of motor vehicles of category M1.

- Commission proposal: OJ C 95, 12.4.1990;
   COM(89) 653; Bull. EC 1/2-1990, point 1.1.19
- Economic and Social Committee opinion: OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.24
- Parliament opinion (first reading): OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.19

Amended proposal adopted by the Commission on 8 February.

OJ C 51, 27.2.1991; COM(91) 38

- 1.2.26. Proposal for a Council Directive on pneumatic tyres for motor vehicles and their trailers.
- Commission proposal: OJ C 95, 12.4.1990;
   COM(90) 653; Bull. EC 1/2-1990, point 1.1.19
- Economic and Social Committee opinion: OJ C 225, 10.9.1990; Bull. EC 7/8-1990, point 1.3.25
- Parliament opinion (first reading): OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.20

Amended proposal adopted by the Commission on 8 February.

OI C 51, 27.2.1991; COM(91) 38

### Foodstuffs

1.2.27. Commission Directive 91/71/EEC completing Directive 88/388/EEC on the approximation of the laws of the Member States relating to flavourings for use in foodstuffs and to source materials for their production; Commission Directive 91/72/EEC amending Directive 79/112/EEC in respect of the designation of flavourings in the list of ingredients on the labels of foodstuffs.

Directives amended:

Council Directive 88/388/EEC: OJ L 184, 15.7.1988; Bull. EC 6-1988, point 2.1.38

Council Directive 79/112/EEC (OJ L 33, 8.2.1979), as last amended by Directive 89/395/EEC: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20

Adopted by the Commission on 16 January. Objective: to clarify the method of labelling flavourings, particularly as regards the use of the word 'natural'.

OJ L 42, 15.2.1991

- 1.2.28. Proposal for a Directive amending Directive 89/396/EEC on indications or marks identifying the lot to which a food-stuff belongs.
- Directive to be amended: Council Directive 89/ 396/EEC: OJ L 186, 30.6.1989; Bull. EC 6-1989, point 2.1.20
- Commission proposal: COM(90) 440; Bull. EC 9-1990, point 1.2.20
- Parliament opinion (first reading): OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.13
- Economic and Social Committee opinion: OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.33
- Council common position: Bull. EC 12-1990, point 1.3.33

Endorsed by Parliament (second reading) on 20 February.

OJ C 72, 18.3.1991

#### Common market in services

#### Financial services

- 1.2.29. Proposal for a Council Directive on prevention of use of the financial system for the purpose of money laundering.
- Commission proposal: OJ C 106, 28.4.1990;
   COM(90) 106; Bull. EC 1/2-1990, point 1.1.25;
   Bull. EC 3-1990, point 1.1.24
- Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.25
- Parliament opinion (first reading): OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.17
- Amended Commission proposal: COM(90) 593; Bull. EC 11-1990, point 1.3.17
- Council agreement on a common position: Bull. EC 12-1990, point 1.3.10

Common position formally adopted by the Council on 14 February.

1.2.30. Proposal for a Council Regulation on guarantees issued by credit institutions or insurance undertakings.

- Commission proposal: OJ C 51, 28.1.1989;
   COM(88) 805; Bull. EC 12-1988, point 2.1.141
- Economic and Social Committee opinion: OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.1.12
- Parliament opinion (first reading): OJ C 68, 19.3.1990; Bull. EC 1/2-1990, point 1.1.26

Amended proposal adopted by the Commission on 25 January. Objective: to take account of Parliament's amendments. The amended proposal provides in particular that the public authority demanding a security may reject a guarantor if it has reason to doubt the soundness of that guarantor or if the offer does not meet the conditions normally required by it; this does not apply where the public authority in question is a central bank acting in its capacity as a monetary authority.

OJ C 53, 28.2.1991; COM(90) 567

- 1.2.31. Proposal for a Council Directive on capital adequacy of investment firms and credit institutions.
- Commission proposal: OJ C 152, 21.6.1990, COM(90) 141; Bull. EC 4-1990, point 1.1.3

Endorsed by the Economic and Social Committee on 30 January The Committee stresses, however, the need for convergence between the Community and international bodies (Bank for International Settlements) as regards their rules and for application of a consolidated approach in the treatment of risk. It also argues that the initial capital requirements laid down should not distort competition between credit institutions and other operators, that the requirements relating to 'other risks' should be reduced in some cases and that cover operations should be penalized less.

OJ C 69, 18.3.1991

- 1.2.32. Proposal for a Council Directive relating to the supervision of credit institutions on a consolidated basis and replacing Directive 83/350/EEC.
- Directive to be replaced: Council Directive 83/ 350/EEC; OJ L 193, 18.7.1983; Bull. EC 6-1983, point 2.1.70
- Commission proposal: OJ C 315, 14.12.1990;
   COM(90) 451; Bull. EC 10-1990, point 1.3.5

Economic and Social Committee opinion delivered on 27 February. The Committee fears that the option given to Member States of not including investment subsidiaries in the consolidation of banks will distort competition and argues in favour of the compulsory consolidation of such subsidiaries in banking groups. Similarly, it considers that the consolidation method to be used should be specified in the Directive and not left to the discretion of Member States.

1.2.33. Commission report concerning the operations referred to in Directive 79/267/ EEC and undertaken by composite and specialized companies.

#### References:

First Council Directive 79/267/EEC: OJ L 63, 13.3.1979; Bull. EC 3-1979, point 2.1.145 Second Council Directive 90/619/EEC: OJ L 330, 29.11.1990; Bull. EC 11-1990, point 1.3.4

Adopted by the Commission on 22 February. This report, which is provided for in the two life assurance Directives, deals with the operations of specialized and composite life assurance companies and covers the last 10 years. It concludes that life assurance companies offer a very high level of financial security and accordingly suggests that the current restrictions on composite companies regarding freedom of establishment and freedom to provide services should be abolished. It also suggests that the rules on separate management and accounting for specialized and composite companies be retained.

COM(91) 55

1.2.34. Proposal for a Council Directive setting up an insurance committee.

Commission proposal: OJ C 230, 15.9.1990;
 COM(90) 344; Bull. EC 7/8-1990, point 1.3.38

Economic and Social Committee opinion delivered on 28 February. While endorsing the principle of setting up an insurance committee, the Committee would like to see a legal form adopted which enables the Committee itself and the European Parliament to be involved in the drafting of secondary legislation.

1.2.35. Proposal for a Council Decision on the conclusion of an agreement between the Swiss Confederation and the Community concerning direct insurance other than life assurance, accompanied by a proposal for a Council Directive on the implementation of the agreement and a proposal for a Council Regulation laying down special provisions for the application of Articles 36 and 37a of the agreement.

- Commission proposal: OJ C 53, 5.3.1990; COM(89) 436; Bull. EC 9-1989, point 2.1.8
- Economic and Social Committee opinion: OJ C 56, 7.3.1990; Bull. EC 11-1989, point 2.1.7

Endorsed by Parliament (first reading) on 22 February.

OJ C 72, 18.3.1991

1.2.36. Proposal for a third Council Directive on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance and amending Directives 73/239/EEC and 88/357/EEC.

Directives to be amended:

First Council Directive 73/239/EEC: OJ L 228, 16.3.1973

Second Council Directive 88/357/EEC: OJ L 172, 4.7.1988; Bull. EC 6-1988, point 1.1.124

Commission proposal: OJ C 244, 28.9.1990;
 COM(90) 348; Bull. EC 7/8-1990, point 1.3.4

Endorsed by the Economic and Social Committee on 28 February, subject to various comments of a technical nature. The Committee also takes the view that the Directive will be more effective if preceded by adoption of the Directive on the annual accounts of insurance undertakings and by harmonization in the fields of insurance contract law and taxation.

#### Removal of tax frontiers

#### Turnover tax (VAT)

1.2.37. Proposal for a Council Directive amending Directive 76/308/EEC on mutual assistance for the recovery of claims resulting from operations forming part of

the system of financing the European Agricultural Guidance and Guarantee Fund, and of agricultural levies and customs duties and in respect of value-added tax.

 Directive to be amended: Council Directive 76/ 308/EEC: OJ L 73, 19.3.1976; Bull. EC 3-1976, point 2103

Commission proposal: OJ C 306, 6.12.1990;
 COM(90) 525; Bull. EC 11-1990, point 1.3.18

Endorsed by the Economic and Social Committee on 27 February. The Committee welcomes in particular the improvement made by the proposal regarding the ranking of claims and hopes that the Member States can agree to apply the same ranking.

#### Excise duties and other indirect taxes

- 1.2.38. Proposal for a Council Directive on the general arrangements for products subject to excise duty and on the holding and movement of such products.
- Commission proposal: OJ C 322, 21.12.1990;
   COM(90) 431; Bull. EC 9-1990, point 1.2.2

Endorsed by the Economic and Social Committee on 31 January, subject to various comments of a technical nature.

OJ 69, 18.3.1991

- 1.2.39. Proposal for a Council Directive on the harmonization of the structures of excise duties on alcoholic beverages and on the alcohol contained in other products.
- Commission proposal: OJ C 322, 21.12.1990;
   COM(90) 432; Bull. EC 9-1990, point 1.2.3

Endorsed by the Economic and Social Committee on 31 January. The Committee would, however, like to see wider exemption arrangements (beer, solid foodstuffs containing alcohol, and even wine) than those proposed by the Commission. It also calls for provision to be made, within the framework of the specific arrangements for small businesses (breweries, distilleries and wine-growers), for rates lower than the minimum rates laid down by the Commission to be applied.

OJ C 69, 18.3.1991

1.2.40. Proposal for a Council Directive amending Council Directives 72/464/EEC and 79/32/EEC on taxes other than turnover taxes which are levied on the consumption of manufactured tobacco.

Directives to be amended:
 First Council Directive 72/464/EEC: O.J.

L 303, 31.12.1972 Second Council Directive 79/32/EEC: OJ

L 10, 16.1.1979 Commission proposal: OJ C 322, 21.12.1990; COM(90) 433; Bull. EC 9-1990, point 1.2.4

Endorsed by the Economic and Social Committee on 31 January. The Committee proposes that the 'retail selling price' and not the 'maximum retail selling price' be used as the basis of calculation in order to prevent too high an excise duty and suggests that the exemption arrangements be extended.

OJ C 69, 18.3.1991

- 1.2.41. Proposal for a Council Directive on the harmonization of the structures of excise duties on mineral oils.
- Commission proposal: OJ C 322, 21.12.1990;
   COM(90) 434; Bull. EC 9-1990, point 1.2.5

Endorsed by the Economic and Social Committee on 31 January. The Committee recommends harmonization of the arrangements for natural gas and exemption for heavy fuel oil.

OJ C 69, 18.3.1991

# Competition

# **Nineteenth Competition Report**

- 1.2.42. Parliament resolution on the Commission's Nineteenth Report on Competition Policy.
- Reference: Report: Bull. EC 7/8-1990, point 1.3.44
- Economic and Social Committee opinion: OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.43

Adopted by the Commission on 24 January. Parliament comments on the structure and

content of the Report and on recent developments in competition policy.

Noting the new challenges confronting Community competition policy, such as German unification and merger control, which come on top of other priority objectives in such fields as the motor industry, financial services, air transport and telecommunications, Parliament identifies an urgent and immediate need for more staff to be allocated to competition work.

Parliament emphasizes the importance of compliance by Member States with the rules on State aid and welcomes greater transparency in this area.

Other matters touched upon include competition in the media and in the energy and food sectors, and international aspects of competition policy.

OJ C 48, 25.2.1991

# General rules applying to businesses

# Cooperation between shipping companies

1.2.43. Proposal for a Council Regulation (EEC) on the application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices between shipping companies.

Commission proposal: OJ C 167, 10.7.1990;
 COM(90) 260; Bull. EC 6-1990, point 1.3.34

Endorsed by the Economic and Social Committee on 30 January. As regards the procedure to be followed for the grant of a block exemption the Committee sees no need to depart from standard practice, which the Commission has followed in its proposal, according to which the Council adopts a regulation authorizing the Commission to declare a block exemption and define its terms and conditions, provided the Commission is prepared to give certain undertakings beforehand regarding the specific terms of the exemption. The proposed exemption would cover consortia

offering multimodal transport services; the Committee considers, therefore, that it should include proper safeguards with a view to preserving the competition between carriers and ensuring that shippers have freedom of choice of carrier for the sea-leg of an operation. In the Committee's view, while the proposal is right to refer to Article 87 of the EEC Treaty as a legal basis, it should also refer to Article 84(2), and should make it clear that it applies to liner consortia only.

OJ C 69, 18.3.1991

## Restrictive practices in air transport

1.2.44. Proposal for a Council Regulation (EEC) amending Regulation (EEC) No 3975/87 laying down the procedure for the application of the rules on competition to undertakings in the air transport sector.

- Regulation to be amended: Council Regulation (EEC) No 3975/87: OJ L 374, 31.12.1987; Bull. EC 12-1987, points 2.1.97 and 2.1.280
- Commission proposal: OJ C 155, 25.6.1990;
   COM(90) 167; Bull. EC 5-1990, point 1.2.31
- Economic and Social Committee opinion: OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.23

Endorsed by Parliament on 24 January, subject to certain amendments.

OJ C 48, 25.2.1991

# Application of the competition rules: specific cases

# Prohibited horizontal agreements

#### Eurosport

1.2.45. Commission Decision 91/130/EEC relating to a proceeding pursuant to Article 85 of the EEC Treaty.

Adopted by the Commission on 19 February. The Decision finds that agreements concerning the satellite television channel Eurosport concluded by News International and a consortium of European Broadcasting Union members are caught by the ban in

Article 85(1) and do not qualify for exemption under Article 85(3). The Commission wants broadcasters of sports events to be able to compete on an equal footing on the European transnational satellite broadcasting market. The agreements involved here place News International in a privileged position in comparison with its competitors.

OJ 63, 9.3.1991

## Permissible forms of cooperation

# Sippa

1.2.46. Commission Decision 91/128/EEC relating to a proceeding under Article 85 of the EEC Treaty.

Adopted by the Commission on 15 February. The Decision grants exemption to the general regulations of the Salon international professionnel de la papeterie et de la bureautique (Sippa). It imposes certain obligations on Sippa in order to enable the Commission to verify whether the tests of Article 85(3) continue to be satisfied during the period of exemption.

OIL 60, 7.3.1991

#### Distribution

#### Electricity in the Netherlands

1.2.47. Commission Decision 91/50/EEC relating to a proceeding under Article 85 of the EEC Treaty.

Adopted by the Commission on 16 January. The Decision finds that Article 21 of the Cooperation Agreement between the four electricity generating companies in the Netherlands and their joint subsidiary SEP Electriciteitsproduktie-(Samenwerkende bedrijven) infringes Article 85(1), and gives the parties three months to submit proposals to the Commission for the ending of the infringement.

OJL 28, 2.2.1991

#### Mergers

# Decisions under the Merger Control Regulation

Reference: Council Regulation (EEC) No 4964/ 89 on the control of concentrations between undertakings: OJ L 395, 30.12.1989 (corrected version: OJ L 257, 21.9.1990); Bull. EC 12-1989, point 2.1.78; Supplement 2/90—Bull. EC

#### Baxter, Nestlé and Salvia

Adopted by the Commission on 6 February. The decision finds that the acquisition by Nestlé and Baxter of joint control of the clinical nutrition business of Salvia-Werk GmbH does not constitute a concentration within the meaning of the Regulation, among other things because the assets acquired are not to be shared between Baxter Nestlé but transferred to a jointly owned company of a cooperative character.

OJ C 37, 13.2.1991

#### ASKO and Omni

Adopted by the Commission on 21 February. Omni Holding AG, a Swiss holding company controlled by the financier Mr Werner K. Rey, and ASKO Deutsche Kaufhaus AG, the large German retail chain, have concluded an agreement under which they are jointly to control ADIA SA through a joint subsidiary, Comco Holding AG, a Swiss company with a variety of interests in the service sector. The Commission decision declares this concentration compatible with the common market.

OJ C 51, 27.2.1991

#### Mitsubishi and Union Carbide

1.2.50. Adopted by the Commission on 4 Mitsubishi Corporation and Union Carbide Corporation have entered into an agreement by which Mitsubishi purchases a 50% interest in Union Carbide's world-wide carbon business, consisting of a shareholding in UCAR Carbon and its 19 subsidiaries. The concentration will affect markets in carbon, graphite and related

products. It will have no significant impact in the Community. This decision accordingly declares the transaction compatible with the common market.

OJ C 5, 9.1.1991

#### Matsushita and MCA

1.2.51. Adopted by the Commission on 10 January. The Japanese company Matsushita Electrical Industrial Co. Ltd notified its intention of acquiring the Hollywood film producer MCA Inc. On the information currently available, the Commission decided that the takeover of MCA by Matsushita raises no serious doubt as to its compatibility with the common market.

#### AT&T and NCR

1.2.52. Adopted by the Commission on 18 January. The decision finds that the take-over envisaged will not create or strengthen a dominant position on the Community market. It therefore declares it compatible with the common market.

OJ C 16, 24.1.1991

#### Alcatel and Telettra

1.2.53. Adopted by the Commission on 21 January. As part of its examination of the proposed acquisition by Alcatel of a controlling interest in Fiat's telecommunications subsidiary Telettra, the Commission here initiated proceedings, so that the case now moves into a more detailed inquiry phase.

#### Magneti-Marelli and CEAC

1.2.54. Adopted by the Commission on 21 January. Proceedings are initiated in respect of the planned takeover by the Fiat subsidiary Magneti-Marelli of CGE's battery division CEAC.

Dresdner Bank, Banque Nationale de Paris and OKHB

1.2.55. Adopted by the Commission on 4 February. The decision finds that the forma-

tion of a jont venture in Hungary by Dresdner Bank, Banque Nationale de Paris and OKHB, a Hungarian bank, is compatible with the common market.

OJ C 34, 9.2.1991

# Decisions under Article 66(2) of the ECSC Treaty

## Ruhrkohle and Sophia-Jacoba

1.2.56. Adopted by the Commission on 16 January. The decision authorizes the acquisition by Ruhrkohle AG of all the shares in Sophia-Jacoba GmbH and Sophia-Jacoba Handelsgesellschaft as it will not give Ruhrkohle the power to determine prices on the market for coal and coal products.

## TWIL and Bekaert-Tinsley

1.2.57. Adopted by the Commission on 2 February. The decision authorizes the acquisition by TWIL Ltd, a company owned 60% by Bekaert and 40% by British Steel, of the entire issued capital of Bekaert-Tinsley SA, a manufacturer of steel wire and products made from steel wire (EEC products).

## Salzgitter Stahl and Benelux Staal

1.2.58. Adopted by the Commission on 21 February. The decision authorizes the acquisition by Salzgitter Stahl GmbH, a subsidiary of Peine-Salzgitter AG, of all the shares in Benelux Staal BV, Netherlands, a holding company which controls three steel distributors. The acquisition gives Peine-Salzgitter a direct presence on the Dutch and Belgian markets.

#### Procedural measures

# Commission decisions under Article 47 of the ECSC Treaty

#### Beams and merchant bars

1.2.59. Adopted by the Commission on 14 January. The decision authorizes checks on

six producers and distributors of beams and merchant bars and on two associations of undertakings to determine the existence of practices prohibited by Article 65 of the ECSC Treaty.

# Comptoir français des produits sidérurgiques

1.2.60. Adopted by the Commission on 27 February. The decision authorizes checks on an association of undertakings to determine the existence of practices prohibited by Article 65 of the ECSC Treaty. Provision is made for penalty payments should the association refuse to cooperate.

#### State aid

## Industry schemes

#### **Belgium**

#### Food

1.2.61. Commission decision to initiate scrutiny proceedings under Article 93(2) of the EEC Treaty in respect of a proposal to award aid to the chocolate manufacturer Callebaut.

Adopted by the Commission on 27 February. The aid is to help Callebaut expand its production facilities.

#### Chemicals

- 1.2.62. Commission decision to terminate Article 93(2) proceedings in respect of aid to Solvay and Solvic.
- Reference: initiation of proceedings: Bull. EC 7/8-1990, point 1.3.58

Adopted by the Commission on 30 January. The decision finds that the proposed aid does not infringe the Community competition rules.

#### Paper

1.2.63. Negative Commission decision on a plan to grant investment aid to Mactac SA.

Adopted by the Commission on 24 January. The Commission takes the view that there is no regional or industrial policy justification for aid to Mactac, a manufacturer of self-adhesive paper; the aid would distort competition and affect trade between Member States.

## Belgium and the Netherlands

## Shipbuilding

1.2.64. Commission decision to initiate Article 93(2) proceedings in respect of aid measures planned by the Belgian and Dutch Governments.

Adopted by the Commission on 30 January. The Commission seeks to establish whether there is non-Community competition for the contract to be assisted.

## Germany

#### Motor industry

1.2.65. Commission decision to initiate Article 93(2) proceedings in respect of possible indirect State aid to Daimler-Benz.

Adopted by the Commission on 27 February. The Berlin authorities have sold a site to Daimler-Benz. Should the price charged prove to be below the market price, the company will have received indirect State aid.

#### Italy

#### Paper

1.2.66. Commission decision to initiate Article 93(2) proceedings in respect of aid to Arbatax.

Bull. EC 1/2-1991 25

Adopted by the Commission on 27 February. The disputed aid would go to Nuova Cartiera di Arbatax, in Sardinia.

#### Steel

- 1.2.67. Commission decision to initiate Article 6(4) of Commission Decision No 322/89/ECSC in respect of aid to Feralpi SpA.
- Reference: Commission Decision No 322/89/ ECSC establishing Community rules for aid to the steel industry: OJ L 38, 10.2.1989; Bull. EC 2-1989, point 2.1.70

Adopted by the Commission on 27 February. The disputed aid would go towards research and development at Feralpi.

# Decisions to raise no objection

1.2.68. Decisions to raise no objection are now listed in notices in the Official Journal; in future they will be reported in the issue of the Bulletin covering the month in which they are listed in the OJ, rather than the month in which the decision is taken.

# Enterprise policy, industrial policy and services

## **Enterprise policy**

A propitious legal and tax environment for businesses

#### Company law

1.2.69. Proposal for a Council Regulation on the Statute for a European company.

- Commission proposal: OJ C 263, 16.10.1989;
   COM(89) 268; Bull. EC 7/8-1989, points 1.2.1
   to 1.2.6
- Economic and Social Committee opinion: OJ C 124, 21.5.1990; Bull. EC 3-1990, point 1.1.100

Endorsed by Parliament on 24 January, subject to numerous amendments relating in particular to the scope of the Regulation (which Parliament would like to see widened to include companies in the same Member State), the rights of employees in European companies, the composition and role of the management and supervisory boards, the procedure for forming a European holding company (at least 51% instead of 100% - of the shares in the founder companies to be exchanged for shares in the new holding company), the requirements for increases in capital (Parliament would like the reference to the 50% ceiling removed), the rights of shareholders and various tax provisions.

OIC 48, 25.2.1991

- 1.2.70. Proposal for a Council Directive complementing the Statute for a European company with regard to the involvement of employees in the European company.
- Commission proposal: OJ C 263, 16.10.1989; COM(89) 268; Bull. EC 7/8-1989, points 1.2.1 to 1.2.6
- Economic and Social Committee opinion: OJ C 124, 21.5.1990, Bull. EC 3-1990, point 1.1.100

Endorsed by Parliament on 24 January, subject to certain amendments designed in particular to strengthen the involvement of employees in European companies and make the three models of European company equivalent in terms of employee participation.

OJ 48, 25.2.1991

- 1.2.71. Proposal for a 13th Directive on company law, concerning takeover and other general bids.
- Commission proposal: OJ C 64, 14.3.1989;
   COM(88) 823; Bull. EC 12-1988, point 2.1.149;
   Supplement 3/89 Bull. EC
- Economic and Social Committee opinion: OJ C 298, 27.11.1989; Bull. EC 9-1989, point 2.1.11
- Parliament opinion: OJ C 38, 19.2.1990; Bull. EC 1/2-1990, point 1.1.141
- Amended Commission proposal: OJ C 240, 26.9.1990; COM(90) 416; Bull. EC 9-1990, point 1.2.101

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Additional Economic and Social Committee opinion delivered on 28 February, stressing the need to avoid an unduly restrictive approach and pressing for authorization of friendly partial takeover bids.

## Intellectual property

1.2.72. Proposal for a Council Regulation concerning the creation of a supplementary protection certificate for medicinal products.

- Commission proposal: OJ C 114, 8.5.1990;
   COM(90) 101; Bull. EC 3-1990, point 1.1.95
- Parliament opinion: OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.174

Economic and Social Committee opinion delivered on 30 January, endorsing the objectives of the proposal and the choice of legal instrument (Regulation), but urging the Commission to: re-examine the duration of the protection certificate; verify whether the direct interests of generic medicine producers would be damaged; limit the scope of the text to pharmaceutical discoveries which genuinely involve a basic innovation; and take into account the impact of the Regulation on consumers and health-insurance schemes.

OJ C 69, 18.3.1991

# Company taxation

1.2.73. High-level committee on company taxation after completion of the single market.

• Reference: Commission communication on guidelines on company taxation: Bull. EC 4-1990, point 1.1.87

Inaugural meeting held in Brussels on 21 January. The first meeting of the high-level committee of independent experts, chaired by Mr Ruding, the former Dutch Finance Minister, was attended by Mrs Christiane Scrivener, Member of the Commission with special responsibility for taxation. The Committee's objective is to present, within one year, a report on the impact of taxation on company decision-making and on the risk of distortion of competition or delo-

calization which may result from the coexistence of different tax policies in a single market.

#### Small business

1.2.74. Proposal for a Council Decision revising the programme for the improvement of the business environment and the promotion of the development of enterprises, and in particular small and medium-sized enterprises, in the Community.

Commission proposal: OJ C 13, 19.1.1991;
 COM(90) 528; Bull. EC 11-1990, point 1.3.104

Endorsed by the Economic and Social Committee on 27 February. The Committee underlined the importance of integrating the SME dimension in Community policies. It also called for the administrative burden on SMEs to be eased and closer attention to be paid to worker training and equality of opportunity in the firms concerned.

# The cooperative, mutual and non-profit sector

1.2.75. Parliament resolution on a statute for a European cooperative society and other undertakings in the mutual sector in general.

#### References:

Commission communication on cooperatives, mutual and friendly societies and the completion of the internal market: Bull. EC 12-1989, point 2.1.52

Economic and Social Committee opinion on the communication: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.104

Adopted by Parliament on 24 January. Parliament feels that the formulation of an optional legal instrument to facilitate mergers or the creation of holdings or joint subsidiaries between mutual sector undertakings is the most appropriate means of allowing these companies to retain their individuality and their competitiveness in a frontier-free market. It calls on the Commission to draft one or more regulations on statutes with due regard to the specific

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characteristics of every type of company found in the mutual sector (cooperative societies, mutual societies and non-profitmaking organizations) and a proposal for a directive on the role of workers in mutual sector undertakings.

OJ C 48, 25.2.1991

# Industrial policy

## Sectoral strategies

#### Steel

1.2.76. Commission forward programme for steel for the first quarter of 1991 and outlook for 1991 as a whole.

- Previous forward programme: OJ C 264, 19.10.1990; Bull. EC 10-1990, point 1.3.107
- Commission draft programme: Bull. EC 12-1990, point 1.3.175
- ECSC Consultative Committee opinion: Bull. EC 12-1990, point 1.3.175

Adopted by the Commission (second reading) on 30 January. The text which was adopted takes the ECSC Consultative Committee's comments into account; the forecasts for crude steel output have in particular been adjusted downwards slightly: the definitive forecast is 32.75 million tonnes for the first quarter of 1991 (compared with 33.15 million tonnes in the draft forward programme) and 132 million tonnes for 1991 as a whole (as against 133 million tonnes in the draft forward programme).

OIC 36, 12.2.1991

1.2.77. Situation in the steel sector in 1990.

In 1990 the Community produced 136.6 million tonnes of crude steel, 2.1% less than in 1989. The quarterly figures were as follows: -4.3% in the first quarter, -3.3% in the second quarter, -3% in the third quarter and -0.6% in the fourth quarter.

#### Footwear

1.2.78. Parliament resolution on the footwear industry.

 Reference: Commission communication on the footwear industry: Bull. EC 3-1990, point 1.1.99

Adopted by Parliament on 22 February. Parliament urged the Commission both to implement a trade policy designed to ensure better access to the world market for the Community's production, and to strengthen Community programmes aimed at supporting the sector, in particular by encouraging technological innovation.

OJ C 72, 18.3.1991

# Research and technology

# Framework programme for R&TD 1987-91

- Basic Decision: Council Decision 87/516/Euratom, EEC concerning the framework programme for Community activities in the field of research and technological development (1987-91): OJ L 302, 24.10.1987; Bull. EC 9-1987, point 2.1.32
- 1.2.79. Proposals for Decisions concerning adjustments to the framework programme for research and technological development (1987-91):

Proposal for a Decision adapting Decision 87/516/Euratom, EEC concerning the framework programme for Community activities in the field of research and technological development (1987-91);

Proposal for a Decision amending Decisions 87/551/EEC, 87/590/EEC, 88/28/EEC, 88/279/EEC, 88/416/EEC, 88/418/EEC, 88/419/EEC, 88/521/EEC, 89/160/EEC, 89/236/EEC, 89/237/EEC, 89/413/EEC and 89/625/EEC adopting specific programmes under the second framework programme of research and technological development;

Proposal for a Decision amending Decisions 88/448/Euratom, 88/522/Euratom and 89/664/Euratom adopting specific programmes in the nuclear field under the second framework programme of research and technological development.

Decisions to be amended:

Council Decision 87/551/EEC: OJ L 34, 24.11.1987; Bull. EC 11-1987, point 2.1.62 Council Decision 87/590/EEC: OJ L 355, 17.12.1987; Bull. EC 12-1987, point 2.1.67 Council Decision 88/28/EEC (RACE): OJ L 16, 21.1.1988; Bull. EC 12-1987, point 2.1.71 Council Decision 88/279/EEC (Esprit): OJ L 118, 6.5.1988; Bull. EC 4-1988, point 2.1.54 Council Decision 88/416/EEC (Drive): OJ L 206, 30.7.1988; Bull. EC 6-1988, point 2.1.83 Council Decision 88/418/EEC: OJ L 206, 30.7.1988; Bull. EC 6-1988, point 2.1.68 Council Decision 88/419/EEC (Science): OJ L 206, 30.7.1988; Bull. EC 6-1988, point 2.1.75 Council Decision 88/448/Euratom: OJ

L 222, 12.8.1988; Bull. EC 6-1988, point 2.1.72 Council Decision 88/521/EEC: OJ L 286, 20.10.1988; Bull. EC 10-1988, point 2.1.26

Council Decision 88/522/Euratom: OI L 286, 20.10.1988; Bull. EC 10-1988, point

Council Decision 89/160/EEC: OJ L 60,

3.3.1989; Bull. EC 2-1989, point 2.1.27 Council Decision 89/236/EEC: OJ L 98, 11.4.1989; Bull. EC 3-1989, point 2.1.48 Council Decision 89/237/EEC: OJ L 98,

11.4.1989; Bull. EC 3-1989, point 2.1.39 Council Decision 89/413/EEC: OJ L 200,

13.7.1989; Bull. EC 3-1989, point 2.1.49 Council Decision 89/625/EEC (STEP and Epoch): OJ L 359, 8.12.1989; Bull. EC 11-1989, point 2.1.47

Council Decision 89/664/Euratom: OI L 395, 30.12.1989; Bull. EC 12-1989, point

2.1.63

Adopted by the Commission on 28 January. The first proposal seeks to adapt the second framework programme in respect of the amount to be spent after 1991 and the breakdown of this amount as between the various activities.

The second proposal would increase by ECU 40 million the amount deemed necessary for the specific programme on nonnuclear energy and the rational use of energy (Joule), and this increase would be offset by a corresponding reduction in the estimated cost of the other Community R&TD programmes.

The third proposal applies the same reduction procedure to the specific programmes falling under the Euratom Treaty in order to increase the overall financial provision in the framework programme adopted in 1987.

OJ C 53, 28.2.1991; COM(91) 13

### Framework programme for R&TD 1990-94

Basic Decision: Council Decision 90/221/Euratom, EEC concerning the framework programme for Community activities in the field of research and technological development (1990-94): OJ L 117, 8.5.1990; Bull. EC 4-1990, point

#### Environment

1.2.80. Proposal for a Decision adopting a specific research and technological development programme in the field of environment (1990-94).

- Approval by the Commission: Bull. EC 4-1990, point 1.1.61
- Formal adoption by the Commission: OJ C 174, 16.7.1990; COM(90) 158; Bull. EC 5-1990, point 1.2.98
- Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.70
- Parliament opinion (first reading): OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.73
- Amended Commission proposal: COM(90) 592; Bull. EC 11-1990, point 1.3.73
- Council agreement on a common position: Bull. EC 12-1990, point 1.3.129

Common position adopted by the Council on 21 January.

# Agriculture

Proposal for a Decision adopting a specific research and technological development programme in the field of agriculture and agro-industry (1990-94).

- Commission proposal: OJ C 174, 16.7.1990; COM(90) 161; Bull. EC 5-1990, point 1.2.101
- Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.73

Endorsed by Parliament (first reading) on 24 January, subject to various amendments concerning in particular a revision of the budget for this action.

OJ C 48, 25.2.1991

## Life sciences and technologies

1.2.82. Proposal for a Decision adopting a specific research and technological development programme in the field of life sciences and technologies for developing countries (1990-94).

Approval by the Commission: Bull. EC 4-1990,

point 1.1.66

 Formal adoption by the Commission: OJ C 174, 16.7.1990; COM(90) 163; Bull. EC 5-1990, point 1.2.103

 Parliament opinion (first reading): OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.131

 Amended Commission proposal: OJ C 15, 23.1.1991; COM(90) 678; Bull. EC 12-1990, point 1.3.131

Common position adopted by the Council on 21 January.

## Non-nuclear energy

1.2.83. Proposal for a Decision adopting a specific research and technological development programme in the field of non-nuclear energies (1990-94).

- Commission proposal: OJ C 174, 16.7.1990;
   COM(90) 164; Bull. EC 5-1990, point 1.2.104
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.66

Endorsed by Parliament (first reading) on 24 January, subject to a number of amendments concerning in particular the use of biomass for energy production.

OJ C 48, 25.2.1991

#### Nuclear fission

1.2.84. Proposal for a Decision on a specific research and technological development programme in the field of nuclear fission safety (1990-94).

 Commission proposal: OJ C 247, 2.10.1990; COM(90) 343; Bull. EC 7/8-1990, point 1.3.115

Endorsed by the Economic and Social Committee on 31 January. However, the Committee called for an increase in the appropriations allocated to radiation protection, and advocated greater international cooperation

in this area, especially with the countries of Eastern Europe.

OJ C 69, 18.3.1991

# International cooperation

#### **EFTA** countries

1.2.85. Council Decisions 91/117/EEC to 91/121/EEC concerning the conclusion of cooperation agreements between the European Community and the Republic of Finland, the Kingdom of Denmark, the Kingdom of Norway, the Republic of Austria and the Swiss Confederation on a European stimulation plan for economic science (SPES).

- Basic Decision: Council Decision 89/118/EEC on a stimulation plan (1989-92) for economic science (SPES): OJ L 44, 16.2.1989; Bull. EC 2-1989, point 2.1.35
- Commission proposals: OJ C 148, 16.6.1990;
   COM(90) 19, COM(90) 20, COM(90) 23,
   COM(90) 25, COM(90) 26; Bull. EC 5-1990,
   point 1.2.110
- Parliament opinion (first reading): OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.74
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.74
- Council common position: Bull. EC 11-1990, point 1.3.81

Endorsed by Parliament (second reading) on 24 January.

OJ C 48, 25.2.1991

Adopted by the Council on 25 February.
OJ L 61, 7.3.1991

1.2.86. Council Decisions 91/122/EEC to 91/124/EEC concerning the conclusion of cooperation agreements between the European Community and the Kingdom of Sweden, the Republic of Finland and the Swiss Confederation on a research and development programme for the European Economic Community in the field of applied metrology and chemical analysis (BCR).

Basic Decision: Council Decision 88/418/EEC:
 OJ L 206, 30.7.1988; Bull. EC 6-1988, point 2.1.68

Commission proposals: OJ C 148, 16.6.1990;
 COM(90) 21, COM(90) 24, COM(90) 29; Bull.
 EC 5-1990, point 1.2.111

 Parliament opinion (first reading): OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.3.75

- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.75
- Council common position: Bull. EC 11-1990, point 1.3.82

Endorsed by Parliament (second reading) on 24 January.

OJ C 48, 25.2.1991

Adopted by the Council on 25 February.
OJ L 61, 7.3.1991

1.2.87. Proposal for a Decision concerning the conclusion of a cooperation agreement between the European Economic Community and the Republic of Iceland on a programme plan to stimulate the international cooperation and interchange needed by European research scientists (Science).

- Basic Decision: Council Decision 88/419/EEC:
   OJ L 206, 30.7.1988; Bull. EC 6-1988, point 2.1.175
- Commission proposal: OJ C 181, 21.7.1990;
   COM(90) 241; Bull. EC 6-1990, point 1.3.110
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.76
- Parliament opinion (first reading): OJ C 324, 24.12.1990; Bull. EC 11-1990, point 1.3.84
- Council common position: Bull. EC 12-1990, point 1.3.140

Endorsed by Parliament (second reading) on 20 February.

OJ 72, 18.3.1991

#### **United States**

1.2.88. Visit by Mr Pandolfi to the United States from 22 to 26 February.

The first meeting of the EEC-US Joint Consultative Group on Science and Technology was chaired jointly by Commission Vice-President, Mr Pandolfi, and Dr Bromley, scientific adviser to President Bush. The group agreed to develop EEC-US cooperation in the fields of energy, environment, human resources (exchanges of young scientists) and biotechnology and to have regular

exchanges of information on the cooperation between each of the partners and the countries of Central and Eastern Europe; on the subject of 'megaprojects', both sides agreed to work jointly to prepare for the OECD meeting in 1992.

Mr Pandolfi and Mr Henson Moore, Deputy Secretary for Energy, also signed a joint statement on a study of fuel cycle costs of various energy systems.

#### Soviet Union

1.2.89. Communication from the Commission on research agreements with the Chernobyl Centre for International Research.

Adopted by the Commission on 12 February. The Commission informed the Council of its intention to collaborate with the Chernobyl Centre for International Research through the signature of research project agreements under the auspices of the IAEA, in particular in the field of radiation protection.

# Turkey

1.2.90. Proposal for a Decision concerning the conclusion of a cooperation agreement between the European Economic Community and the Republic of Turkey in the field of medical and health research.

Reference: Council Decision 87/551/EEC adopting a Community research and development programme in the field of medical and health research (1987-91): OJ L 334, 24.11.1987; Bull. EC 11-1987, point 2.1.62

Adopted by the Commission on 25 February. Purpose: to approve the conclusion of the agreement on cooperation with Turkey in the field of medical technology development and health services research, a financial contribution from Turkey for the implementation of the coordination activities and the enlargement of the Management and Coordination Advisory Committee on medical and health research (CGC) and of the relevant Concerted Action Committees

(Comacs) to include Turkish representatives.

COM(90) 573

# Telecommunications and information services

# Information technology and telecommunications

# Development of IT systems for general applications

- 1.2.91. Draft Decision establishing the second phase of the Tedis programme (Trade electronic data interchange systems).
- Commission proposal: OJ C 311, 12.12.1990;
   COM(90) 475; Bull. EC 11-1990, point 1.3.79

Endorsed by the Economic and Social Committee on 27 February. The Committee stressed the need for closer alignment of the Member States' legal systems and for measures to ensure the security and confidentiality of data transmitted. It also pointed out that greater importance should be attached to the less-favoured regions and to the social problems arising out of the restructuring of businesses.

# **Telecommunications policy**

- 1.2.92. Proposal for a Directive on the application of open network provision to leased lines.
- Basic Directive: Council Directive 90/387/EEC:
   OJ L 192, 24.7.1990; Bull. EC 6-1990, point 1.3.96

Adopted by the Commission on 12 February. The Directive aims to apply to the provision of leased lines the harmonized general principles on open network provision laid down in framework Directive 90/387/EEC, to harmonize the conditions

for implementing the main features of the infrastructure required for the supply of telecommunications services and to improve competition in the European telecommunications market.

OJ C 58, 7.3.1991; COM(91) 30

- 1.2.93. Proposal for a Directive on the approximation of the laws of the Member States concerning telecommunications terminal equipment, including the mutual recognition of their conformity.
- Commission proposal: OJ C 211, 17.8.1989;
   COM(89) 289; Bull. EC 6-1989, point 2.1.65
- Economic and Social Committee opinion: OJ C 329, 30.12.1989; Bull. EC 10-1989, point 2.1.64
- Parliament opinion (first reading): OJ C 113, 7.5.1990; Bull. EC 4-1990, point 1.1.70
- Amended Commission proposal: OJ C 187, 27.7.1990; COM(90) 263; Bull. EC 6-1990, point 1.3.102
- Council common position: Bull. EC 7/8-1990, point 1.3.122
- Parliament opinion (second reading): OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.137

Re-examined proposal adopted by the Commission on 21 February.

COM(91) 46

#### Standardization in ITT

- 1.2.94. Proposal for a Decision setting up a programme for an information services market.
- Reference: Council Decision 88/524/EEC concerning the establishment of a plan of action for setting up an information services market (Impact 1): OJ L 288, 21.10.1988; Bull. EC 7/8-1988, point 2.1.41

Adopted by the Commission on 23 January. The proposal concerns a new five-year programme (Impact 2) aimed at improving overall conditions for information services in Europe and promoting the development of new products and advanced information services throughout the Community.

OI C 53, 28,2,191; COM(90) 570

# **Transport**

Ι

# Effects of the Gulf hostilities on air transport

1.2.95. Commission communication to the Member States concerning the effects of the Gulf hostilities for the European air transport industry.

#### • References:

Council Regulation (EEC) No 2342/90 on fares for scheduled air services: OJ L 217, 11.8.1990; Bull. EC 7/8-1990, point 1.3.288

Proposal for a Council Regulation laying down the procedure for the application of the rules on competition to undertakings in the air transport sector: OJ C 155, 26.6.1990; COM(90) 167; Bull. EC 5-1990, point 1.2.31

Adopted by the Commission on 20 February. The Commission announced temporary measures to be adopted by itself and by the Member States to help airlines withstand the impact of the Gulf War without endangering the policies of liberalization and harmonization being pursued in the run-up to the single market.

The Commission announced that it would be taking the following measures:

- (i) fares: when examining changes in air fares, as provided for in Regulation No 2342/90, the Commission will take account of the effects of the Gulf crisis on airline costs and revenues;
- (ii) State aids: the Commission will be favourably disposed towards aids intended to compensate for increased costs directly related to the hostilities;
- (iii) application of the rules on competition to air transport undertakings: the Commission may authorize arrangements between airlines on capacity reduction, joint operations and airport slots.

The Commission proposes that Member States speed up fare approval procedures, relinquish some of the existing national rules on non-scheduled services, apply a maximum VAT rate of 9% to domestic flights and adopt, at the earliest opportunity, the Commission's proposal on anticompetitive practices.

COM(91) 59

II

## **Inland transport**

## Road transport

1.2.96. Council Directive (EEC) No 60/91 amending, with a view to fixing certain maximum authorized dimensions for road trains, Directive 85/3/EEC on the weights, dimensions and certain other technical characteristics of certain road vehicles.

- Directive to be amended: Council Directive 85/3/EEC: OJ L 2, 3.1.1985; Bull. EC 12-1984, point 2.1.200
- Commission proposal: OJ C 316, 16.12.1989;
   COM(89) 573; Bull. EC 11-1989, point 2.1.187
   Parliament opinion: OJ C 149, 18.6.1990; Bull.

EC 5-1990, point 1.2.217

- Economic and Social Committee opinion: OJ C 182, 23.7.1990; Bull. EC 5-1990, point 1.2.217
- Amended Commission proposal: OJ C 268, 24.10.1990; COM(90) 461; Bull. EC 10-1990, point 1.3.188
- Council agreement: Bull. EC 12-1990, point 1.3.281

Formally adopted by the Council on 4 February.

OJ L 37, 9.2.1991

1.2.97. Council Regulation (EEC) No 296/91 amending Regulation (EEC) No 4059/89 laying down the conditions under which non-resident carriers may operate national road haulage services within a Member State.

- Regulation amended: Council Regulation (EEC) No 4059/89: OJ L 390, 30.12.1989; Bull. EC 12-1989, point 2.1.243
- Commission proposal: COM(90) 579; Bull. EC 11-1990, point 1.2.4

• Economic and Social Committee opinion: OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.2.4

Adopted by the Council on 4 February. Purpose: to increase the cabotage quota to take account of the enlargement of the Community market by German unification.

OI L 36, 8.2.1991

#### Inland waterways

1.2.98. Commission Regulation (EEC) No 317/91 amending Regulation (EEC) No 1102/89 laying down certain measures for implementing Council Regulation (EEC) No 1101/89 on structural improvements in inland waterway transport.

- Basic Regulation: Regulation (EEC) No 1101/ 89: OJ L 116, 28.4.1989; Bull. EC 4-1989, point 2.1.176
- Regulation amended: Regulation (EEC) No 1102/89: OJ L 116, 28.4.1989; Bull. EC 4-1989, point 2.1.175

 Reference: Council Regulation (EEC) No 3572/ 90: OJ L 353, 17.12.1990

Adopted by the Commission on 8 February. The Regulation provides for further scrapping so as to reduce structural overcapacity for vessels registered in the former territory of the GDR.

OJ L 37, 9.2.1991

## Sea transport

1.2.99. Proposal for a Council Decision on the Loran-C radionavigation system.

Adopted by the Commission on 21 January. The proposal is that the Member States should participate in agreements on the establishment of Loran-C chains covering northern Europe, the Iberian Peninsula and the Mediterranean. The Loran-C is a ground-based radionavigation system whose users include seagoing ships. The establishment of Loran-C chains should provide full and coordinated coverage of the European maritime area and make up for the lack of other radionavigation aids in certain areas.

OJ C 53, 28.2.1991; COM(91) 1

1.2.100. Commission communication on measures to improve the operating conditions of Community shipping:

proposal for a Council Regulation establishing a Community ship register and providing for the flying of the Community flag by sea-going vessels;

proposal for a Council Regulation on a common definition of a Community ship-owner;

proposal for a Council Regulation applying the principle of freedom to provide services to maritime transport within Member States.

- Commission proposals: OJ C 263, 16.10.1989;
   COM(89) 266; Bull. EC 7/8-1989, point 2.1.201
- Economic and Social Committee opinion: OJ C 56, 7.3.1990; Bull. EC 11-1989, point 2.1.188
- Parliament opinion: OJ C 295, 26.11.1990;
   Bull. EC 10-1990, point 1.3.193

Amended proposals adopted by the Commission on 22 February.

COM(91) 54

# Air transport

1.2.101. Council Regulation (EEC) No 295/91 on common rules for a denied boarding compensation system in scheduled air transport.

- Commission proposal: OJ C 129, 24.5.1990;
   COM(90) 99; Bull. EC 3-1990, point 1.1.176;
   Bull. EC 4-1990, point 1.1.151
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.196
- Parliament opinion: OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.277
- Council agreement: Bull. EC 12-1990, point 1.3.277

Formally adopted by the Council on 4 February.

OJ L 36, 8.2.1991

1.2.102. Council Regulation (EEC) No 294/91 on the operation of air cargo services between Member States.

Commission proposal: OJ C 88, 26.4.1990;
 COM(90) 63; Bull. EC 1/2-1990, point 1.1.255

- Economic and Social Committee opinion: OJ C 182, 23.7.1990; Bull. EC 5-1990, point 1.2.220
- Parliament opinion: OJ C 295, 26.11.1990;
   Bull. EC 10-1990, point 1.3.197
- Amended Commission proposal: OJ C 9, 15.1.1991; COM(90) 671; Bull. EC 12-1990, point 1.3.278
- Council agreement: Bull. EC 12-1990, point 1.3.278

Formally adopted by the Council on 4 February.

OJ L 36, 8.2.1991

## International cooperation

#### **EFTA**

1.2.103. Parliament resolution on relations between the European Community and the EFTA countries in the area of transport policy.

Adopted on 24 January. Parliament called on the Commission to convene a European conference on transport, to be attended in particular by the Community institutions, the Council of Europe's Parliamentary Assembly and the UN Economic Commission for Europe, with the aim of formulating the principles of a European transport and transport infrastructure policy for the next 20 years. It suggested that the conference be held in Prague in the second half of the year.

OJ C 48, 25.2.1991

#### Austria

1.2.104. Visit to the Commission by Mr Streicher, Austrian Minister for Transport, on 30 January.

Mr Streicher was welcomed by Mr Van Miert, Member of the Commission. Their talks essentially concerned negotiation of the transit agreement between the Community and Austria. The two sides agreed that the rail and combined transport issues could be settled quickly and they reviewed the outstanding questions regarding the maximum volume of road transit traffic and the duration of the agreement.

## Singapore/Hong Kong

1.2.105. Visit by Mr Van Miert, Member of the Commission, from 3 to 10 February.

Mr Van Miert met Dr Yeo Ning Hong, Singapore's Minister for Transport and Communications, and Sir David Wilson, Governor of Hong Kong. They discussed the external relations aspects of the Community's transport policy.

## Energy

I

## **European Energy Charter**

1.2.106. Commission communication to the Council on a European Energy Charter.

#### • References:

CSCE Summit in Paris in November 1990: Bull. EC 11-1990, point I.1

Rome European Council: Bull. EC 12-1990, points I.1 and I.8

Adopted by the Commission on 13 February. Purpose: to propose an indicative draft of a Charter setting out the principles, objectives and methods of pan-European cooperation in the energy field. The Charter should highlight the complementary features in Europe and increase awareness of the shared responsibility for dealing with supply and environmental problems.

The Commission regards the Charter as a code of conduct which the signatories would agree to observe and enforce. Its operational objectives are: the expansion of trade, particularly through the free play of market forces; freedom of access to resources and the development of infrastructures; cooperation and coordination, particularly through technology transfer and the harmonization of technical specifications and safety rules; and optimum use of energy and environmental protection.

The communication identifies six priority areas for joint action: access to resources, exploitation of resources, rules on investment, free trade, technical specifications and safety rules, and research, technological development and innovation.

These principles and objectives are to be implemented through specific and binding international agreements or protocols between the signatories. These agreements would form the legal framework governing the commercial contracts between undertakings.

To administer the Charter the Commission suggests that there should be regular meetings between representatives of the signatories and that an arbitration board be set up to settle any disputes. A secretariat would be established to implement the Charter and the specific agreements, for which purpose it could call on the services of other specialist organizations in the energy field.

COM(91) 36

#### II

# Community energy strategy

# Energy efficiency

1.2.107. Proposal for a Directive concerning the efficiency requirements for new hotwater boilers fired with liquid or gaseous fuels.

- Reference: Directive 89/106/EEC on construction products: OJ L 40, 11.2.1989
- Commission proposal: OJ C 292, 22.11.1990;
   COM(90) 368; Bull. EC 10-1990, point 1.3.203

Endorsed by the Economic and Social Committee on 28 February. However, the Committee asked that general measures be taken to simplify procedures and that the text of the Directive be coordinated with the Directive on construction products. It called on the Commission to ensure that the Member States apply uniform testing procedures.

#### Specific aspects

#### Solid fuels

1.2.108. Commission Decision authorizing the granting by the Federal Republic of Germany of aid to the coal industry for 1990 and supplementary aid for 1989.

#### References:

Commission Decision No 2064/86/ECSC establishing Community rules for State aid to the coal industry: OJ L 177, 1.7.1986; Bull. EC 6-1986, point 2.1.236

Authorization for 1989: OJ L 105,

25.4.1990

Adopted by the Commission on 6 February. Purpose: to authorize, on the basis of Decision No 2064/86/ECSC, the granting of aid totalling DM 4 028 million by the Federal Republic of Germany for supplies of coal and coke to the Community steel industry for 1990, in order to maintain the underground workforce in deep mines, to cover special depreciation and to finance social benefit schemes in the coal industry. For 1989 the Commission authorized supplementary aid totalling DM 982 million for sales of coal and coke to the Community iron and steel industry.

## Natural gas

1.2.109. Proposal for a Directive revoking Council Directive 75/404/EEC on the restriction of the use of natural gas in power stations.

- Directive to be repealed: Council Directive 75/ 404/EEC: OJ L 178, 9.7.1975
- Commission proposal: OJ C 203, 14.8.1990;
   COM(90) 306; Bull. EC 7/8-1990, point 1.3.297
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.211
- Council agreement: Bull. EC 10-1990, point 1.3.211

Endorsed by Parliament on 24 January.
OJ C 48, 25.2.1991

#### International dimension

#### Nuclear fusion

1.2.110. Proposal for a Decision approving the conclusion of an exchange of letters

amending the Agreement between the European Atomic Energy Community (Euratom) and the Government of Canada for cooperation in the peaceful uses of atomic energy.

- Reference: Euratom/Canada Agreement: OJ 60, 24.11.1959
- Commission proposal: Bull. EC 1/2-1990, point 1.1.267
- Council Decision on the negotiation of an amendment to the Agreement: Bull. EC 4-1990, point 1.1.156

Approved by the Commission on 4 February. Purpose: an exchange of letters to lay down the conditions for the supply of tritium and tritium-related equipment from Canada to Euratom for the purposes of the Euratom fusion programme.

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# Coordination of structural policies

## **Community support framework**

1.2.111. Community support framework for the areas of eastern Berlin, Mecklenburg-Western Pomerania, Brandenburg, Saxony-Anhalt, Thuringia and Saxony (1991-93).

• Reference: Council Regulation (EEC) No 3575/ 90 concerning the activities of the structural Funds in the territory of the former German Democratic Republic: OJ L 353, 17.12.1990; Bull. EC 12-1990, point 1.2.1

Approved by the Commission on 27 February. Under the Community support framework, which is based on the Commission's approach to the restructuring of the economy of eastern Germany and its integration into the internal market, financial aid totalling ECU 3 billion will be provided during the period from 1991 to 1993 from the three structural Funds (ERDF, ESF and EAGGF), and EIB and ECSC loans will also be made available.

These financial resources will be combined through an integrated approach and concentrated on priorities such as the promotion of infrastructure closely related to economic activities, support for productive investment, the development of human resources, combating long-term unemployment, the occupational integration of young people, the development of agriculture, forestry and fisheries, rural development and the protection of the countryside.

## Social dimension

I

## Workers with reduced mobility

1.2.112. Proposal for a Council Directive on minimum requirements to improve the mobility and the safe transport to work of workers with reduced mobility.

#### • References:

Commission communication concerning its action programme relating to the implementation of the Community Charter of the Fundamental Social Rights of Workers: COM(89) 568; Bull. EC 11-1989, point 2.1.80

Council Decision 88/231/EEC establishing a second Community action programme for disabled people (Helios): OJ L 104, 23.4.1988; Bull. EC 4-1988, point 2.1.92

Parliament resolution on the transport of handicapped and elderly persons: OJ C 281, 19.10.1987; Bull. EC 9-1987, point 2.4.13

Adopted by the Commission on 6 February. The proposal, which forms part of the action programme for implementing the Community Charter of the Fundamental Social Rights of Workers, aims to improve the travel conditions and safe transport of workers with reduced mobility, including those with physical and mental handicaps, in order to assist their integration in occupational, economic and social terms. It provides for gradual adaptation and redesign of means of transport (public transport, transport organized by employers, special transport services for workers) taking account of the specific situation of the users, so that they may travel in complete safety. Improvements are to be made in particular

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to the frequency of services and timetables, and to the accessibility of these means of transport for the workers concerned. The proposal also makes provision for the information and training of those involved.

OJ C 68, 16.3.1991; COM(90) 588

II

## **Employment**

## Social dialogue

## 1.2.113. Social dialogue steering group

- Reference: Setting up of the steering group: Bull. EC 1-1989, points 1.2.1 to 1.2.7
- Previous meeting: Bull. EC 11-1990, point 1.3.47

Seventh meeting in Brussels on 25 January. Discussions centred on the setting up of a high-level select ad hoc working party, the principle of subsidiarity and work undertaken by the 'Education and training' and 'Labour market' working parties.

## Atypical work

1.2.114. Proposal for a Council Directive supplementing the introduction of measures to encourage improvements in the safety and health at work of temporary workers.

- Commission proposal: OJ C 224, 8.9.1990; COM(90) 228; Bull. EC 6-1990, points 1.3.70 and 1.3.73
- Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.56
- Parliament opinion (first reading): OJ C 295, 26.1.1990; Bull. EC 10-1990, point 1.3.49
- Amended Commission proposal: COM(90) 533; Bull. EC 10-1990, point 1.3.49
- Council agreement on a common position: Bull. EC 12-1990, point 1.3.94

Common position formally adopted by the Council on 4 February.

1.2.115. Proposal for a Council Directive on certain aspects of the organization of working time.

- Commission proposal: OJ C 254, 9.10.1990;
   COM(90) 317; Bull. EC 7/8-1990, point 1.3.74
- Economic and Social Committee opinion: OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.100

Endorsed by Parliament (first reading) on 20 February, subject to a number of amendments relating mainly to weekly rest periods, working time reduction (without loss of earnings) and flexibility, night work, overtime, control and monitoring, compliance with standards and improvement of workers' health and safety.

OJ C 72, 18.3.1991

# **European Social Fund and other structural measures**

1.2.116. Parliament resolution on the operation of the European Social Fund.

 Reference: Parliament resolution of 26 May 1989 on women and employment: OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.105

Adopted by Parliament on 22 February. Parliament reiterated its call for a fair distribution of Social Fund resources between men and women, in order to combat effectively women's unemployment. It called specifically for additional funds to be made available for women's projects, for more efficient administration and for speedier take-up of appropriations. It also advocated pilot projects for training women in future-oriented occupations rather than in traditional women's jobs.

OJ C 72, 18.3.1991

# **Working conditions**

## Health and safety

## Protection of pregnant women

1.2.117. Proposal for a Council Directive concerning measures to encourage improvements in the safety and health of pregnant

workers, women workers who have recently given birth and women who are breastfeeding.

- Commission proposal: OJ C 281, 9.11.1990;
   COM(90) 406; Bull. EC 9-1990, point 1.2.53
- Economic and Social Committee opinion: OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.54
- Parliament opinion (first reading): OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.99

Amended proposal adopted by the Commission on 3 January. The amended proposal defines more precisely the responsibilities regarding assessment of the risks faced by pregnant women and makes provision for legal redress to be sought through courts or other competent bodies.

COM(90) 692; OJ C 25, 1.2.1991

# Protection of crew members on board vessels

1.2.118. Proposal for a Council Directive on the minimum health and safety requirements for improved medical treatment on board vessels.

- Commission proposal: OJ C 183, 29.7.1990;
   COM(90) 272; Bull. EC 6-1990, point 1.3.74
- Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.57

Endorsed by Parliament (first reading) on 24 January, subject to various amendments relating mainly to the quantity, management and inspection of medical supplies to be kept on board, essential medicines and medical equipment to be carried on certain categories of vessel, the use of facilities supplying advice by radio or satellite in such a way as to ensure the confidentiality of the medical data, and the availability of appropriate medical supplies on vessels transporting dangerous substances.

OJC 48, 25.2.1991

Amended proposal adopted by the Commission on 27 February.

OJ C 74, 20.3.1991; COM(91) 65

#### Safety at work sites

1.2.119. Proposal for a Council Directive on the implementation of minimum safety

and health requirements at temporary or mobile work sites (eighth individual Directive within the meaning of Article 16 of Directive 89/391/EEC).

Commission proposal: OJ C 213, 28.8.1990;
 COM(90) 275; Bull. EC 7/8-1990, point 1.3.80

Endorsed by Parliament (first reading) on 22 February, subject to various amendments relating mainly to the responsibilities of the safety and health coordinator, general and specific plans covering all types of work site, the formation of a committee representing workers of different employers engaged in work at a single site, fire-fighting measures and evacuation arrangements.

OJ C 72, 18.3.1991

## Solidarity

## Action to combat poverty

1.2.120. Final report on the second European poverty programme 1985-89.

• Reference: Council Decision on Community action to combat poverty: OJ L 2, 3.1.1985; Bull. EC 12-1984, point 2.1.95

Adopted by the Commission on 13 February. This report sets out the facts of poverty in the Community and evaluates activities undertaken in the form of action-research projects focusing on priority themes such as the long-term unemployed, the elderly, migrants and refugees. The report also suggests approaches for consistent, overall antipoverty policies to be implemented at all levels of the Community.

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## **Equal opportunities**

1.2.121. Parliament resolution on the 1992 single market and its implications for women in the Community.

• Reference: Commission communication to the Council, to Parliament and to the Economic and Social Committee concerning the third action programme on equal opportunities for

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women and men: COM(90) 449; Bull. EC 10-1990, point 1.3.46

Adopted by Parliament on 25 January. Parliament called on the Commission, the Council and the Member States to pursue positive, coordinated policies to promote equality between men and women in the field of employment. It urged them to take specific measures designed particularly to combat illegal work, to assist the training and occupational reintegration of women, to abolish age limits for recruitment purposes and to draw up a professional statute for women working on farms and in other family undertakings. Parliament also drew attention to the need to enable women to become more actively involved in political and social decision-making processes.

OJ C 48, 25.2.1991

#### **Human resources**

## Cooperation in the field of education

1.2.122. Parliament resolution on the European dimension at university level, with particular reference to teacher and student mobility.

Adopted by Parliament on 25 January. Parliament welcomed the success of current Community programmes and proposed that they be included in a multiannual general framework programme with a single administrative body. It called for improved coordination between the competent authorities and proposed that the available budget be increased to accommodate, in particular, the needs of disadvantaged students. Parliament also stressed that the Member States should incorporate the European dimension in higher-education curricula.

OJ C 48, 25.2.1991

## Vocational training

1.2.123. Proposal for a Council Decision amending Decision 87/569/EEC concerning an action programme for the vocational

training of young people and their preparation for adult and working life (Petra).

Commission proposal: OJ C 322, 21.12.1990;
 COM(90) 467; Bull. EC 10-1990, point 1.3.52

Endorsed by the Economic and Social Committee on 27 February.

OJ C 69, 18.3.1991

## Regional policies

# Development and implementation of regional policies

1.2.124. Consultative Council of Regional and Local Authorities.

#### References:

Commission Decision setting up a Consultative Council of Regional and Local Authorities: OJ L 247, 6.9.1988

Commission communication on 'Europe 2000: Outlook for the development of the Community's territory': COM(90) 544; Bull. EC 11-1990, point 1.3.55

• Previous meeting: Bull. EC 11-1990, point

Eighth meeting in Brussels on 21 and 22 February. In adopting its opinion on the 'Europe 2000' document, the Consultative Council stressed the importance which it attached to the Commission's work on regional planning and reiterated its desire to be involved in preparation of the final document.

# The reform of the Funds and regional objectives

#### Financial instruments

#### **ERDF**

1.2.125. Decision to finance two pilot projects.

 Basic Regulation: Regulation (EEC) No 4254/ 88 on the reform of the European Regional Development Fund: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200 Adopted by the Commission on 10 January. The Commission will contribute ECU 377 000 to these two information programmes in the context of cross-border cooperation.

## Community initiatives

#### Renaval

 Basic Regulation: Council Regulation (EEC) No 2506/88: OJ L 225, 15.8.1988; Bull. EC 7/ 8-1988, point 2.1.98

1.2.126. Commission Decision 91/91/EEC on the areas referred to in Article 3(2) of Council Regulation (EEC) No 2506/88 instituting a Community programme to assist the conversion of shipbuilding areas (Renaval programme).

Adopted by the Commission on 6 February. Purpose: to declare the Spanish provinces of La Coruña and Pontevedra (Galicia) and Vizcaya (Basque Country) eligible under the programme.

OIL 50, 23.2.1991

1.2.127. Commission Decision 91/101/EEC on the areas referred to in Article 3(2) of Council Regulation (EEC) No 2506/88 instituting a Community programme to assist the conversion of shipbuilding areas (Renaval programme).

Adopted by the Commission on 18 February. Purpose: to declare the area of St-Niklaas-Antwerpen in the provinces of Oost-Vlaanderen and Antwerpen (Belgium) eligible under the programme.

OJ L 52, 27.2.1991

1.2.128. Commission financial decision concerning a programme in Hamburg, Germany.

Adopted by the Commission on 5 February. Purpose: to grant assistance worth ECU 8.2 million.

#### Prisma

1.2.129. Commission notice to the Member States laying down guidelines for operational programmes which Member States are invited to establish in the framework of a Community initiative concerning the preparation of enterprises for the single market—Prisma.

- Commission first reading: Bull. EC 7/8-1990, point 1.3.101
- Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.63
- Parliament resolution: OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.117

Formally adopted by the Commission on 25 January. The text adopted takes account of certain amendments by Parliament: financing is to be available for business promotion and advice services as well as for information services on public procurement provided by local bodies.

OJ C 33, 8.2.1991

## Télématique

1.2.130. Commission notice to the Member States laying down guidelines for operational programmes in the framework of a Community initiative for regional development concerning services and networks related to data communication—Télématique.

- Commission first reading: Bull. EC 7/8-1990, point 1.3.102
- Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.64
- Parliament resolution: OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.118

Formally adopted by the Commission on 25 January. The text adopted takes account of certain amendments by Parliament, specifying that all small businesses, whatever their legal status (including cooperatives, associations and those in the public sector), are to be regarded as 'SMEs' for the purposes of the initiative and that special attention will be given to the smallest enterprises.

OJ C 33, 8.2.1991

# **Agriculture**

I

# Development of the common agricultural policy

1.2.131. Commission communication on the development and future of the CAP.

• Reference: European Council in Brussels on 11, 12 and 13 February 1988: Bull. EC 2-1988, point 1.1.1 et seq.

Adopted by the Commission on 31 January. This communication, which contains guidelines for a fundamental reform of the mechanisms of the common agricultural policy, is a response to the acute crisis facing the policy, as witnessed in particular by:

- (i) a large increase in budget costs;
- (ii) growing imbalance in certain markets, with a rapid build-up of stocks;
- (iii) increasing environmental problems as a result of intensive crop production techniques;
- (iv) stagnation of the agricultural incomes of a great majority of small and mediumsized family holdings, which do not reflect the increase in budgetary expenditure;
- (v) the continuing decline in the working population engaged in agriculture.

The basic objectives of the reform concern reorienting policy so as to enable a sufficient number of family farms to survive, thereby preserving the natural environment and contributing to rural development. To this end, the following guidelines have been identified:

- (i) to control production to the extent required to balance markets and prevent the build-up of stocks and an excessive increase in agricultural expenditure;
- (ii) to reduce price support to a level guaranteeing the competitiveness of European agriculture (in particular, price cuts in the cereals sector should make it possible

to guarantee the competitiveness of cereals with substitutes in feedingstuffs);

- (iii) to grant fair compensation by means of direct aid measures integrated into the market organizations; such measures would generally be based on livestock numbers or area of farms and differentiated in accordance with factors such as size, income, regional situation or other relevant factors;
- (iv) to encourage quality improvements in agricultural production (in particular by means of direct aids), through the use of less intensive methods which are less damaging to the environment; greater recognition should be given to the dual role of farmers as producers and guardians of the country-side;
- (v) to improve the early retirement scheme by introducing increased premiums and more flexible conditions of eligibility.

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## Agricultural prices for 1991/92

Agricultural prices and related measures for 1991/92

1.2.132. Proposals on the prices for agricultural products and on related measures (1991/92).

References:

Council Decision 88/377/EEC: OJ L 185, 15.7.1988 and Bull. EC 7/8-1988, point 2.3.1 Reflections paper on the development and future of the common agricultural policy

(→ point 1.2.131)

Approved by the Commission on 27 February. In order not to prejudge the fundamental issues raised by the reflections paper on the development and future of the common agricultural policy, the Commission considers that its price proposals should not comprise measures that would prejudice the debate and should, as far as possible, seek to roll over the present arrangements for a further year. However, the proposals take account of the deterioration of the markets, the budgetary situation and Decision 88/377/EEC on budgetary discipline.

Table 1 — Price proposals in ecus for individual agricultural products

		1990/ Decisio		Propo 1991			Spain		Portugal			
	of price or amount application)	Amounts	% change <sup>2</sup>	Amounts	%	Amounts	ın ECU/t	J %	Amounts in ECU/t			
		ECU/t <sup>1</sup>		ECU/t	change	19 <del>9</del> 0/91 <sup>1</sup>	1991/92	change	1990/911	1991/92	change	
1		2	3	4	5	6	7	8	9	10	11	
Common wheat	1.7.1991-30.6.1992							ļ				
Target price		234.22	- 2.68	233.26	- 0.41	234.22	233.26	- 0.41	234.22	233.26	- 0.41	
	readmaking wheat <sup>3</sup>	168.55	- 3.00	168.55	0.00	168.55	168.55	0.00	210.80	210.80	0.00	
(Intervention price		160.13	- 3.00	160.13	0.00	160.13	160.13	0.00	200.26	200.26	0.00	
Barlev	1.7.1991-30.6.1992		ļ									
Target price		213.29	- 2.65	212.33	- 0.45	213.29	212.33	- 0.45	213.29	212.33	- 0.45	
Intervention price		160.13	- 3.00	160.13	0.00	160.13	160.13	0.00	160.13	160.13	0.00	
Maize	1.7.1991-30.6.1992											
Target price	1.7.1771 30.0.1772	213.29	- 2.65	212.33	- 0.45	213.29	212.33	- 0.45	213.29	212.33	- 0.45	
Intervention price		168.55	- 3.00	168.55	0.00	168.55	168.55	0.00	168.55	168.55	0.00	
Aid for flint maize		124.79	- 19.35	100.00	- 19.87	124.79	100.00	- 19.87	124.79	100.00	- 19.87	
Sorghum	1.7.1991-30.6.1992							}				
Target price		213.29	- 2.65	212.33	- 0.45	213.29	212.33	- 0.45	213.29	212.33	- 0.45	
Intervention price		160.13	- 3.00	160.13	0.00	160.13	160.13	0.00	160.13	160.13	0.00	
Rye	1.7.1991-30.6.1992								!			
Target price		213.29	- 2.65	212.33	- 0.45	213.29	212.33	- 0.45	213.29	212.33	- 0.45	
Intervention price		160.13	- 3.00	160.13	0.00	160.13	160.13	0.00	160.13	160.13	0.00	
Durum wheat	1.7.1991-30.6.1992		ļ					j	l			
Target price		287.38	- 6.13	268.01	- 6.74	287.38	268.01	- 6.74	287.38	268.01	- 6.74	
Intervention price		235.96	- 6.67	219.44	- 7.00	212.71	208.63	+ 1.92	235.96	219.44	- 7.00	
Aid (ECU/ha)		171.14	+ 7.83	187.66	+ 9.65	110.79	149.23	+ 34.70	_	187.66	_	
Rice	1.9.1991-31.8.1992											
Target price — hus		546.13	0	533.08	- 2.39	546.13	533.08	- 2.39	546.13	533.08	- 2.39	
Intervention price -		313.65	ŏ	304.24	- 3.00	313.65	304.24	- 3.00	344.57	328.98	- 4.52	
Aid for indica (ECU		250.00	- 16.67	200.00	- 20.00	250.00	200.00	- 20.00	250.00	200.00	- 20.00	
Sugar	1.7.1991-30.6.1992		l									
Basic price for suga		40.00	0.0	38.00	- 5.00	47.09	45.49	- 3.40	42.83	40.83	- 4.70	
	Intervention price for white sugar <sup>4</sup>		0.0	5.36	- 5.00	61.61	58.64	- 4.80	52.47	50.70	- 4.40	

	1990/ Decisio		Propo 1991			Spain			Portugal	
Product and type of price or amount (Period of application)	Amounts	%	Amounts	%	Amount	ts in ECU/t	- %	Amount	s in ECU/t	
	ECU/t	change	ECU/t	change	1990/91	1991/92	change	1990/91	1991/92	change
1	2	3	4	5	6	7	8	9	10	11
Olive oil 1.11.1991-31.10.1992 Production target price Intervention price Production aid	3 220.1 2 158.7 708.3	0 0 0	3 220.1 2 158.7 708.3	0 0 0	3 220.1 1 751.2 396.1	3 220.1 1 853.1 458.5	0 + 5.8 + 15.8	3 220.1 2 075.8 354.6	3 220.1 2 096.5 425.3	0 + 1 + 19.9
Rapeseed 1.7.1991-30.6.1992 Target price Intervention price	449.4 406.9	0 0	435.9 394.7	- 3 - 3	420.3 377.8	413.3 372.1	- 1.7 - 1.5	449.4 406.9	435.9 394.7	- 3 - 3
Sunflower seed 1.8.1991-30.6.1992 Target price Intervention price	582.5 533.8	0 0	565.0 517.8	- 3 - 3	497.1 448.4	498.8 451.6	+ 0.3 + 0.7	582.5 533.8	565.0 517.8	- 3 - 3
Soya beans 1.9.1991-30.6.1992 Guide price Minimum price	557.5 488.6	0 0	540.8 473.9	- 3 - 3	476.2 407.3	477.7 410.8	+ 0.3 + 0.9	557.5 488.6	540.8 473.9	- 3 - 3
Dried fodder 1.5.1991-30.4.1992 Guide price <sup>5</sup>	178.61	0	178.61	0	169.99	174.3	+ 2.5	178.61	178.61	0
Peas and field beans Activating price Guide price Minimum price — peas — field beans	446.8 294.7 257.3 238.3	0 0 0 0	433.4 285.9 249.6 231.2	- 3 - 3 - 3 - 3	446.8 294.7 257.3 238.3	433.4 285.9 249.6 231.2	- 3.0 - 3.0 - 3,0 - 3.0	446.8 294.7 257.3 238.3	433.4 285.9 249.6 231.2	- 3 - 3 - 3 - 3
Lupins 1.7.1991-30.6.1992 Activating price Minimum price	429.8 288.5	0	416.9 279.8	- 3 - 3	429.8 288.5	416.9 279.8	- 3.0 - 3.0	429.8 288.5	416.9 279.8	- 3 - 3
Flax 1.8.1991-31.7.1992 Guide price (seed) Fixed-rate aid (fibre) (per ha)	553.20 374.36	0	536.60 363.13	- 3 - 3	505.50 263.38	499.60 313.26	- 1.2 + 18.9	553.20 263.38	536.6 313.26	- 3.0 + 18.9
Hemp 1.8.1991-31.7.1992 Fixed-rate aid (per ha) Aid (seed)	339.42 249.60	0 0	329.24 242.10	- 3 - 3	238.91 249.60	284.08 242.10	+ 18.9 - 3.0	238.91 249.60	284.08 242.10	+ 18.9 - 3.0
Silkworms 1.4.1991-31.3.1992 Aid per box	111.81	0	111.81	0	79.78	95.80	+ 20.1	79.78	95.80	+ 20.1

	1990/9 Decisio		Propo 1991/			Spain			Portugal	
Product and type of price or amount (Period of application)	Amounts	<b>%</b>	Amounts	%	Amount	s in ECU/t	<b>%</b>	Amounts	ın ECU/t	
***	ECU/t	change	ECU/t	change	1990/91	1991/92	change	1990/91	1991/92	change
1	2	3	4	5	6	7	8	9	10	11
Cotton 1.9.1991-31.8.1992 Guide price	958.6	0	958.6	0	958.6	958.6	0	958.6	958.6	0
Minimum price	910.7	Ö	910.7	Ŏ	910.7	910.7	ő	910.7	910.7	Ö
Milk 1.4.1991-31.3.1992 Target price	268.1	- 3.50	268.1	0	268.1	268.1	0	268.1	268.1	0
Butter Intervention price	2 927.8	0	2 927.8	0	3 082.5	3 024.9	- 1.9	2 839.9	2 927.8	+ 3.1
Skimmed-milk powder Intervention price	1 724.3	0	1 724.3	0	2 105.5	2 026.7	- 3.7	2 100.06	2 026.7	- 3.5
Grana padano cheese 30-60 days Intervention price	3 796.7	- 2.20	3 796.7	0	_	_	_	_	_	_
Grana padano cheese 6 months Intervention price	4 704.3	- 1.90	4 704.3	0	_		_	_	_	_
Parmigiano-reggiano cheese 6 months Intervention price	5 192.1	- 1.70	5 192.1	0	_	_	_	_	_	
Beef/veal 2.4.1991-31.3.1992 Guide price for adult bovine animals <sup>7</sup>	2 000	- 2.45	2 000	0	2 000	2 000	0	2 000	2 000	0
Intervention price quality R 3 cat. A Intervention price quality R 3 cat. C	3 430 3 430	0	3 430 3 430	0 0	3 430 3 430	3 430 3 430	0 0	3 430 3 430	3 430 3 430	0 0
Sheepmeat 7.1.1991-6.1.1992 Basic price (carcass weight)	4 315.8	0	4 229.5	- 2	4 315.8	4 229.5	- 2	4 315.8	4 229.5	- 2
Pigmeat 1.7.1991-30.6.1992 Basic price (carcass weight)	1 897	- 6.6	1 897	0	1 897	1 897	0	1 897	1 897	0

	ation)	Amounts ECU/t	% change <sup>10</sup>	Amounts ECU/t	% change <sup>10</sup>	Amounts 1990/91	in ECU/t	. % ,		in ECU/t	
Fruit and vegetables — Bas Cauliflowers 1.5		ECU/t	change <sup>10</sup>	ECU/t	change <sup>10</sup>	1990/91	0		Amounts in ECU/t		_  ։ % _,
Fruit and vegetables — Bas Cauliflowers 1.5		2	3		change <sup>10</sup>	1770/71	1 <del>99</del> 1/92	change <sup>10</sup>	1990/91	1991/92	change <sup>10</sup>
Cauliflowers 1.5		1		4	5	6	7	8	9	10	11
Cauliflowers 1.5		I									
T 44.4	).1771-3U. <del>4</del> .1776		0	_	0	_		+ 5.2	ı —		+ 3.5
Tomatoes 11.6.	1991-30.11.1991	l —	0	_	0	_	_	+ 16.0	<b>—</b>	_	+ 5.8
Peaches 1.6	5.1991-30.9.1991	l —	0	_	0		_	+ 0.8	_		0
Lemons 1.6	5.1991-31.5.1992		- 3.0	_	0		_	+ 10.8	i —	_	+ 9.9
Pears 1.7	7.1991-30.4.1992	_	0	_	0	_	_	+ 8.5	i —	_	+ 9.4
Table grapes 1.8.	1991-20.11.1991	<del></del>	0	_	0	_	_	0	<u> </u>	_	+ 5.7
Apples 1.8	3.1991-31.5.1992	_	0		0	_	_	+ 8.1	_	_	+ 5.3
Mandarins 16.11	1.1991-29.2.1992	ļ <del></del>	- 7.5	_	0		_	+ 5.9	ı —	_	0
Sweet oranges 1.12	2.1991-31.5.1992	<b> </b> —.	- 7.5	_	0		_	+ 1.8	_	_	+ 4.7
Apricots 1.6	5.1991-31-7-1992	l —	0	_	0	_	_	+ 8.9	<u> </u>	_	+ 6.7
Aubergines 1.7.	1991-31-10.1991		0		0			+ 19.1	<u> </u>	_	+ 6.1
Clementines 1.12	2.1991-15.2.1992	_	- 3.0	_	0		_	0	ı —	_	0
Satsumas 16.10	0.1991-15.1.1992		- 3.0	_	0	_	_	0	_	_	0
Nectarines 1.6	5.1991-31.8.1991	_	0	_	0	_		0	_	_	0
Table wine <sup>11</sup> 1.9	9.1991-31.8.1992										
Guide price Type R I		3.21	- 1.5	3.21	0	2.81	3.01	+ 7.1	<del>-</del>	3.21	_
Guide price Type R II		3.21	- 1.5	3.21	0	2.81	3.01	+ 7.1	<u> </u>	3.21	
Guide price Type R III		52.14	0	52.14	0	45.48	48.81	+ 7.3	<del>-</del>	52.14	_
Guide price Type A I		3.21	+ 1.6	3.21	0	2.81	3.01	+ 7.1	<u> </u>	3.21	
Guide price Type A II		69.48	0	69.48	0	60.59	65.04	+ 7.3	<u> </u>	69.48	_
Guide price Type A III		79.35	0	79.35	0	69.20	74.28	+ 7.3	<u> </u>	79.35	

Including the effect of applying the stabilizers (Regulation No 1497/90), and the agrimonetary reduction following the realignment on 5.1.1990.

Without the agrimonetary effect.
For the 1990/91 marketing year, this price was increased by ECU 3.47 per tonne for a higher quality. A premium of ECU 3.37 per tonne is proposed for 1991/92 (- 3.00 %). ECU/q.
A 20% reduction in the aid is proposed.
For the Azores the 1990/91 intervention price for skimmed-milk powder is ECU 3/100 kg less than the price indicated, which is applicable on the mainland.

Profe the Azores the 1990/91 intervention price for skimmed-milk powder is ECO 3/100 kg in Price per tonne (live weight). Including price alignment (second alignment). Including price alignment (first alignment). Without the effect of intervention thresholds and, for 1990/91, the monetary realignment. R I, R II and A I expressed in ECU/%/hl; R III, A II and A III expressed in ECU/hl.

Table 2 — Price proposals in ecus for tobacco

Decisions (EUR 12) 1990	1991 harvest — Proposals
Price/premium % change compared with 1989	Price/premium % change compared with 1990
1	2
Price 0 Average premium -3.0	Price - 10% on average Premium - 10% on average

Table 3 — Effect of Commission proposals on support prices for agricultural products expressed in ecus and in national currency

	% change	ın prices <sup>1</sup>
	ın ecus²	in national currency <sup>2, 3</sup>
P -1-:	- 0.3	- 0.3
Belgium	1	1
Denmark	- 0.3	- 0.3
Germany	- 0.3	- 0.4
Greece	- 1.4	3.1
Spain <sup>4</sup>	1.5	0.3
France	- 0.4	- 0.4
Ireland	- 0.1	- 0.1
Italy	- 0.8	- 0.8
Luxembourg	0	0
Netherlands	- 0.2	- 0.2
Portugal <sup>4</sup>	0.4	0.4
United Kingdom	- 0.2	0.9
EUR 12 <sup>4</sup>	- 0.2	- 0.1

Percentage variation between proposed support prices for 1991/
 92 and the support prices for 1990/91.

The considerable deterioration experienced in 1990 was partly due to special events (drought in some regions, health problems in the animal sector, the Iraq embargo, German unification, the upheavals in Eastern Europe) but the main reason was the persistent structural imbalances on most markets. This deterioration resulted in a drop in producer prices, particularly in the case of animal products, and in the growth of public stocks in the major sectors. In addition, market forecasts (including estimates for the former German Democratic Republic) show that the medium-term outlook is equally worrying. This is the case, particularly, for the Community markets for cereals, oilseeds, sugar, animal products, milk, beef and veal and sheepmeat. On the world market, the drop in prices in 1990 was caused by the substantial increase in world production of several basic products and the rebuilding of world stocks.

The growing market imbalances led to rapidly increasing pressures on the budget. If no corrective measures are taken, an increase of ECU 7 900 million is expected in 1991, i.e. up 32% as compared to 1990. These imbalances have been worsened by the devaluation of the dollar against the ecu and by the integration of the five new German Länder into the Community.

Budget requirements could therefore reach some ECU 32 991 million, thereby exceeding the budget estimates by ECU 1 475 million and the agricultural guideline by ECU 480 million. To cope with this situation, the Commission intends to present a supplementary budget increasing overall budget estimates to the level of the agricultural guideline (ECU 32 511 million); however, corrective measures will still be needed to prevent the increased budget from being exceeded.

Because of the current situation, therefore, the Commission has had to supplement its roll-over price proposals by a number of specific proposals designed to improve the situation on the agricultural markets and to contain agricultural expenditure.

Support price (intervention or equivalent), weighted according to the share of the various products in the value of agricultural production covered by common prices.

production covered by common prices.

Common prices in ecus, converted at green rates in this proposal. For the currencies not respecting the narrow band in the EMS, calculations were done using the rates of the week ending on 12.2.1991.

<sup>4</sup> Including effect of alignment of Spanish and Portuguese prices on common prices under accession arrangements.

Table 4 — Agrimonetary proposals — Packet price 1991/92

	Pre	vious situation				New situation		Consequences		
Member State	Green rate	Real gap	Applied gap	Disman- tlement	Green rate	Real gap	Applied gap	Devaluation	Effect prices	
Product group	ecu = nc	point	point	point	ecu = nc	point	point	%	%	
Germany	Green market	rate <sup>1</sup> = 2.35	418							
Cereals Others	2.37360 2.35418	0.818 0.000	0.0 0.0	0.818 0.000	2.35418 2.35418	0.000 0.000	0.0 0.0	0.825 0.000	- 0.818 0.000	
Netherlands	Green market	$rate^1 = 2.652$	256							
Cereals Others	2.66089 2.65256	0.313 0.000	0.0 0.0	0.313 0.000	2.65256 2.65256	0.000 0.000	0.0 0.0	0.314 0.000	- 0.313 0.000	
BLEU	Green market	rate <sup>1</sup> = 48.55	563							
All products	48.5563	0.000	0.0	0.000	48.5563	0.000	0.0	0.000	0.000	
France	Green market	$rate^1 = 7.893$	563							
All products	7.89563	0.000	0.0	0.000	7.89563	0.000	0.0	0.000	0.000	
Denmark	Green market	rate <sup>1</sup> = 8.979	989							
All products	8.97989	0.000	0.0	0.000	8.97989	0.000	0.0	0.000	0.000	
Ireland	Green market	$rate^1 = 0.878$	8776							
All products	0.878776	0.000	0.0	0.000	0.878776	0.000	0.0	0.000	0.000	
Italy	Green market	rate <sup>1</sup> = 1 76	1.45							
All products	1 761.45	0.000	0.0	0.000	1 761.45	0.000	0.0	0.000	0.000	

Member State	Previous situation			1991/92 consequences of automatic dismantlement		Disman-	New situation			Consequences <sup>3</sup>	
	Green rate	Real gap	Applied gap	Green rate	Real gap	tlement	Green rate	Real gap	Applied gap	Devaluation	Effect prices
Product group	ecu = nc	point	point	ecu = nc	point	point	ecu = nc	point	point	%	%
Greece	Green mar	ket rate <sup>2</sup> = 2	250.780								
Pigmeat	246.319	- 1.811	0.0			- 1.811	250.780	0.000	0.0	- 1.779	1.811
Sheepmeat	231.754	- 8.210		236.250	- 6.150	- 4.100	245.742	- 2.050	_	- 3.863	4.018
Poultry	212.503	- 18.012	- 3.8	232.541	<b>- 7.843</b>	- 5.140	244.179	<b>- 2.703</b>	0.0	- 4.766	5.005
Fish	206.395	- 21.505		229.864	- 9.099	- 5.907	243.022	- 3.192	_	- 5.414	5.724
Cereals, sugar, wine, tobacco	230.472	- 8.811	- 7.3	236.250	- 6.150	- 4.100	245.742	<b>- 2.050</b>	- 1.0	- 3.863	4.018
Olive oil	232.153	- 8.024	0.0	236.250	- 6.150	- 4.100	245.742	- 2.050	0.0	- 3.863	4.018
Grain legumes	204.710	- 22.505	-	228.862	<b>- 9.577</b>	<b>- 6.874</b>	244.179	<b>- 2.703</b>	-	- 6.273	6.693
Cucumbers, tomatoes,											
courgettes, aubergines	231.968	- 8.110	-	<del></del>		- 5.407	244.179 <sup>4</sup>	-2.703		- 5.001	5.264
Other crop products	222.905	- 12.505		231.968	- 8.110	- 5.407	244.179	- 2.703	_	- 5.001	5.264
Structures	230.337	- 8.875		236.250	- 6.150	- 4.100	245.742	- 2.050		- 3.863	4.018
Others	204.710	- 22.505	- 21.0 l	228.862	- 9.577 ·	- 6.385	243.022	- 3.192	- 1.7	- 5.827	6.187
Spain	Green mar	ket rate <sup>2</sup> = 1	147.294								
Pigmeat	147.287	- 0.005	0.0		_ 1	- 0.005	147.294	0.000	0.0	- 0.005	0.005
Sheepmeat	152.756	3.756	_	_		1.133	150.982	2.443		1.175	- 1.161
Beef	155.786	5.451	4.0	_		1.817	152.849	3.634	2.1	1.922	- 1.885
Sugar, tobacco, seeds,											
peas	153.498	4.042	2.5	<u> </u>	_ '	1.599	150.982	2.443	1.0	1.666	- 1.639
Rice, oilseeds, fruit,											
vegetables	152.896	3.664	-1	_	_	1.221	150.982	2.443	_	1.268	- 1.252
Cereals, cotton	154.213	4.487	3.0	_	_	1.257	152.210	3.230	1.7	1.316	- 1.299
Grain legumes	154.794	4.845	_	_	_	1.615	152.210	3.230	_	1.698	- 1.669
Other crop products	151.927	- 3.049	0.0	_	_	1.016	150.350	2.033	0.0	1.049	- 1.038
Others	154.794	4.845	3.3	_	_	1.615	152.210	3.230	1.7	1.698	- 1.669
Portugal	Green mar	ket rate <sup>2</sup> = 2	207.837								
All products	208.676	0.402	0.0	_	-	0.000	208.676	0.402	0.0	0.000	0.000

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Member State	Previous situation			1991/92 consequences of automatic dismantlement		Disman-	New situation			Consequences <sup>3</sup>	
	Green rate	Real gap	Applied gap	Green rate	Real gap	tlement	Green rate	Real gap	Applied gap	Devaluation	Effect prices
Product group	ecu = nc	point	point	ecu = nc	point	point	ecu = nc	point	point	%	%
United Kingdom	Green mark	ket rate <sup>2</sup> = (	0.801 <i>6</i> 72								
Pigmeat Sheepmeat Beef Crop products Others	0.800520 0.779553 0.795232 0.779553 0.758185	- 0.144 - 2.837 - 0.810 - 2.837 - 5.736	0.0 - 0.0 - 1.3 - 4.2		-	- 0.144 - 0.946 - 0.810 - 0.946 - 1.912	0.801672 0.786791 0.801672 0.786791 0.772145	0.000 - 1.891 0.000 - 1.891 - 3.824	0.0 	- 0.920 - 0.803	0.144 0.928 0.810 0.928 1.841

Coefficient: 1.144109.
Coefficient: 1.145109, week of reference 6.2.1991-12.2.1991 (MCAs applicable on 18.2.1991).
From the packet price dismantlement.
Applicable at the beginning of the marketing year for milk.

## Common prices

- a 7% reduction in the intervention price for durum wheat based on a gradual alignment with the price of common wheat;
- a 3% reduction in the intervention price for rice in order to restrict the increase in production;
- a 5% linear reduction in institutional prices in the sugar sector;
- a 3% reduction in the support prices for oilseeds and protein crops on the one hand and for flax and hemp on the other;
- an average reduction of 10% in the prices and premiums for the different tobacco varieties, to control excessive expansion in production;
- a reduction in the price for 'support' distillation in the wine sector;
- a 2% reduction in the price of sheepmeat, offset in the most disadvantaged areas by an increase in the ewe premium from ECU 4 to ECU 5.5

#### Related measures

Beef: abolition of the mechanism providing for unlimited buying-in at 80% of the intervention price; abolition of the ceiling on buying- in by tender.

Cereals: 3% increase in the basic coresponsibility levy.

Set-aside: introduction of a special scheme involving reimbursement of the co-responsibility levy paid for 1991 to growers undertaking to withdraw 15% of their land for 1991/92.

Milk: 2% reduction in overall guaranteed quantities; adjustment of the intervention arrangements to prevent buying-in at the full intervention price.

#### Agrimonetary measures

In the main, the agrimonetary measures are intended to abolish the monetary gaps. The proposals are as follows:

(i) a complete dismantlement of the positive gaps for cereals in Germany and the Netherlands;

- (ii) a dismantlement of one-third of the present monetary gap for the United Kingdom and Spain;
- (iii) the removal, in Greece, of two-thirds of that part of the present gaps which will remain after the application of the automatic dismantlement resulting from the monetary realignments of 1990.

These dismantlements for floating currencies are slightly modified in order to reduce the number of green rates.

# The agricultural situation in the Community

1.2.133. Commission's report for 1990.

 Reference: Previous report: Bull. EC 3-1990, point 1.1.104

Adopted by the Commission on 4 February. The 16th annual report on the situation and development of Community agriculture outlines the main events of the agricultural year, the implementation of the common agricultural policy, trends on the principal internal and external markets and trade relations with non-member countries.

When the report was completed, certain major developments were still under way in two areas of particular importance for Community agriculture: the multilateral trade negotiations of the Uruguay Round and the unification of Germany. These two subjects are treated in separate chapters. Generally speaking, the report does not cover the situation in the former German Democratic Republic, which will be dealt with in next year's report, but sets out the measures taken to ensure the satisfactory integration of its agriculture with that of the rest of the Community.

The statistical annex presents updates of the tables given in previous reports and, for the first time, full figures for the Community of Twelve (not including the former German Democratic Republic).

The statistics are based mainly on data supplied by the Statistical Office of the European Communities (Eurostat), updated

Bull. EC 1/2-1991 51

where appropriate; in certain cases it has been possible to give only provisional estimates.

The report is available from the Office for Official Publications of the European Communities (L-2985 Luxembourg).

II

# Agricultural structure and rural development

1.2.134. Proposal for a Regulation on improving the efficiency of agricultural structures.

 Basic Regulation: Council Regulation (EEC) No 797/85: OJ L 93, 30.3.1985; Bull. EC 3-1985, point 2.1.113

Adopted by the Commission on 22 February. Consolidates, and so facilitates the application of, Regulation (EEC) No 797/85.

1.2.135. Commission Regulation (EEC) No 220/91 laying down detailed rules for the application of Regulation (EEC) No 1360/78 on producer groups and associations thereof.

- Basic Regulation: Council Regulation (EEC) No 1360/78: OJ L 166, 23.6.1978
- Consolidated Regulation: Commission Regulation (EEC) No 2083/80: OJ L 203, 5.8.1980

Adopted by the Commission on 30 January. Through consolidation, permits the effective application in the Member States of Regulation (EEC) No 2083/80.

OJ L 26, 31.1.1991

- 1.2.136. Proposal for a Regulation on the introduction and maintenance of agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside.
- Commission proposal: OJ C 267, 23.10.1990;
   COM(90) 366; Bull. EC 7/8-1990, point 1.3.163

Endorsed by the Economic and Social Committee on 30 January. The Committee considered that a system of premiums to farmers pursuing farming practices which are compatible with the protection of the environment could compensate for the reduction in agricultural income resulting from the fall in production, something which would also be accompanied by a trend towards higher quality of benefit to the consumer.

The Committee stressed the need for appropriate support to avoid the weakest holdings having to bear the start-up costs of these measures.

OJ C 69, 18.3.1991

1.2.137. Communication from the Commission to the Member States laying down guidelines for integrated global grants concerning which the Member States are requested to submit proposals within the framework of a Community initiative for rural development — Leader (Links between actions for the development of the rural economy).

- Approval by the Commission (first reading): COM(90) 369; Bull. EC 7/8-1990, point 1.3.164
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.114

Endorsed by Parliament on 19 February. Parliament proposed a larger allocation of funds to the programme, stressed the importance of partnership and asked for Leader to be extended to areas not covered by Objectives 1 and 5b.

OJ C 72, 18.3.1991

- 1.2.138. Proposal for a Regulation on the checks and penalties applicable under the common agricultural and fisheries policies.
- Commission proposal: OJ C 137, 6.6.1990;
   COM(90) 126; Bull. EC 5-1990, point 1.2.138

Endorsed by Parliament on 22 February, subject to amendments to clarify the Commission's powers, the practical details of the checks and the penalties to be applied.

OJ C 72, 18.3.1991

1.2.139. Commission Decision 91/100/ EEC approving the German programme of agricultural income aid for farmers in general in Baden-Württemberg.

 Basic Regulation: Council Regulation (EEC) No 768/89: OJ L 84, 29.3.1989; Bull. EC 3-1989, point 2.1.118

Adopted by the Commission on 15 February. Approves the programme and determines the maximum amounts which may be charged to the Community budget each year.

OJ L 52, 27.2.1991

1.2.140. Commission Decision 91/47/EEC approving the Italian programme of agricultural income aid for olive-oil farmers.

 Basic Regulation: Council Regulation (EEC) No 768/89: OJ L 84, 29.3.1989; Bull. EC 3-1989, point 2.1.118

Adopted by the Commission on 22 January. Approves the programme and determines the maximum amounts which may be charged to the Community budget.

OJ L 26, 31.1.1991

- 1.2.141. Proposal for a Regulation amending Regulation (EEC) No 1191/89 derogating from Regulation (EEC) No 797/85 as regards certain investment aids in the pig production sector.
- Basic Regulation: Council Regulation (EEC) No 797/85: OJ L 93, 30.3.1985; Bull. EC 3-1985, point 2.1.113
- Regulation to be amended: Council Regulation (EEC) No 1191/89: OJ L 123, 4.5.1989

Adopted by the Commission on 18 February. Extends for one year the derogation from the general rule that investment aid for pig production is subject to a requirement that at least 35% of the pigs' feed can be produced on the holding.

OJ C 64, 12.3.1991; COM(91) 24

## Legislation

Veterinary and zootechnical legislation

1.2.142. Council Directive 91/67/EEC concerning the animal health conditions

governing the placing on the market of aquaculture animals and products.

- Commission proposal: OJ C 84, 2.4.1990;
   COM(89) 655; Bull. EC 1/2-1990, point 1.1.235
- Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. EC 9-1990, point 1.2.150
- Parliament opinion: OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.218

Adopted by the Council on 28 January. Lays down the animal health conditions which live fish, crustaceans and molluscs must satisfy before being placed on the Community market and determines, in respect of diseases which may be transmitted to aquaculture products, which areas are free of such diseases and may be approved as being so in accordance with the Standing Veterinary Committee procedure.

OJ L 46, 19.2.1991

1.2.143. Council Directive 91/68/EEC on animal health conditions governing intra-Community trade in ovine and caprine animals.

- Commission proposal: OJ C 48, 27.2.1989; Bull. EC 12-1988, point 2.1.280
- Parliament opinion: OJ C 96, 17.4.1989; Bull. EC 3-1989, point 2.1.142
- Economic and Social Committee opinion: OJ C 194, 31.7.1989; Bull. EC 5-1989, point 2.1.201

Adopted by the Council on 28 January. Lays down the animal health rules which ovine and caprine animals must satisfy for the purposes of trade.

OJ L 46, 19.2.1991

1.2.144. Council Directive 91/69/EEC amending Directive 72/462/EEC on health and veterinary inspection problems upon importation of bovine animals and swine, fresh meat or meat products from third countries, in order to include ovine and caprine animals.

- Directive amended: Council Directive 72/462/ EEC (OJ L 302, 31.12.1972), as last amended by Council Directive 90/425/EEC (OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.139)
- Commission proposal: OJ C 48, 27.2.1989;
   Bull. EC 12-1989, point 2.1.280

 Parliament opinion: OJ C 96, 17.4.1989; Bull. EC 3-1989, point 2.1.142

 Economic and Social Committee opinion: OJ C 194, 31.7.1990; Bull. EC 5-1989, point 2.1.201

Adopted by the Council on 28 January. Extends the scope of Directive 72/462/EEC to ovine and caprine animals.

OJL 46, 19.2.1991

1.2.145. Commission Decision 91/53/EEC amending Decision 90/90/EEC concerning the importation by Member States of live pigs, fresh pigmeat and pigmeat products from Austria.

 Decision amended: Commission Decision 90/ 90/EEC: OJ L 61, 10.3.1990

Adopted by the Commission on 17 January. Authorizes the importation of live pigs, fresh pigmeat and pigmeat products from Austria in the light of information from the Austrian authorities that no outbreak of classical swine fever occurred during 1990.

OIL 34, 6.2.1991

1.2.146. Commission Decision 91/54/EEC amending Decision 81/546/EEC concerning animal health conditions and veterinary certification for the import of fresh meat from Austria.

Reference: Commission Decision 91/53/EEC
 (→ point 1.2.145)

 Decision amended: Commission Decision 81/ 546/EEC (OJ L 206, 27.7.1981), as last amended by Commission Decision 83/576/EEC (OJ L 334, 29.11.1983)

Adopted by the Commission on 15 January. Lays down the health conditions and veterinary certification required following the resumption of imports of pigs and pigmeat from Austria.

OJ L 34, 6.2.1991

1.2.147. Commission Decision 91/73/EEC concerning the importation of live pigs, fresh pigmeat and pigmeat products from Yugoslavia.

Adopted by the Commission on 17 January. Suspends imports into the Community of pigmeat from Serbia and Voivodina follow-

ing outbreaks of classical swine fever in Yugoslavia.

OJ L 43, 16.2.1991

1.2.148. Commission Decision amending Decision 89/21/EEC derogating from prohibitions relating to African swine fever for certain areas in Spain.

 Decision amended: Council Decision 89/21/ EEC: OJ L 9, 12.1.1989

Adopted by the Commission on 12 February. Authorizes exports to the other Member States of certain meat products in view of the measures taken to prevent the spread of African swine fever in Spain.

OJ L 58, 5.3.1991

1.2.149. Commission Decision amending Decision 90/451/EEC on health protection measures in respect of imports of fresh meat from Namibia.

 Decision amended: Commission Decision 90/ 451/EEC: OJ L 231, 27.8.1990

Adopted by the Commission on 28 February. Authorizes, subject to certain conditions, resumption of imports of fresh meat from Namibia following a mission to Namibia and the guarantees offered by the veterinary authorities of that country concerning the health situation as regards ovine brucellosis and the measures taken to combat that disease.

1.2.150. Council Decision 91/61/EEC amending Decision 90/218/EEC concerning the administration of bovine somatotropin (BST).

- Decision amended: Council Decision 90/218/ EEC: OJ L 116, 8.5.1990; Bull. EC 4-1990, point 1.1.116
- Commission proposal: OJ C 2, 4.1.1991;
   COM(90) 531; Bull. EC 12-1990, point 1.3.221

Endorsed by Parliament on 25 January, subject to an amendment concerning the length of the ban on the administration of bovine somatotropin (BST) and a change to the legal basis for the proposal.

OJ C 48, 25.2.1991

Endorsed by the Economic and Social Committee on 30 January.

OJ C 69, 18.3.1991

Adopted by the Commission on 4 February. Extends until 31 December 1991 the ban on Member States marketing bovine somatotropin or administering it by any means whatsoever to dairy cows.

OJ L 37, 9.2.1991

1.2.151. Proposal for a Directive amending Directive 64/432/EEC as regards the diagnosis of bovine brucellosis and enzootic bovine leucosis.

- Commission proposal: OJ C 300, 29.11.1990;
   COM(90) 492; Bull. EC 11-1990, point 1.3.150
- Economic and Social Committee opinion: OJ C 60, 8.3.1991; Bull. EC 12-1990, point 1.3.222

Endorsed by Parliament on 25 January.
OJ C 48, 25.2.1991

- 1.2.152. Commission Decision amending Decision 86/194/EEC and adopting additional health measures concerning imports of certain types of fresh meat from Argentina.
- Decision amended: Commission Decision 86/ 194/EEC (OJ L 142, 28.5.1986), as last amended by Commission Decision 87/455/EEC (OJ L 244, 28.8.1987)

Adopted by the Commission on 31 January. Combats the deterioration in the situation with regard to foot-and-mouth disease in Argentina by adopting additional health measures to protect Community livestock.

- 1.2.153. Commission Decision 91/42/EEC laying down the criteria to be applied when drawing up contingency plans for the control of foot-and-mouth disease, in application of Article 5 of Council Directive 90/423/EEC.
- Basic Directive: Council Directive 90/423/EEC amending Council Directives 85/511/EEC, 64/432/EEC and 72/462/EEC: OJ L 224, 18.8.1990; Bull. EC 6-1990, point 1.3.139

Adopted by the Commission on 8 January. Lays down the criteria to be applied in drawing up national contingency plans in the event of an outbreak of foot-and-mouth disease.

OJ L 23, 29.1.1991

1.2.154. Commission Decision 91/52/EEC concerning certain protection measures relating to contagious bovine pleuropneumonia in Portugal.

Adopted by the Commission on 14 January. Lays down health provisions governing intra-Community trade in bovine animals.

OJ L 34, 6.2.1991

1.2.155. Commission Decision 91/46/EEC on financial contributions from the Community for the eradication of contagious bovine pleuropneumonia in Italy.

Adopted by the Commission on 24 January. Provides for a Community contribution of 50% of the costs incurred by Italy in compensating owners whose holdings were affected by the epizootic.

OJ L 23, 29.1.1991

1.2.156. Commission Decision 91/56/EEC concerning certain protection measures relating to contagious bovine pleuropneumonia in Italy.

Adopted by the Commission on 21 January. Adopts recommendations on animal health guarantees for intra-Community trade on the basis of a report drawn up following an inquiry in Italy by a team of Community experts.

OJ L 35, 7.2.1991

1.2.157. Commission Decision 91/57/EEC concerning the extension of the financial contribution by the Community for the continuation of eradication of contagious bovine pleuropneumonia in Italy.

Adopted by the Commission on 24 January. Provides for a Community financial contribution to combating outbreaks of contagious bovine pleuropneumonia in Italy which have occurred since 1 November 1990 or may occur before 31 March 1991.

OIL 35, 7.2.1991

Bull. EC 1/2-1991 55

1.2.158. Commission Decision 91/70/EEC on financial contributions from the Community for the eradication of contagious bovine pleuropneumonia in Spain.

Adopted by the Commission on 28 January. Provides for a Community contribution to the costs of compensating owners whose holdings were affected by the epizootic.

OJ L 39, 13.2.1991

1.2.159. Commission Decision 91/89/EEC making financial provision for a project relating to the inactivation of the agents of scrapie and bovine spongiform encephalopathy.

Adopted by the Commission on 5 February. Provides for a Community contribution to the costs of purchasing infected sheep for the purpose of inactivating the infecting agent.

OJ L 49, 22.2.1991

- 1.2.160. Commission Decisions 91/74/ EEC to 91/79/EEC approving measures to set up pilot projects for the control of rabies with a view to its eradication or prevention presented by France, the Netherlands, Luxembourg, Belgium, Italy and Germany.
- Basic Decision: Council Decision 89/455/EEC:
   OJ L 223, 2.8.1989; Bull. EC 7/8-1989, point 2.1.172

Adopted by the Commission on 1 and 4 February.

OJ L 43, 16.2.1991

#### Animal feed

1.2.161. Proposal for a Directive amending Directive 74/63/EEC on the fixing of maximum permitted levels for undesirable substances and products in feedingstuffs.

- Commission proposal: OJ C 210, 23.8.1990;
   COM(90) 321; Bull. EC 7/8-1990, point 1.3.214
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.147

Endorsed by Parliament on 25 January.
OJ C 48, 25.2.1991

1.2.162. Commission Directive 91/126/ EEC amending the Annexes to Council Directive 74/63/EEC on undesirable substances and products in animal nutrition.

• Directive amended: Council Directive 74/63/ EEC: OJ L 38, 11.2.1974

Adopted by the Commission on 13 February. Reduces the level of aflatoxin in certain feedingstuffs for dairy cattle and limits the transfer of this mycotoxin in milk.

OJL 60, 7.3.1991

#### Plant health

 Basic Directive: Council Directive 77/93/EEC (OJ L 26, 31.1.1977), as last amended by Council Directive 91/27/EEC (OJ L 16, 22.1.1991)

1.2.163. Commission Directive 91/102/EEC amending Directive 88/272/EEC amending certain Annexes to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products.

 Directive amended: Commission Directive 88/ 272/EEC (OJ L 116, 4.5.1988), as last amended by Commission Directive 90/113/EEC (OJ L 67, 15.3.1990)

Adopted by the Commission on 18 February. Extends for one year the provisions of Directive 90/113/EEC extending the measures specific to certain Member States concerning plants or plant products from third countries.

OIL 52, 27.2.1991

1.2.164. Commission Directive 91/103/EEC amending Directive 86/547/EEC amending Annex III B to Council Directive 77/93/EEC on protective measures against the introduction into the Member States of organisms harmful to plants or plant products.

 Directive amended: Commission Directive 86/ 547/EEC (OJ L 323, 18.11.1986), as last amended by Commission Directive 90/80/EEC (OJ L 51, 27.2.1990) Adopted by the Commission on 18 February. Extends for one year the derogations introduced by Directive 90/80/EEC authorizing the Member States to take stricter measures concerning the introduction of plants or plant products.

OJ L 52, 27.2.1991

1.2.165. Commission Decision 91/107/ EEC authorizing certain Member States to provide for derogations from certain provisions of Council Directive 77/93/EEC in respect of sawn wood of conifers originating in the United States.

Adopted by the Commission on 13 February. Permits for a limited period derogations from the import bans imposed by Directive 77/93/EEC provided that it is established that there is no risk of spreading harmful organisms.

OJ L 56, 2.3.1991

1.2.166. Commission Decision 91/137/ EEC approving derogations provided for by Germany from certain provisions of Council Directive 77/93/EEC in respect of ware potatoes for human consumption originating in Poland.

Adopted by the Commission on 18 February. Authorizes Germany to derogate from the import bans imposed by Directive 77/93/EEC provided that there is no risk of spreading harmful organisms.

OJ L 67, 14.3.1991

1.2.167. Proposal for a Directive concerning the placing of EEC-accepted plant protection products on the market.

- Commission proposal: OJ C 212, 9.9.1976;
   COM(76) 427; Bull. EC 7/8-1976, point 2.2.56
- First Parliament opinion: OJ C 30, 7.2.1977;
   Bull. EC 1-1977, point 2.1.37
- First Economic and Social Committee opinion: OJ C 114, 11.5.1977; Bull. EC 3-1977, point 2.3.78
- Amended Commission proposal: OJ C 89, 10.4.1989; COM(89) 34; Bull. EC 2-1989, point 2.1.120
- Second Economic and Social Committee opinion: OJ C 53, 5.3.1990; Bull. EC 11-1989, point 2.1.160

• Addendum to amended proposal: COM(90) 298

Second Parliament opinion delivered on 19 February. Favourable, subject to certain amendments concerning the procedure for authorizing active substances and preparations.

OJ C 72, 18.3.1991

#### Prices and related measures

1.2.168. Commission Regulation (EEC) No 287/91 amending Regulation (EEC) No 3578/88 laying down detailed rules for the application of the system for the automatic dismantlement of negative monetary compensatory amounts.

 Regulation amended: Commission Regulation (EEC) No 3578/88 (OJ L 312, 18.11.1988; Bull. EC 11-1988, point 2.1.186), as last amended by Commission Regulation (EEC) No 3219/90 (OJ L 308, 8.11.1990; Bull. EC 11-1990, point 1.3.119)

Adopted by the Commission on 6 February. Simplifies the implementing rules in force as regards formulation, the rules for the treatment of small monetary gaps and the provisions applying to the pigmeat sector.

OJ L 35, 7.2.1991

1.2.169. Commission Regulation (EEC) No 443/91 on import and export licences issued for certain products covered by Article 259 of the Act of Accession of Spain and Portugal.

 Reference: Treaty concerning the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and the European Atomic Energy Community: OJ L 302, 15.11.1985; Bull. EC 11-1985, points 2.2.1 to 2.2.4

Adopted by the Commission on 26 February. Lays down the conditions for the release, on application by the parties concerned, of securities relating to import and export licences and to advance-fixing licences or certificates.

OJ L 52, 27.2.1991

Bull. EC 1/2-1991 57

## **Organization of markets**

#### Cereals

### 1.2.170. The Commission adopted:

Regulation (EEC) No 140/91, 21.1.1991: OJ L 16, 22.1.1991;

Regulation (EEC) No 141/91, 21.1.1991: OJ L 16, 22.1.1991;

Regulation (EEC) No 212/91, 29.1.1991: OJ L 24, 30.1.1991;

Regulation (EEC) No 262/91, 31.1.1991: OJ L 27, 1.2.1991;

Regulation (EEC) No 276/91, 4.2.1991: OJ L 33, 5.2.1991;

Regulation (EEC) No 325/91, 11.2.1991: OJ L 38, 12.2.1991;

Regulation (EEC) No 336/91, 12.2.1991: OJ L 39, 13.2.1991;

Regulation (EEC) No 338/91, 18.2.1991: OJ L 45, 19.2.1991;

Regulation (EEC) No 470/91, 27.2.1991: OJ L 54, 28.2.1991.

#### Rice

1.2.171. Proposal for a Regulation amending Regulation (EEC) No 1424/76 with regard to the conditions for selling products to be supplied under food aid schemes.

 Regulation to be amended: Council Regulation (EEC) No 1424/76 (OJ L 166, 25.6.1976), as last amended by Regulation (EEC) No 1806/ 89 (OJ L 177, 24.6.1989; Bull. EC 6-1989, point 2.1.133)

Adopted by the Commission on 16 January. As is already done in the cereals sector, this will allow rice held by intervention agencies to be resold at prices fixed in advance, with the aim that these stocks be used when food aid is mobilized.

COM(90) 553

#### 1.2.172. The Commission adopted:

Regulation (EEC) No 45/91, 8.1.1991: OJ L 6, 9.1.1991;

Regulation (EEC) No 75/91, 11.1.1991: OJ L 9, 12.1.1991;

Regulation (EEC) No 325/91, 11.2.1991: OJ L 38, 12.2.1991;

Regulation (EEC) No 377/91, 15.2.1991: OJ L 43, 16.2.1991.

### Sugar

1.2.173. Council Regulation (EEC) No 305/91 amending Regulation (EEC) No 1785/81 on the common organization of the markets in the sugar sector.

- Regulation amended: Council Regulation (EEC) No 1785/81: OJ L 177, 1.7.1981; Bull. EC 6-1981, point 2.1.88
- Commission proposal: OJ C 258, 13.10.1990;
   COM(90) 323; Bull. EC 7/8-1990, point 1.3.165
- Economic and Social Committee opinion: OJ C 41, 18.2.1991; Bull. EC 11-1991, point 1.3.140
- Parliament opinion: OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.212

Agreed by the Council on 22 January.

Formally adopted by the Council on 4 February. Continues the present market organization for a further two years.

OJ L 37, 9.2.1991

## 1.2.174. The Commission adopted:

Regulation (EEC) No 56/91, 9.1.1991; OJ L7, 10.1.1991;

Regulation (EEC) No 464/91, 27.2.1991: OJ L 54, 28.2.1991.

#### Oils and fats

#### 1.2.175. The Commission adopted:

Regulation (EEC) No 104/91, 16.1.1991: OJ L 12, 17.1.1991;

Regulation (EEC) No 251/91, 31.1.1991: OJ L 27, 1.2.1991;

Regulation (EEC) No 329/91, 11.2.1991: OJ L 38, 12.2.1991;

Regulation (EEC) No 360/91, 14.2.1991: OJ L 42, 15.2.1991;

Regulation (EEC) No 503/91, 28.2.1991: OJ L 55, 1.3.1991;

Regulation (EEC) No 504/91, 28.2.1991: OJ L 55, 1.3.1991;

Regulation (EEC) No 508/91, 28.2.1991: OJ L 55, 1.3.1991.

#### Dried fodder

## 1.2.176. The Commission adopted:

Regulation (EEC) No 509/91, 28.2.1991: OJ L 55, 1.3.1991.

## Fresh fruit and vegetables

#### 1.2.177. The Commission adopted:

Regulation (EEC) No 93/91, 15.1.1991: OJ L 11, 16.1.1991;

Regulation (EEC) No 172/91, 24.1.1991: OJ L 19, 25.1.1991;

Regulation (EEC) No 184/91, 25.1.1991: OJ L 20, 26.1.1991;

Regulation (EEC) No 221/91, 30.1.1991: OJ L 26, 31.1.1991;

Regulation (EEC) No 222/91, 30.1.1991: OJ L 26, 31.1.1991;

Regulation (EEC) No 268/91, 1.2.1991: OJ L 28, 2.2.1991.

## Processed fruit and vegetables

1.2.178. Proposal for a Regulation amending Regulation (EEC) No 426/86 on the common organization of the market in products processed from fruit and vegetables.

 Regulation to be amended: Council Regulation (EEC) No 426/86 (OJ L 49, 27.2.1986), as last amended by Regulation (EEC) No 2201/90 (OJ L 201, 31.7.1990)

Adopted by the Commission on 25 January. Abolishes all derogations permitting Member States to retain quantitative restrictions on trade and updates the list of 'sensitive' products in line with recent trade patterns.

OJ C 75, 20.3.1991; COM(91) 3

### 1.2.179. The Commission adopted:

Regulation (EEC) No 346/91, 13.2.1991: OJ L 41, 14.2.1991;

Regulation (EEC) No 347/91, 13.2.1991: OJ L 41, 14.2.1991.

#### Wine

## 1.2.180. The Commission adopted:

Decision 91/138/EEC, 21.2.1991: OJ L 67, 14.3.1991:

Regulation (EEC) No 73/91, 11.1.1991: OJ L 9, 12.1.1991;

Regulation (EEC) No 270/91, 1.2.1991: OJ L 28, 2.2.1991:

Regulation (EEC) No 507/91, 28.2.1991: OJ L 55, 1.3.1991.

## Hops

## 1.2.181. The Commission adopted:

Decision 91/94/EEC, 13.2.1991: OJ L 50, 23.2.1991;

Regulation (EEC) No 328/91, 11.2.1991: OJ L 38, 12.2.1991;

Regulation (EEC) No 345/91, 13.2.1991: OJ L 41, 14.2.1991.

#### Seeds

## 1.2.182. The Commission adopted:

Regulation (EEC) No 250/91, 31.1.1991: OJ L 27, 1.2.1991.

### Milk and milk products

1.2.183. Council Regulation (EEC) No 206/91 concerning the exclusion of milk products from inward processing arrangements and of recourse to certain usual forms of handling.

 Commission proposal: COM(90) 395; Bull. EC 9-1990, point 1.2.122

Adopted by the Council on 22 January. Abolishes inward processing except for:

- (i) products not available on the Community market,
- (ii) Cheddar, Edam, Gouda, Gruyère and Emmental for conversion into processed or powdered cheese,
- (iii) whey.

OJ L 24, 30.1.1991

1.2.184. Council Regulation (EEC) No 306/91 amending Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector.

- Basic Regulation: Council Regulation (EEC)
   No 804/68 (OJ L 148, 28.6.1968), as last amended by Regulation (EEC) No 3117/90 (OJ L 303, 31.10.1990; Bull. EC 10-1990, point 1.3.123)
- Regulation amended: Council Regulation (EEC) No 857/84 (OJ L 91, 1.4.1984; Bull. EC 3-1984, point 1.2.4), as last amended by Regulation (EEC) No 1183/90 (OJ L 303, 31.10.1990; Bull. EC 10-1990, point 1.3.123)
- Commission proposal: COM(90) 547; Bull. EC 11-1990, point 1.3.130

Amended proposal adopted by the Commission on 28 January.

COM(91) 11

Adopted by the Council on 4 February. Makes the purchase arrangements for milk quotas less rigid and widens their scope.

OIL 37, 9.2.1991

- 1.2.185. Proposal for a Regulation fixing for the 1990/91 and 1991/92 milk years the guideline figure for the fat content of standardized whole milk imported into Ireland and the United Kingdom.
- Basic Regulation: Council Regulation (EEC) No 1411/71 (OJ L 148, 3.7.1971), as last amended by Regulation (EEC) No 222/88 (OJ L 28, 1.2.1988)

Adopted by the Commission on 7 February. Enables standardized whole milk from other Member States to be marketed in Ireland and the United Kingdom if its fat content is not lower than a percentage set for each milk year.

COM(91) 26

#### 1.2.186. The Commission adopted:

Decision 91/58/EEC, 25.1.1991: OJ L 36, 8.2.1991; Regulation (EEC) No 55/91, 9.1.1991: OJ L 7, 10.1.1991;

Regulation (EEC) No 183/91, 25.1.1991: OJ L 20, 26.1.1991;

Regulation (EEC) No 206/91, 22.1.1991: OJ L 24, 30.1.1991;

Regulation (EEC) No 252/91, 31.1.1991: OJ L 27, 1.2.1991;

Regulation (EEC) No 301/91, 7.2.1991: OJ.L 36, 8.2.1991;

Regulation (EEC) No 302/91, 7.2.1991: OJ L 36, 8.2.1991;

Regulation (EEC) No 333/91, 12.2.1991: OJ L 39, 13.2.1991;

Regulation (EEC) No 334/91, 12.2.1991: OJ L 39, 13.2.1991;

Regulation (EEC) No 376/91, 15.2.1991: OJ L 43, 16.2.1991;

Regulation (EEC) No 415/91, 21.2.1991: OJ L 49, 22.2.1991;

Regulation (EEC) No 426/91, 22.2.1991: OJ L 50, 23.2.1991;

Regulation (EEC) No 472/91, 27.2.1991: OJ L 54, 28.2.1991.

#### Beef and veal

1.2.187. Proposal for an estimate concerning young male bovine animals weighing 300 kg or less and intended for fattening for the period 1 January to 31 December 1991.

 Previous estimate: Council estimate 90/243/ EEC: OJ L 140, 1.6.1990

Adopted by the Commission on 31 January. Sets the Community's import requirements for young male bovine animals for fattening at 198 000 head for 1991.

COM(91) 17

- 1.2.188. Proposal for an estimate concerning beef and veal intended for the processing industry for the period 1 January to 31 December 1991.
- Previous estimate: Council estimate 90/244/ EEC: OJ L 140, 1.6.1990

Adopted by the Commission on 31 January. Sets the Community's import requirements for 1991 for frozen beef and veal for processing at nil.

COM(91) 17

#### 1.2.189. The Commission adopted:

Decision 91/139/EEC, 28.2.1991: OJ L 67, 14.3.1991;

Regulation (EEC) No 148/91, 22.1.1991: OJ L 17, 23.1.1991;

Regulation (EEC) No 189/91, 25.1.1991: OJ L 20, 26.1.1991;

Regulation (EEC) No 202/91, 28.1.1991: OJ L 23, 29.1.1991;

Regulation (EEC) No 211/91, 29.1.1991: OJ L 24, 30.1.1991;

Regulation (EEC) No 219/91, 30.1.1991: OJ L 26, 31.1.1991;

Regulation (EEC) No 326/91, 11.2.1991: OJ L 38, 12.2.1991;

Regulation (EEC) No 327/91, 11.2.1991: OJ L 38, 12.2.1991;

Regulation (EEC) No 344/91, 13.2.1991: OJ L 41, 14.2.1991;

Regulation (EEC) No 387/91, 18.2.1991: OJ L 45, 19.2.1991;

Regulation (EEC) No 398/91, 19.2.1991: OJ L 48, 21.2.1991;

Regulation (EEC) No 399/91, 20.2.1991: OJ L 48, 21.2.1991;

Regulation (EEC) No 413/91, 20.2.1991: OJ L 49, 22.2.1991;

Regulation (EEC) No 471/91, 27.2.1991: OJ L 54, 28.2.1991.

## Sheepmeat and goatmeat

1.2.190. Council Regulation (EEC) No 338/91 determining the Community standard quality of fresh or chilled sheep carcasses.

• Commission proposal: COM(90) 351

Adopted by the Council on 5 February. Establishes the Community standard sheep carcass quality as that of lambs less than one year old.

OJL 41, 14.2.1991

### 1.2.191. The Commission adopted:

Regulation (EEC) No 54/91, 9.1.1991: OJ L7, 10.1.1991;

Regulation (EEC) No 72/91, 11.1.1991: OJ L 9, 12.1.1991;

Regulation (EEC) No 87/91, 14.1.1991: OJ L 10, 15.1.1991;

Regulation (EEC) No 139/91, 21.1.1991: OJ L 16, 22.1.1991;

Regulation (EEC) No 273/91, 1.2.1991: OJ L 28, 2.2.1991;

Regulation (EEC) No 288/91, 6.2.1991: OJ L 35, 7.2.1991;

Regulation (EEC) No 320/91, 8.2.1991: OJ L 37, 9.2.1991:

Regulation (EEC) No 361/91, 14.2.1991: OJ L 42, 15.2.1991.

## **Pigmeat**

#### 1.2.192. The Commission adopted:

Decision 91/88/EEC, 4.2.1991: OJ L 49, 22.2.1991; Regulation (EEC) No 26/91, 4.1.1991: OJ L 3, 5.1.1991;

Regulation (EEC) No 128/91, 18.1.1991: OJ L 14, 19.1.1991;

Regulation (EEC) No 266/91, 1.2.1991: OJ L 28, 2.2.1991.

## Poultrymeat

#### 1.2.193. The Commission adopted:

Regulation (EEC) No 25/91, 4.1.1991: OJ L 3, 5.1.1991:

Regulation (EEC) No 267/91, 1.2.1991: OJ L 28, 2.2.1991.

## Eggs

## 1.2.194. The Commission adopted:

Regulation (EEC) No 267/91, 1.2.1991: OJ L 28, 2.2.1991.

#### **EAGGF Guarantee Section**

1.2.195. Council Regulation (EEC) No 307/91 on reinforcing the monitoring of certain expenditure chargeable to the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.

- Basic Regulation: Council Regulation (EEC) No 729/70 (OJ L 94, 28.4.1970), as last amended by Regulation (EEC) No 2048/88 (OJ L 185, 15.7.1988)
- Commission proposal: OJ C 126, 22.5.1990;
   COM(90) 151; Bull. EC 4-1990, point 1.1.134
- Parliament opinion: OJ C 324, 24.12.1990;
   Bull. EC 11-1990, point 1.3.166

Adopted by the Council on 4 February. Provides financial support to Member

States for reinforcement of monitoring and detection of fraud and irregularities in connection with exports of agricultural products and intervention to stabilize certain markets (decreasing assistance over five years, limited to ECU 10 million for exports and ECU 10 million for intervention).

OJ L 37, 9.2.1991

1.2.196. Commission Regulation (EEC) No 147/91 defining and fixing the tolerances for quantity losses of agricultural products in public intervention storage.

 Basic Regulation: Council Regulation (EEC) No 3492/90: OJ L 337, 4.12.1990; Bull. EC 11-1990, point 1.3.165

Adopted by the Commission on 22 January. Specifies, using a simple method, normal allowable losses during storage or processing.

OJ L 17, 23.1.1991

1.2.197. Commission Regulation (EEC) No 269/91 setting general implementing rules for the standard amounts used for financing expenditure in connection with public storage.

- References:
  - Council Regulation (EEC) No 1883/78: OJ L 216, 5.8.1978

Council Regulation (EEC) No 1676/85: OJ L 164, 24.6.1985

 Basic Regulation: Commission Regulation (EEC) No 1643/89: OJ L 162, 13.6.1989; Bull. EC 6-1989, point 2.1.165

Adopted by the Commission on 1 February. Sets the rate for converting into national currency the standard amounts applicable in financing public storage of agricultural products.

OJL 28, 2.2.1991

1.2.198. Aid for an Objective 5b operational programme.

 Reference: Council Regulation (EEC) No 4253/ 88 laying down provisions for implementing Regulation (EEC) No 2052/88: OJ L 374, 31.12.1988; Bull. EC 12-1988, point 2.1.200

Commission Decision of 18 February. Approves an operational programme for

France (Massif Central) with a total Community contribution of ECU 6.5 million.

#### **External aspects**

1.2.199. Recommendation for a decision on Community participation in the diplomatic conference (Geneva, March 1991) to be held by the International Union for the Protection of New Varieties of Plants in order to review the International Convention for the Protection of New Varieties of Plants.

Reference: Proposal for a Regulation on Community plant variety rights: OJ C 244, 28.9.1990; COM(90) 347; Bull. EC 7/8-1990, point 1.3.166; Bull. EC 12-1990, point 1.3.183

Adopted by the Commission on 22 January. Makes recommendations to the Council on the Community's participation in the conference.

1.2.200. Proposal for a Council Decision on the conclusion of the Wheat Trade Convention, 1986, and the Food Aid Convention, 1986, constituting the International Wheat Agreement, 1986.

• Reference: Council Decision 86/304/EEC on the signing of the Wheat Trade Convention, 1986, and the Food Aid Convention, 1986, constituting the International Wheat Agreement, 1986, and the deposit of a declaration of provisional application of these Conventions: OIL 195, 17.7.1986

Adopted by the Commission on 4 January. Permits conclusion, by the Community and its Member States simultaneously, of the International Wheat Agreement of 1986, any prior individual initiative being contrary to the EEC Treaty. The Community has, however, applied the Agreement provisionally since signing it on 26 June 1986.

COM(90) 667

1.2.201. Proposals for Regulations amending Regulations (EEC) Nos 1514/76, 1521/76 and 1180/77 on imports of olive oil originating in Algeria, Morocco or Turkey; proposals for Decisions on exchanges of

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letters relating to olive oil with Algeria, Morocco and Turkey.

• Regulations to be amended:

Council Regulation (EEC) No 1514/76: OJ L 169, 28.6.1976

Council Regulation (EEC) No 1521/76: OJ

L 169, 28.6.1976

Council Regulation (EEC) No 1180/77: OJ L 142, 9.6.1977

Adopted by the Commission on 4 January. In line with the Agreements concluded with Algeria, Morocco and Turkey, increases the deduction to be made under certain conditions from the levy on imports into the Community of unrefined olive oil.

COM(90) 668

1.2.202. Council Decision 91/105/EEC concerning the conclusion of the Agreement in the form of an exchange of letters between the European Economic Community and the Republic of Tunisia laying down the rules applicable from 1 January 1991 to imports into the Community of untreated olive oil originating in Tunisia; Council Regulation (EEC) No 513/91 laying down general rules for imports of olive oil originating in Tunisia.

Adopted by the Commission on 22 January. Brings into force the Agreement on imports of olive oil initialled by the Commission and Tunisia on 21 December.

COM(91) 5

Adopted by the Council on 25 February.

OJ L 56, 2.3.1991

1.2.203. Commission communication on the opening of negotiations on adjustment of the provisions on sweet clear-fleshed cherries preserved in alcohol intended for the manufacture of chocolate products contained in the Additional Protocol to the Cooperation Agreement between the EEC and the Socialist Federal Republic of Yugoslavia signed on 10 December 1987.

• Reference: EEC-Yugoslavia Agreement: Bull. EC 12-1987, point 2.2.26

Adopted by the Commission on 18 January. Allows negotiations to be opened with

Yugoslavia for adjustment by exchange of letters of the provisions on certain sweet cherries in the Additional Protocol.

COM(90) 2591

Council agreement on 25 February.

1.2.204. Commission Regulation (EEC) No 419/91 amending Regulation (EEC) No 3797/90 on protective measures applicable to imports of certain semi-processed red fruits originating in Poland and Yugoslavia.

 Regulation amended: Commission Regulation (EEC) No 3797/90: OJ L 365, 28.12.1990; Bull. EC 12-1990, point 1.3.214

Adopted by the Commission on 21 February. Clarifies certain provisions of the Regulation.

OJ L 49, 22.2.1991

#### State aids

## Decisions to raise no objection

1.2.205. From 1 January 1991 decisions to raise no objection will be reported in the issue of the Bulletin of the European Communities relating to the month in which they are published in the Official Journal of the European Communities and no longer in the issue relating to the month during which they are adopted.

## Decisions to close proceedings

## Spain

1.2.206. Adopted by the Commission on 30 January. Investment aid (two projects) for new installations in Castile-La Mancha for production and marketing of yoghurt and ice-cream.

1.2.207. Adopted by the Commission on 30 January. Aid for cultivation of potato varieties for starch production in Castile-Leon.

## Federal Republic of Germany

1.2.208. Adopted by the Commission on 27 February. Aid for environmental protection investments linked to glasshouse production in Baden-Württemberg.

## Decision to cancel proceedings

#### France

1.2.209. Adopted by the Commission on 30 January. Operational aid for strawberry producer groups.

### **Fisheries**

#### Resources

## Internal aspects

## TACs and quotas

1.2.210. Proposal for a Regulation amending Regulation (EEC) No 3926/90 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1991 and certain conditions under which they may be fished.

 Regulation to be amended: Council Regulation (EEC) No 3926/90: OJ L 378, 31.12.1990; Bull. EC 12-1990, point 1.3.248

Adopted by the Commission on 5 February. Implements the provisions on quotas allocated to Member States in the Community fishing zone contained in the agreement reached on reciprocal fishing rights for 1991 in the Skagerrak and the Kattegat following discussions between the Community, Norway and Sweden in Bergen on 14 and 15 January.

COM(91) 23

1.2.211. Resolution on establishing TACs and quotas for Community waters for 1991.

• Reference: Council Regulation (EEC) No 170/ 83 establishing a Community system for the conservation and management of fishery resources: OJ L 24, 27.1.1983; Bull. EC 1-1983, point 2.1.83

Adopted by Parliament on 22 February. Parliament considers that fishing effort must be adapted to catch possibilities, and that sufficient funding should be provided for these measures to cushion their socio-economic impact and therefore requests that Regulation (EEC) No 170/83 be amended.

It repeats its call for the common fisheries policy to be incorporated in future reforms of the structural Funds, asks the Commission to notify it of future Community research programmes and insists that special emphasis be given to programmes to improve catch-selectivity.

OJ C 72, 18.3.1991

#### Control measures

1.2.212. Proposal for a Regulation on the checks and penalties applicable under the common agricultural and fisheries policies (→ point 1.2.138).

1.2.213. Commission Decision 91/62/EEC on the eligibility of expenditure to be incurred in 1991 by Germany, Greece and the United Kingdom for the purpose of ensuring compliance with the Community system for the conservation and management of fishery resources.

Basic Decision: Council Decision 89/631/EEC:
 OJ L 364, 14.12.1989; Bull. EC 11-1989, point 2.1.166

Adopted by the Commission on 28 January. Recognizes the eligibility of expenditure planned for 1991 by the three Member States concerned, amounting to ECU 8 816 565, for a financial contribution under Decision 89/631/EEC. The Community contribution will be 50% of the eligible expenditure.

OJ L 37, 9.2.1991

1.2.214. Council Decision fixing the quantities eligible for a compensatory allowance for Mediterranean sardines (1991).

Basic Regulations:

Council Regulation (EEC) No 3117/85: OJ L 297, 9.11.1985; Bull. EC 11-1985, point 2.1.156

Commission Regulation (EEC) No 3460/85: OJ L 332, 10.12.1985; Bull. EC 12-1985, point 2.1.202

Adopted by the Commission on 16 January. Lays down the quantity eligible for the compensatory amount for Mediterranean sardines as provided for in Regulation (EEC) No 3117/85 for the 1991 fishing year as follows:

France: 8 000 tonnes; Greece: 5 000 tonnes; Italy: 30 000 tonnes.

## External aspects

## Côte d'Ivoire

1.2.215. Agreement between the European Economic Community and the Republic of Côte d'Ivoire on fishing off the coast of Côte d'Ivoire.

• Reference: Council Regulation (EEC) No 3939/ 90 on the conclusion of this Agreement: OJ L 379, 31.12.1990; Bull. EC 12-1990, point 1.3.261

Signed in Brussels on 11 January. The first Protocol attached to this Agreement provides for the following catch possibilities for a period of three years:

- (i) freezer trawlers (taking deepwater crustaceans, cephalopods and fish): 6 300 GRT per month;
- (ii) surface longliners and pole-and-line tuna vessels: 35 vessels;
- (iii) tuna seiners: 54 vessels.

In return, the Community will pay financial compensation of ECU 6 000 000 for the three-year period.

## Seychelles

1.2.216. Protocol defining, for the period from 18 January 1990 to 17 January 1993,

the fishing opportunities and the financial contribution provided for by the Agreement between the European Economic Community and the Republic of Seychelles on fishing off Seychelles.

#### • References:

EEC-Seychelles Agreement: OJ L 79, 23.3.1984

Council Regulation (EEC) No 3193/90 on the conclusion of this Protocol: OJ L 306, 6.11.1990; Bull. EC 10-1990, point 1.3.179

Signed in Brussels on 18 January. Provides for the granting of 40 licences for ocean-going tuna seiners for a period of three years.

### Senegal

1.2.217. Council Regulation (EEC) No 420/91 on the conclusion of a Protocol defining, for the period 1 May 1990 to 30 April 1992, the fishing rights and financial compensation provided for in the Agreement between the European Economic Community and the Government of the Republic of Senegal on fishing off the coast of Senegal.

- Reference: EEC-Senegal Agreement: OJ L 226, 29.8.1980
- Commission proposal: OJ C 209, 22.8.1990;
   COM(90) 312; Bull. EC 7/8-1990, point 1.3.267

Endorsed by Parliament on 24 January, subject to amendments requesting the Commission to provide it and the Council with a report on the use being made of the Agreement.

OJ C 48, 25.2.1991

Adopted by the Council on 4 February. The Protocol, still to be concluded, defines the following fishing rights:

wet trawlers (inshore demersal fishing) landing and selling their entire catch in Senegal: fish and cephalopods: 1 000 GRT/year;

wet trawlers (inshore demersal fishing) not landing their catch in Senegal: fish and cephalopods: 2 200 GRT/year;

ocean-going wet fish trawlers (demersal) not landing their catch in Senegal and fishing for a period of four months: 5 000 GRT/year annual average;

freezer trawlers (inshore demersal fishing) landing and selling part of their catch in Senegal: fish and cephalopods: 2 800 GRT/year;

freezer trawlers (inshore demersal fishing) landing part of their catch in Senegal and fishing over a four-month period specified for each vessel in an overall fishing plan to be notified to the Senegalese Government by the Community every six months: fish and cephalopods: 1 000 GRT/year annual average;

ocean-going shrimp freezer trawlers (demersal) not landing their catch in Senegal: 18 600 GRT/year;

tuna vessels landing all their catch in Senegal: 20 vessels;

freezer tuna seiners landing part of their catch in Senegal: 48 vessels;

surface longliners: 35 vessels.

The total financial compensation is ECU 30 million.

OJL 53, 27.2.1991

#### State aids

# Decisions to raise no objection

1.2.218. From 1 January 1991, decisions to raise no objection will be reported in the issue of the Bulletin of the European Communities relating to the month in which they are published in the Official Journal of the European Communities and no longer in the issue relating to the month during which they are adopted.

# Decision to initiate proceedings

#### Netherlands

1.2.219. Adopted by the Commission on 30 January. Granting research aid in the

fishery products sector, financed by a parafiscal charge.

#### **Environment**

I

# Financial instrument for the environment

1.2.220. Proposal for a Council Regulation establishing a financial instrument for the environment (LIFE).

#### References:

Conclusions of the Dublin European Council: Bull. EC 6-1990, point I.14

Proposal for a Council Regulation on action by the Community for the protection of the environment in the Mediterranean region (Medspa): COM(90) 683; Bull. EC 12-1990, point 1.3.157

Proposal for a Council Regulation on specific action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean (Norspa): COM(90) 498; Bull. EC 12-1990, point 1.3.159

Council Regulation on the financing of certain Community environmental projects (ACE): OJ L 207, 29.7.1987; Bull. EC 7/8-1987, point 2.1.164

Proposal for a Regulation on action by the Community relating to nature conservation (Acnat): OJ C 137, 6.6.1990; COM(90) 125; Bull. EC 5-1990, point 1.2.114; point 1.2.232 of this Bulletin

Adopted by the Commission on 31 January. The aim of the proposal is to establish a specific financial instrument for the environment (LIFE) in order to help finance priority environmental operations within the Community and to provide technical and financial support to non-member countries for the implementation of international conventions and the resolution of common or global problems. LIFE will incorporate existing financial instruments such as Community action for the environment, Acnat, Medspa and Norspa, and will provide financial assistance in various

forms: part-financing of programmes or projects, interest subsidies, reimbursable subsidies, support for technical assistance and studies in preparation for operations. A total of ECU 65 million has been earmarked in the 1991 budget for these activities (ECU 75 million for 1992).

OJ C 44, 20.2.1991; COM(91) 28

II

# Prevention and reduction of pollution and nuisance

Water

#### **Barcelona Convention**

1.2.221. Council Decision authorizing the Commission to take part in the negotiations on a protocol to the Barcelona Convention on the protection of the Mediterranean Sea against pollution resulting from exploration and exploitation of the continental shelf, seabed and substratum of the Mediterranean.

- Reference: Council Decision 77/585/EEC concluding the Convention on the Protection of the Mediterranean Sea against Pollution (Barcelona Convention) and the Protocol for the prevention of pollution of the Mediterranean Sea by dumping from ships and aircraft: OJ L 240, 19.9.1977
- Commission recommendation for a Decision: Bull. EC 6-1989, point 2.1.116

Adopted by the Council on 4 February.

Air pollution

#### Motor vehicle emissions

1.2.222. Proposal for a Directive amending Directive 88/77/EEC on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous pollutants from diesel engines for use in vehicles.

 Directive to be amended: Council Directive 88/ 77/EEC: OJ L 36, 9.2.1988; Bull. EC 12-1987, point 2.1.187

Commission proposal: OJ C 187, 27.7.1990;
 COM(90) 174; Bull. EC 5-1990, point 1.2.113

 Economic and Social Committee opinion: OJ C 41, 18.2.1991; Bull. EC 11-1990, point 1.3.93

Endorsed by Parliament (first reading) on 24 January, subject to various amendments. Parliament called in particular for the limit values for pollutant emissions to be lowered, for commercial vehicles to be fitted with equipment limiting their speed to 80km/h, and for the sale of lorries which comply in advance with the new limit values to be promoted. It also asked the Commission to submit as soon as possible new proposals for the regular testing of emission levels and a precise definition of improved diesel fuel.

OJ C 48, 25.2.1991

#### Greenhouse effect

1.2.223. Council Decision authorizing the Commission to negotiate a framework convention on climatic change, with appropriate protocols.

• Reference: Council conclusions on climate protection policy: Bull. EC 10-1990, point 1.3.77

Recommendation for a Decision adopted by the Commission on 16 January. Purpose: to authorize the Commission to participate, on behalf of the Community, in the negotiation of a framework convention on climatic change based on the Council's conclusions on climate protection policy.

Adopted by the Council on 4 February.

1.2.224. Framework convention on climatic change.

First meeting held in Washington on 14 February.

# Chemicals, industrial hazards and biotechnology

### Dangerous substances

1.2.225. Council Decision authorizing the Commission to negotiate a draft OECD

decision-recommendation concerning the joint review of existing chemical products and the reduction of the associated risks.

Recommendation for a Decision adopted by the Commission on 16 January.

Adopted by the Commission on 28 January.

- 1.2.226. Proposal for a Regulation on the evaluation and the control of the environmental risks of existing substances.
- Commission proposal: OJ C 276, 5.11.1990;
   COM(90) 227; Bull. EC 7/8-1990, point 1.3.132

Endorsed by the Economic and Social Committee on 28 February. The Committee reiterated the importance it attached to all measures designed to ensure a full and reliable flow of information and effective checks so that the risks of existing substances can be evaluated in the interests of a high level of human and environmental protection.

## Waste disposal

1.2.227. Proposal for a Directive concerning batteries and accumulators containing dangerous substances.

- Commission proposal: OJ C 6, 7.1.1989;
   COM(88) 672; Bull. EC 12-1988, point 2.1.221
- Parliament opinion (first reading): OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.159
- Economic and Social Committee opinion: OJ C 194, 31.7.1989; Bull. EC 5-1989, point 2.1.160
- Amended Commission proposal: OJ C 11, 17.1.1990; COM(89) 454; Bull. EC 11-1989, point 2.1.124
- Council agreement: Bull. EC 6-1990, point 1.3.119
- Council common position: Bull. EC 9-1990, point 1.2.91
- Parliament opinion (second reading): OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.147

Re-examined proposal adopted by the Commission on 18 January.

1.2.228. Council Decision authorizing the Commission to negotiate a draft OECD decision-recommendation on the reduction of the transfrontier movements of waste.

• Commission recommendation for a Decision: Bull. EC 12-1990, point 1.3.148

Adopted by the Council on 28 January.

1.2.229. Proposal for a Council Decision on the conclusion, on behalf of the Community, of the Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

- Commission proposal: COM(90) 362; Bull. EC 7/8-1990, point 1.3.139
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.85

Endorsed by Parliament on 18 February.
OJ C 72, 18.3.1991

1.2.230. Parliament resolution on a Community strategy on waste management.

#### References:

Commission communication: Bull. EC 9-1989, point 1.1.1

Council resolution: OJ C 122, 18.5.1990; Bull. EC 5-1990, point 1.2.119

Adopted by the Commission on 19 February. Parliament welcomed the measures outlined by the Commission in its communication. It called on the Commission to propose measures designed to regulate the production, movement, recycling, re-use and final disposal of waste and asked the Member States to submit all relevant data to the Commission.

OJ C 72, 18.3.1991

1.2.231. Proposal for a Directive amending Directive 75/442/EEC on waste.

- Directive to be amended: Council Directive 75/442/EEC: OJ L 194, 25.7.1975; Bull. EC 7-1975, point 2232
- Commission proposal: OJ C 295, 19.11.1988;
   COM(88) 391; Bull. EC 7/8-1988, point 2.1.118
- Economic and Social Committee opinion: OJ C 56, 6.3.1989; Bull. EC 12-1988, point 2.1.218
- Parliament opinion (first reading): OJ C 158, 26.6.1989; Bull. EC 5-1989, point 2.1.153
- Amended Commission proposal: OJ C 326, 30.12.1989; COM(89) 560; Bull. EC 11-1989, point 2.1.123
- Council agreement on a common position: Bull. EC 6-1990, point 1.3.124

Parliament opinion delivered on 22 February. Parliament disputed the appropriateness of the legal basis proposed by the Council, considering that the Commission proposal should be based on Article 100a of the EEC Treaty and not on Article 130s.

OJ C 72, 18.3.1991

# Management of environmental resources

#### Acnat

1.2.232. Proposal for a Regulation on action by the Community relating to nature conservation (Acnat).

- Commission proposal: OJ C 137, 6.6.1990;
   COM(90) 125; Bull. EC 5-1990, point 1.2.114
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.86
- Parliament opinion: OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.3.151

Amended proposal adopted by the Commission on 6 February.

COM(91) 35

#### Urban areas

1.2.233. Council resolution on the Green Paper on the urban environment.

- Reference: Commission communication on the Green Paper on the urban environment: COM(90) 218; Bull. EC 6-1990, point 1.3.113
- Approval by the Council: Bull. EC 12-1990, point 1.3.152

Formally adopted by the Council on 28 January.

O C 33, 8.2.1991

#### Flora and fauna

1.2.234. Proposal for a Council Directive on the protection of natural and semi-natural habitats and of wild fauna and flora.

Commission proposal: OJ C 247, 21.9.1988;
 COM(88) 381; Bull. EC 7/8-1988, point 2.1.120

- Amended Commission proposal: OJ C 195, 3.8.1990; COM(90) 59; Bull. EC 3-1990, point 1.1.87
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.3.87
- Parliament opinion: OJ C 234, 24.12.1990;
   Bull. EC 11-1990, point 1.3.96

Amended proposal adopted by the Commission on 8 February. The amended proposal defines in detail the concept of 'satisfactory conservation status'.

OJ C 75, 30.3.1991; COM(91) 27

#### General measures

## Community environmental label

1.2.235. Proposal for a Council Regulation on a Community award scheme for an eco-label.

 Approval by the Commission: Bull. EC 11-1990, point 1.3.1988

Formally adopted by the Commission on 11 February.

OJ C 75, 20.3.1991; COM(91) 37

## **Nuclear safety**

# Radiation protection

#### Basic standards

1.2.236. Commission Regulation (EEC) No 146/91 establishing a list of products excluded from the application of Council Regulation (EEC) No 737/90 on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station.

Basic Regulation: Council Regulation (EEC)
 No 737/90: OJ L 82, 29.3.1990; Bull. EC 3-1990, point 1.1.90

Adopted by the Commission on 22 January. Purpose: to draw up a list of products which are excluded from the application of the Regulation on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power station because they are either free of radioactive contamination of so slightly contaminated as to present no danger to health.

OJ L 17, 23.1.1991

## International cooperation

#### **OECD**

1.2.237. Ministerial-level meeting of the Environment Committee.

• Previous meeting: Bull. EC 6-1985, point 2.1.105

Meeting held in Paris on 30 and 31 January. The Committee, meeting for the fourth time since it was set up in 1970, reviewed the state of the environment in the OECD countries and internationally. A broad consensus was reached on the need for a strategy to integrate environmental and economic policies, making use of a broad range of instruments, including economic and fiscal instruments.

The Ministers also adopted a declaration condemning the deliberate spillage by Iraq of huge quantities of crude oil into the Gulf as an act of war.

#### **ECE**

1.2.238. Council Decision concerning the signature of the Convention of the United Nations Economic Commission for Europe (ECE) on Environmental Impact Assessment in a Transboundary Context.

#### References:

Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment: OJ L 175, 5.7.1985; Bull. EC 6-1985, point 2.1.93

Council Decision on participation in the negotiations for the conclusion of a framework agreement on transfrontier environmental impact assessment: Bull. EC 9-1990, point 1.2.99

Recommendation for a Decision adopted by the Commission on 7 February. Purpose: to authorize the President of the Council to designate the persons empowered to sign, on behalf of the Community, the ECE Convention on Environmental Impact Assessment in a Transboundary Context, which the Commission helped to draw up in close consultation with the Member States on the basis of Directive 85/337/EEC.

Adopted by the Council on 25 February.

Convention signed by the Commission at Espoo (Finland) on 26 February.

#### Consumers

## Health, physical safety and quality

#### Cosmetic products

1.2.239. Proposal for a Council Directive amending for the sixth time Directive 76/768/EEC of 27 July 1976 on the approximation of the laws of the Member States relating to cosmetic products.

- Directive to be amended: Council Directive 76/768/EEC (OJL 262, 27.9.1976; Bull. EC 6-1976, point 2.1.18), as last amended by Directive 89/679/EEC (OJL 398, 30.12.1989; Bull. EC 12-1989, point 2.1.153)
- Reference: Council Directive 86/609/EEC on the approximation of laws, regulations and administrative provisions of the Member States regarding the protection of animals used for experimental and other scientific purposes: OJ L 358, 18.12.1986; Bull. EC 11-1986, point 2.1.162

Adopted by the Commission on 5 February. The purpose of the proposal is to improve the safety of products and to protect and

inform consumers. Commission The intends to complete the harmonization of national instruments relating to the free movement of cosmetics by tightening up the definition of such products, stipulating the information to be kept available for the monitoring authority, having the product's function and composition indicated on the packaging, and compiling an inventory of ingredients used. It refers to the legislation on the use of animals for experimental purposes and the need to avoid unnecessary tests on animals.

OJ C 52, 28.2.1991; COM(90) 488

1.2.240. Proposal for a Council Directive on the approximation of the laws of the Member States relating to cosmetic products.

 Commission proposal: OJ C 322, 21.12.1990; Bull. EC 10-1990, point 1.3.99

Endorsed by Parliament on 25 January.
OJ C 48, 25.2.1991

Endorsed by the Economic and Social Committee on 27 February. The Committee called on the Commission to ensure that the directives being consolidated were transposed into national law.

### Hazardous substances

1.2.241. Parliament resolution on the principle of equivalence of conditions governing imports and exports between the European Community and third countries with regard to products which are harmful to health and to the environment.

Adopted by Parliament on 22 February. Parliament declared that, in respect of exports and imports of hazardous products or substances from and into the Community, the rules and conditions applicable must be equivalent in all cases. It called on the Commission to take this principle into account in its proposals and asked the Council and

the Commission to join it in drafting and signing a formal declaration to this end.

OJ C 72, 18.3.1991

# A people's Europe

# Citizens' rights

1.2.242. Proposal for a Council Directive on the driving licence.

- Commission proposal: OJ C 48, 27.2.1989;
   COM(88) 705; Bull. EC 11-1988, point 2.1.7
- Economic and Social Committee opinion: OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.1.9
- Parliament opinion: OJ C 175, 16.7.1990; Bull. EC 6-1990, point 1.3.267

Amended proposal adopted by the Commission on 4 January. The new text incorporates Parliament's amendments, including the provision for Member States to authorize holders of a category B driving licence to drive category D vehicles (minibuses with up to 16 seats) subject to certain provisos (they must be driven by volunteer workers for social purposes).

OI C 29, 5.2.1991; COM(90) 513

# Measures to help victims of natural disasters

1.2.243. Decision to grant emergency aid for the families of victims of the storm in Ireland and the United Kingdom.

Adopted by the Commission on 8 January. Purpose: to grant aid of ECU 500 000 to Ireland and to the United Kingdom.

1.2.244. Parliament resolution on adverse weather conditions and loss of life in the United Kingdom and Ireland during Saturday, 5 and Sunday, 6 January 1991.

Adopted on 21 February. Parliament called for the convening of a conference with a

view to establishing a Community code of practice to cope with such disasters.

OJ C 72, 18.3.1991

1.2.245. Parliament resolution on the recent spell of bad weather in Greece.

Adopted on 21 February. Parliament called on the Commission to provide emergency financial aid for arable and fruit farmers and livestock and poultry farmers hit by the severe weather.

OJ C 72, 18.3.1991

Parliament resolution on the 1.2.246. consequences of the cold spell in Europe.

Adopted on 21 February. Parliament called on the Commission to grant emergency aid to those affected by the cold spell.

OJ C 72, 18.3.1991

1.2.247. Parliament resolution on measures to assist the areas of eastern Sicily hit by the earthquake of 13 December 1990.

Adopted on 21 February. Parliament called on the Commission to grant emergency aid to the victims of the disaster and on the Italian Government to set up an efficient earthquake protection system.

OJ C 72, 18.3.1991

1.2.248. Parliament resolution on recent storm damage in Ireland.

Adopted on 21 February. Parliament called on the Commission to establish a special fund to deal with the problems of catastrophes and of natural disasters throughout the Community.

OJ C 72, 18.3.1991

# Audiovisual media, information, communication and culture

# Audiovisual policy and production

1.2.249. Commission communication on a year of the Community's audiovisual policy: current progress and prospects for the future.

References:
Media programme: OJ L 380, 31.12.1990;

Bull. EC 12-1990, point 1.3.294 Council Directive on the adoption of common technical specifications of the MAC/ packet family of standards for direct satellite television broadcasting: OJ L 311, 6.11.1986; Bull. EC 11-1986, point 2.1.53 Audiovisual Conference: Bull. EC 10-1989,

point 2.1.98

Commission communication of 2 February 1990 on audiovisual policy: COM(90) 78; Bull. EC 1/2-1990, point 1.1.270

Adopted on 20 February. Purpose: to take stock of a year of implementation of the Commission communication on audiovisual policy and lay down the programme for 1991 covering:

- (i) the 'rules of the game': the Commission will continue its work on adapting the law on copyright and intellectual property in line with technological developments;
- the programme industries: with a budget of ECU 200 million covering 1991 to 1995, the Media programme, whose purpose is to promote the development of the European audiovisual industry, came into effect on 1 January; building on the achievements of the experimental phase launched in 1987, the Commission will continue current action, launch new projects and present a number of proposals for involving certain European non-Community countries in the programme;
- mastering the new technology: the Commission will present a proposal for a specific Directive on satellite broadcasting rules as a follow-up to the present MAC/ packet Directive due to expire at the end of the year; a significant effort will be made to promote the introduction of HDTV services.

COM(91) 58

# 3. Role of the Community in the world

# **European Free Trade Association**

# Relations with EFTA

- Reference: Council Decision concerning the negotiating directives for an agreement with the EFTA countries on the establishment of a European economic area: Bull. EC 6-1990, point 1.4.6
- 1.3.1. Mr Schüssel, Austrian Minister for Economic Affairs and current Chairman of the EFTA Council, visited the Commission on 31 January.

Mr Schüssel met Mr Andriessen, with whom he discussed the progress of negotiations between the Community and EFTA on the European economic area (EEA). They spoke about unresolved issues in relation to competition, the nature of safeguard clauses which might be attached to the EEA treaty, the future judicial system of the EEA, and agriculture and fisheries. The two sides restated their aim of initialling the agreement establishing the European economic area in June. Mr Schüssel was accompanied by Mr Reisch, EFTA Secretary-General, and Mr Likaanen, the ambassador of Finland, which will be assuming the Chair of EFTA from 1 July. The delegation also met Sir Leon Brittan, Mr Cardoso e Cunha and Mr Van Miert.

1.3.2. Recommendation for a Council Decision concerning the opening of negotiations with EFTA on extending the proposed agreement establishing the European economic area to ECSC products.

Adopted by the Commission on 4 February. The Commission is proposing that ECSC products be covered by the agreement establishing the European economic area by attaching to it an annex setting out the form of future cooperation, using as a basis established rules and practices regarding steel.

# Bilateral relations

### Austria

- Reference: Austria's application for accession to the European Communities: Bull. EC 7/8-1989, point 2.2.14
- 1.3.3. Mr Jankowitsch, Secretary of State for European Integration, visited the Commission on 7 and 8 February.

Mr Jankowitsch met Mr Christophersen and Mr Pandolfi. Set against the background of a review of the progress of Austria's application for accession, the talks centred mainly on training for various professions in Community matters, Austria's neutrality and development aid.

1.3.4. Mr Vranitzky, Chancellor of Austria, visited the Commission on 18 February.

Mr Vranitzky, accompanied by Mr Schüssel, Minister for Economic Affairs, and Mr Jankowitsch, Secretary of State for European Integration, had discussions with Mr Delors, Mr Andriessen, Mr Christophersen and Mr Van Miert.

The main subject of the talks was the state of progress of the negotiations on the EEA, with the two sides recognizing that a number of issues remained to be resolved, notably with regard to EFTA participation in the establishment of EEA institutions, economic and social cohesion, agriculture and fisheries.

The Commission gave assurances that Austria's application for accession would be discussed in the Council by the end of 1991. Talks also covered road transit in Austria and issues relating to the aftermath of the Gulf War.

### **Finland**

1.3.5. Mr Suominen, Minister for Trade and Industry, visited the Commission on 8 January.

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Reference: EEC-EFTA ministerial meeting, 19
 December 1990: Bull. EC 12-1990, point 1.4.12

Mr Suominen met Mr Andriessen for discussions on the progress of negotiations on the European economic area. Mr Suominen and Mr Andriessen observed that the recent EEC-EFTA ministerial meeting had provided a new basis for giving a fresh push to the negotiations. They also discussed the situation in the Soviet Union and in other countries in Central and Eastern Europe.

# Norway

1.3.6. Mr Christophersen visited Oslo on 30 January.

Mr Christophersen met Ms Nordbo, Norway's Trade Minister. They discussed three areas of particular sensitivity for Norway in the context of negotiations on the European economic area. These were agriculture and fisheries, the implementation of a common competition policy for all the signatories to the agreement and the establishment of a common judicial authority.

1.3.7. Mr Johnsen, Norway's Finance Minister, visited the Commission on 26 February.

Mr Johnsen met Mr Christophersen, Sir Leon Brittan, Mr Millan and Mrs Scrivener. Discussions centred on issues connected with the European economic area, but also covered the progress of economic and monetary union, the alignment of the Norwegian krone on the ecu, the tax implications of the EEA, structural policy and macroeconomic policy.

The Soviet Union and the countries of Central and Eastern Europe

#### General

Food aid and emergency aid for the Soviet Union, Romania and Bulgaria

1.3.8. Proposal for a Council Regulation introducing a Community guarantee for

exports of foodstuffs from the European Community to the USSR. Proposal for a Council Regulation on urgent action to supply agricultural products to Romania and Bulgaria. Proposal for a Council Regulation on urgent action to supply agricultural products to the USSR.

Commission proposals: OJ C 22, 30.1.1991; OJ C 75, 20.3.1991; COM(90) 670; Bull. EC 12-1990, point 1.4.2

Endorsed by the Economic and Social Committee on 30 January. Welcoming the urgent action proposed by the Commission, the Committee felt the provision of credit guarantees to be a constructive measure, which should not, however, prejudice other areas of export credit insurance. With regard to the use made of food aid, the Committee thought that relief organizations should be involved and that the distribution of consignments should be monitored. The Committee concluded by calling upon the Community to provide increased support for current reforms, particularly by means of selective investment and the transfer of know-how.

OJ C 69, 18.3.1991

Parliament endorsed the proposal for a Regulation introducing a Community credit guarantee on 22 February, subject to several amendments. Parliament felt that provision should be made for triangular operations consisting of purchases by the Community from countries in the same geographical area, provided certain conditions were fulfilled.

OJ C 72, 18.3.1991

On 22 February Parliament endorsed, subject to certain amendments, the proposals for Regulations on urgent action to supply agricultural products to the USSR and to Romania and Bulgaria. Since the initial proposal had been split following consultation of the Economic and Social Committee, Parliament delivered an opinion on each of the two geographical areas concerned by the urgent action in question.

In its opinion on aid for Romania and Bulgaria, Parliament proposed amendments

concerning procedures for financing the aid and the need for a decision from the budgetary authority before the Regulation could be implemented. It also asked to be kept informed of all draft implementing measures.

In its opinion on aid to the USSR, Parliament called for the aid to be adapted to take account of the different circumstances of the various republics. It also proposed amendments making the entry into force of the Regulations subject to a decision from the budgetary authority and called for prior notification of all draft implementing measures.

OJ C 72, 18.3.1991

# Coordinated aid to Central and Eastern Europe

1.3.9. Group of 24.

• Reference: Previous high-level meeting: Bull. EC 10-1990, point 1.4.6

The ninth high-level meeting took place in Brussels on 30 January. At this meeting, representatives of the governments of the Phare programme's recipients - Poland, Hungary, Czechoslovakia, Bulgaria, Romania and Yugoslavia-took stock of the progress of the reform programmes under way and the economic outlook. In the course of the meeting, at the end of which a number of conclusions were adopted, members of the Group of 24 reiterated their support for the process under way in the countries of Central and Eastern Europe. The G-24 countries also noted the progress being made in Romania and agreed to extend economic assistance to this country, subject to close monitoring of the progress of political and economic reform.

They took stock of operations already under way or soon to be implemented, particularly macroeconomic assistance for Czechoslovakia and Hungary, and went on to a preliminary examination of the financial needs of Bulgaria and Romania.

The G-24 countries looked at emergency, humanitarian and medical aid for Bulgaria

and Romania and studied the possibility of a joint operation aimed at increasing the efficiency of energy production and distribution.

They ended by emphasizing the need to focus their efforts on improving the climate for the development of a market economy, particularly through privatization aid, price liberalization, restructuring of public-sector enterprises, the development of small and medium-sized enterprises and modernization of the service sector. Joint programmes and projects should be promoted in pursuit of these goals.

1.3.10. Recommendation for a Council Decision concerning the negotiation of trade and commercial and economic cooperation agreements for ECSC products with Bulgaria and Czechoslovakia.

 Reference: Council Regulation (EEC) No 2727/ 90 liberalizing or suspending quantitative restrictions applying to certain countries of Central and Eastern Europe: OJ L 262, 26.9.1990; Bull. EC 9-1990, point 1.3.4

Adopted by the Commission on 17 January. This proposal was aimed at extending the provisions of Regulation (EEC) No 2727/90 to cover ECSC products and so bring the arrangements applying to Bulgaria and Czechoslovakia into line with those accorded to Poland and Hungary under the Phare programme.

1.3.11. Draft Commission Decisions on the conclusion of ECSC protocols on trade and commercial and economic cooperation with Poland and Hungary.

- Commission proposal concerning the negotiating directives: Bull. EC 12-1989, point 2.2.26
- Decision of Member States' representatives meeting within the Council: Bull. EC 1/2-1990, point 1.2.10

Communication concerning a request for the assent of the Council adopted by the Commission on 17 January. The draft Commission Decisions to which the request for the Council's assent relates are aimed at extending the rules currently in force in

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the fields covered by the EEC Treaty to products covered by the ECSC Treaty.

Endorsed by the ECSC Consultative Committee on 8 February. The Committee agreed to the measures planned, but insisted on the need for great care when granting concessions, which must be adequately reciprocated and must not prejudice the application of rules on fair competition.

- 1.3.12. Proposal for a Council Decision amending Decision 90/62/EEC of 12 February 1990 extending to the Czech and Slovak Federal Republic and Bulgaria the guarantee granted by the Community to the EIB against losses under loans for projects in Hungary and Poland.
- Decision to be amended: Decision 90/62/EEC:
   OJ C 42, 16.2.1990; Bull. EC 1/2-1990, point 1.2.9
- Commission proposal: OJ C 242, 27.9.1990;
   COM(90) 384; Bull. EC 7/8-1990, point 1.4.4

Endorsed by Parliament on 22 February. Parliament proposed certain amendments aimed at increasing its rights of initiative and its right to be consulted.

OJ C 72, 18.3.1991

- 1.3.13. Draft Commission Decisions for the implementation of Council Regulation (EEC) No 2698/90 amending Regulation (EEC) No 3906/80 in order to extend aid to other countries of Central and Eastern Europe.
- Basic Regulation: Council Regulation (EEC) No 2698/90: OJ L 257, 21.9.1990; Bull. EC 9-1990, point 1.3.3
- Reference: Ninth meeting of the Group of 24
   (→ point 1.3.9)

Adopted by the Commission on 30 January. These two drafts concern all countries eligible for aid under the Phare programme, including Romania, and cover the following:

- (i) support mechanisms for private-sector initiatives to set up joint ventures (ECU 20 million);
- (ii) programmes of multidisciplinary technical assistance (ECU 5 million).

- 1.3.14. Commission Decision approving a relief operation for Romania.
- Basic Regulation: Council Regulation (EEC) No 2698/90: OJ L 257, 21.9.1990; Bull. EC 9-1990, point 1.3.3

Adopted by the Commission on 16 January. The purpose is to furnish, over the next three months, the most urgently needed basic medical supplies. The amount approved has been set at ECU 10 million.

# European Bank for Reconstruction and Development

1.3.15. Mr Attali, President of the EBRD, visited the Commission on 9 January.

Mr Attali met Mr Delors, Mr Andriessen and Mr Christophersen for talks centred on the inauguration of the EBRD, which is scheduled to take place before the summer, and on the need for coordination with Community operations and financial aid.

### **Bilateral relations**

### Albania

- 1.3.16. Parliament resolution on relations between the European Community and Albania.
- Reference: Conclusions of the second Rome European Council: Bull. EC 12-1990, point I.31

Adopted by Parliament on 22 February. Welcoming the recent signs of freedom and political pluralism in Albania, Parliament reiterated its support for a process of democratization of political life in Albania, and called on the Commission and the Council to respond favourably to the Albanian request for relations to be established with the Community and give consideration to the possibilities for concluding an economic and trade and commercial cooperation agreement, once the necessary political guarantees were in place. Parliament also called for humanitarian aid to be given,

should Albania, which was facing considerable economic difficulties, request it.

OI C 72, 18.3.1991

# Bulgaria

1.3.17. Mrs Ludzhev, Deputy Prime Minister, visited the Commission on 29 January.

Mrs Ludzhev met Mr Christophersen, with whom she spoke of Bulgaria's need for financial aid from the international community, amounting to a further USD 1 billion on top of the expected loans from the IMF and World Bank. Mr Christophersen told her that the Community would probably be able to provide a significant proportion of this aid, provided that an agreement was concluded with the IMF.

# Hungary

1.3.18. Granting of medium-term financial aid to Hungary.

- Basic Decision: Council Decision 90/83/EEC:
   OJ L 58, 7.3.1990; Bull. EC 1/2-1990, point 1.2.12
- Authorization of the first tranche: Bull. EC 3-1990, point 1.2.7
- Council Decision 90/681/EEC on the second tranche: OJ L 375, 31.12.1990; Bull. EC 12-1990, point 1.4.10

Second tranche authorized in Brussels on 29 January.

### Romania

1.3.19. Agreement between the European Economic Community and the European Atomic Energy Community, of the one part, and Romania, of the other part, on trade and commercial and economic cooperation.

- Recommendation for a Decision: Bull. EC 4-1990, point 1.2.11
- Negotiating directives: Bull. EC 5-1990, point 1.3.12
- Initialling of the Agreement and Council conclusions: Bull. EC 6-1990, point 1.4.5
- Council Decision on the signature of the Agreement: Bull. EC 9-1990, point 1.3.8

Endorsed by Parliament on 22 February.
OI C 72, 18.3.1991

1.3.20. Mr Nastase, Romania's Minister for Foreign Affairs, visited the Commission on 13 February.

### References:

Ninth high-level meeting of the Group of  $24 \rightarrow 13.39$ 

Agreement on trade and economic and commercial cooperation (→ point 1.3.19)

Mr Nastase had talks with Mr Andriessen on the progress made towards the conclusion of the Agreement on trade and economic and commercial cooperation, the forthcoming negotiations for an agreement covering ECSC products and the application to Romania of all the Phare programme's aid measures. They also discussed the possibility of talks on a European agreement.

# Czechoslovakia

- 1.3.21. Council Decision 91/106/EEC on the granting of medium-term financial aid to the Czech and Slovak Federal Republic.
- Reference: Conclusions of the second Rome European Council: Bull. EC 12-1990, point I.31

Proposal adopted by the Commission on 4 January.

OJ C 37, 13.2.1991

Endorsed by Parliament on 22 February. OJ C 72, 18.3.1991

Adopted by the Council on 25 February. The purpose was to grant a medium-term loan of up to ECU 375 million for a maximum duration of seven years in order to help support Czechoslovakia's balance of payments and strengthen its reserves, and to assist the country's changeover to a convertible currency.

OJ L 56, 2.3.1991

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# Mediterranean and Middle East

I

# Financial cooperation with the Mediterranean non-member countries

1.3.22. Proposal for a Council Regulation concerning financial cooperation in respect of all the Mediterranean non-member countries.

 Reference: Decision by the Council on a new Mediterranean policy: Bull. EC 12-1990, point 1.4.15

Adopted by the Commission on 19 February. The proposal lays down the detailed arrangements and rules for the financial cooperation adopted by the Council under its new Mediterranean policy. It introduces two new types of measures to supplement those already applying under financial protocols.

The first is designed to promote operations of regional interest in the various areas of cooperation and may take the form of support for measures involving a number of Mediterranean non-member countries or a Mediterranean non-member country and the Community and support for the process of integration in the region through technical cooperation, training, seminars, studies and missions. It may also take the form of feasibility studies for regional infrastructure projects financed by the EIB from its own resources outside the framework of the financial protocols.

The second type, which concerns environmental cooperation, includes measures which have a catalytic effect, such as pilot or demonstration projects and training schemes, and the financing of interest-rate subsidies for loans provided by the EIB from its own resources for investment purposes outside the framework of the financial pro-

tocols. The financing provided will be in the form of grants.

OJ C 68, 16.3.1991; COM(91) 48

# Other financial aid for countries in the Middle East and the Mediterranean

1.3.23. Proposal for a Council Regulation on financial aid to Israel and the Occupied Territories.

References:

Council Regulation (EEC) No 3557/90 on financial aid for the countries most directly affected by the Gulf crisis: OJ L 347, 12.12.1990; Bull. EC 12-1990, point 1.4.16

Decision by the Council on a new Mediterranean policy: Bull. EC 12-1990, point 1.4.15

Adopted by the Commission on 28 February. The Commission's proposal is to provide aid for Israel and the Occupied Territories, which have had at best only limited access to the measures taken to help the three 'front-line' States, and follows on from these measures and the decision by the Council on a new Mediterranean policy. The ECU 250 million aid package will help to alleviate the adverse effects of the Gulf conflict. It will take the form of loans or grants and will be used to cover the cost of Israel's imports and expenditure on alleviating socio-economic problems (health, education and housing) in the Occupied Territories.

OJ C 68, 16.3.1991; COM(91) 61

H

# Mediterranean countries

# Maghreb, Mashreq and Israel

1.3.24. Fourth financial protocols.

 Decision by the Council on a new Mediterranean policy: Bull. EC 12-1990, point 1.4.15

Adoption by the Council on 25 February of a decision supplementing the negotiating

directives adopted in December. This breaks down the ECU 1 300 million allocation between the recipient countries as follows: Morocco, ECU 220 million; Algeria, ECU 280 million; Tunisia, ECU 168 million; Egypt, ECU 310 million; Jordan, ECU 80 million; Syria, ECU 115 million; Lebanon, ECU 45 million; Israel, ECU 82 million.

# West Bank and Gaza Strip

- 1.3.25. Proposal for a Council Regulation on the tariff arrangements applicable to imports into the Community of products originating in the Occupied Territories.
- Reference: Conclusions of the European Council in Dublin: Bull. EC 6-1990, point I.39

Adopted by the Commission on 15 February. In response to the European Council's request, the Commission has proposed measures to improve access to the Community market for Palestinian agricultural exports. The Regulation provides for the immediate abolition of residual customs duties applied to products in Annex II to the Treaty which come under the preferential arrangements currently applicable to the Occupied Territories, the application of the same arrangements to strawberries since an export potential exists and the fixing, for sensitive products, of reference quantities in the light of exports already effected or export openings. COM(91) 40

# Syria

1.3.26. Third Protocol on financial and technical cooperation between the European Economic Community and the Syrian Arab Republic.

• Reference: Negotiating directives: Bull. EC 9-1990, point 1.3.22

 Recommendation for a Council Decision on the conclusion of the Protocol: OJ C 16, 24.1.1990; COM(90) 633; Bull. EC 12-1990, point 1.4.27

Decision on the conclusion of the Protocol adopted by the Council on 4 February.

Protocol signed in Brussels on 7 February.

# Middle East

### Gulf War

1.3.27. Parliament resolution on the Gulf conflict.

Adopted by the Commission on 24 January. After once again calling on Iraq to comply with the UN Security Council's resolutions, Parliament stressed that, following restoration of Kuwait's independence, the Member States could contribute greatly to the success of the peace process by proclaiming their united support for the principle of an international Middle East peace conference, under the auspices of the United Nations.

OJ C 48, 25.2.1991

1.3.28. Parliament resolution on the situation in the Gulf.

Adopted by the Commission on 21 February. Parliament reiterated the need for the Iraqi Government to respond immediately, unequivocally and in strict compliance with the UN resolutions and called on the Commission to present without delay proposals for reconstruction of the region.

OJ C 72, 18.3.1991

1.3.29. Parliament resolution on the economic and social consequences of the Gulf crisis.

Adopted by the Commission on 21 February. In view of the slump in business in the tourism sector, particularly for air and sea carriers, Parliament called on the Commission to study and introduce emergency measures, including the release of Community funds, EIB loans and government aid, to cope with the present situation.

OJ C 72, 18.3.1991

# United States, Japan and other industrialized countries

### **United States**

1.3.30. EEC-US meeting in the context of the transatlantic declaration.

 Reference: Declaration on relations between the European Economic Community and the United States: Bull. EC 11-1990, point 1.5.3

First meeting held in Washington on 28 January. Mr Andriessen and Mr Poos, President of the Council, met Mr Baker, the Secretary of State. Discussion centred notably on the situations in the Gulf, the Soviet Union and the Baltic republics, Uruguay Round disputes and the progress of European integration. Mr Andriessen also met Mrs Hills, Special Representative for Trade Negotiations, Mr Yeutter, Agriculture Secretary, and Mr Bentsen, Chairman of the Senate Finance Committee. Discussion essentially covered the Uruguay Round and the common goal of bringing about rapid agreement.

# Japan

1.3.31. Mr Katsumura, Deputy Minister for Economic Affairs, visited the Commission on 5 February.

Mr Katsumura met Mr Christophersen and senior Commission officials. Discussion concentrated on two issues: the situation of and economic outlook for Asean and the various moves towards cooperation in the region, and the situation in the Soviet Union and Central and Eastern Europe from the point of view of investment policy and the operations planned by the Group of 24, which includes Japan.

# Other industrialized countries

#### South Africa

1.3.32. Decision 91/114/EEC of the representatives of the Governments of the

Member States, meeting within the Council, repealing Decision 86/517/EEC concerning the suspension of new direct investment in the Republic of South Africa.

### References:

Decision 86/517/EEC: OJ L 305, 31.10.1986 Declaration on South Africa of the second European Council held in Rome: Bull. EC 12-1990, point I.29

Adopted on 25 February by the representatives of the Governments of the Member States, meeting within the Council. This step was the result of a decision of the European Council on the principle of repealing at this juncture the ban on new investment in South Africa, in order to help combat unemployment and improve the economic and social situation in the country.

OJ L 59, 6.3.1991

# Australia

1.3.33. Mr Beddall, Minister for Small Business, made a visit to the Commission from 1 to 4 February.

 Reference: Council resolution on the action programme for small and medium-sized enterprises (BC-Net): OJ C 287, 14.11.1986; Bull. EC 10-1986, point 1.3.1

Mr Beddall met Mr Cardoso e Cunha. Discussions covered a series of issues relating to small and medium-sized enterprises (SMEs), and revealed many similarities in the situations of the Community and Australia in this regard. In particular, the two sides compared their policies for promoting the interests of SMEs. Mr Cardoso e Cunha received with interest Australia's proposal for joining BC-Net.

#### Canada

1.3.34. EEC-Canada meeting in the context of the transatlantic declaration.

 Reference: Declaration on relations between the European Economic Community and Canada: Bull. EC 11-1990, point 1.5.4

First meeting held in Ottawa on 29 January. Mr Andriessen and Mr Poos, President of the Council, met Mr Clark, Secretary of State for External Affairs, with whom they discussed the latest developments in the Gulf War, in Central and Eastern Europe and in the Soviet Union's Baltic republics, and relations between the Community and North America. They then met the Prime Minister, Mr Mulroney, who welcomed the decision to strengthen relations between Canada and the Community through regular high-level political consultations. Mr Andriessen also meet Mr Crosbie, Minister for International Trade, with whom he discussed the Uruguay Round negotiations. Mr Crosbie was confident as to the outcome of the Round.

# Asia and Latin America

### Asia

# Pakistan and Afghanistan

1.3.35. Parliament resolution on the earthquake in Pakistan and Afghanistan.

Adopted by the Commission on 21 February. Parliament drew the attention of the Commission and the Member States to the scale and gravity of the damage and called on them to express the Community's solidarity with the victims by providing emergency aid.

O J C 72, 18.3.1991

# Viet Nam

- 1.3.36. Financing decision for a programme to repatriate and reintegrate Vietnamese exiles not recognized as refugees (Phase 1).
- Reference: Programme approved by the Commission: Bull. EC 12-1990, point 1.4.35

Approved by the Commission on 15 February. The decision means that the pro-

gramme approved in December can now be implemented. It comprises a repatriation component, which the Office of the United Nations High Commissioner for Refugees is in charge of, and a reintegration component to be carried out in cooperation with the UNHCR and the Vietnamese Government. The Community contribution to the start-up phase is ECU 10 million.

### **Latin America**

### Central America and Cuba

1.3.37. Parliament resolution on relations with the countries of Central America, including Cuba.

Adopted by the Commission on 22 February. Despite the positive aspects of the peace process in Central America, Parliament considered that efforts must be continued to create the political, economic and social conditions needed to make the peace process and the consolidation of democracy in the region lasting and irreversible. It considered that the formation of a Central American parliament could contribute to greater stability in the region and that efforts to achieve regional integration should be continued and encouraged.

It also called on the Community to step up its development aid programmes, coordinate Community and national aid, increase its cooperation with Central American regional organizations or institutions and support measures to protect the environment and save tropical forests.

OI C 72, 18.3.1991

#### Bilateral relations

### Chile

- 1.3.38. Framework Cooperation Agreement between the Community and Chile.
- Recommendation for a Commission Decision: Bull. EC 3-1990, point 1.2.41

 Council negotiating directives: Bull. EC 7/8-1990, point 1.4.44

 Proposal for a Decision on the conclusion of the Agreement: OJ C 318, 18.12.1990; COM(90) 560; Bull. EC 11-1990, point 1.4.34

Council Decision and signing of the Agreement: Bull. EC 12-1990, point 1.4.43

Endorsed by Parliament on 22 February. OJ C 72, 18.3.1991

1.3.39. Parliament resolution on economic relations between the European Community and Chile.

# • References:

Framework Cooperation Agreement between the European Economic Community and the Republic of Chile ( $\rightarrow$  point 1.3.38)

EEC-Rio Group ministerial conference: Bull. EC 12-1990, point 1.4.39

Adopted by the Commission on 22 February. Parliament welcomed the inclusion of the democratic clause in the EEC-Chile Cooperation Agreement and called for its inclusion in other agreements being negotiated. It was also glad to see the introduction of a specific sector on the environment, which it hoped marked the beginning of sustainable development compatible with Chile's natural resources. With reference to the conclusions of the EEC-Rio Group ministerial conference, Parliament welcomed the call for closer ties between the Community and Latin America and the possibility of access by the Latin American countries to EIB resources and Community scientific and technological programmes.

OJ C 72, 18.3.1991

### **Ecuador**

1.3.40. Mr Rodrigo Borja, President of Ecuador, visited the Commission on 21 February.

• Reference: EEC-Rio Group ministerial conference: Bull. EC 12-1990, point 1.4.39

Mr Borja met Mr Delors for discussions on the current state of relations between the Community and Ecuador, the specific cooperation schemes to be carried out in the sectors identified as priority areas in the Rome declaration adopted at the end of the EEC-Rio Group ministerial conference, and the problems connected with Ecuador's banana exports to the Community.

### Mexico

1.3.41. Framework Cooperation Agreement between the European Economic Community and the United Mexican States.

- Commission proposals: Bull. EC 7/8-1990, point 1.4.45
- Negotiating directives: Bull. EC 10-1990, point 1.4.27

Agreement initialled in Brussels on 13 February.

# Nicaragua

1.3.42. Mrs Violeta Chamorro, President of Nicaragua, visited the Commission on 15 February.

Mrs Chamorro met Mr Delors and Mr Matutes to whom she described the serious difficulties facing Nicaragua, notably the external debt of USD 10 billion.

She explained the need for foreign aid to back up the austerity measures which would be applied under the stand-by agreement currently being negotiated with the IMF. Several aid projects were presented to the Commission by Nicaragua, which also asked for concessions similar to those provided under the Stabex system.

#### Peru

1.3.43. Parliament resolution on the cholera epidemic in Peru.

Adopted by Parliament on 21 February. Parliament noted the emergency aid provided by the Commission and the Member States to control the epidemic and called on the Commission to set up a system to coordinate the aid and to establish contact with the relevant international organizations and the governments in the region in order to organize a concerted campaign to combat

the epidemic. It also appealed for economic and humanitarian aid as partial compensation for the drop in exports caused by the cholera epidemic.

OJ C 72, 18.3.1991

### Other Latin American countries

1.3.44. Meetings between the Community and various Latin American countries as part of the Uruguay Round (→ point 1.3.108).

# Financial and technical cooperation

1.3.45. Financing decision.

 Basic Regulation: Council Regulation (EEC) No 442/81 on financial and technical aid to non-associated developing countries: OJ L 48, 21.2.1981; Bull. EC 2-1981, point 2.2.16

Adopted by the Commission on 30 January. Aid was granted as follows:

- (i) Bangladesh: ECU 38.6 million for a national small-scale irrigation project;
- (ii) Indonesia: ECU 9.3 million for the Punggur Utara irrigation project.

# **ACP** countries and OCTs

I

### Relief of ACP debt

- 1.3.46. Commission communication to the Council on the relief of ACP debt to the Community:
- (i) draft internal agreement on the cancellation and conversion into grants of special loans to the ACP States;

- (ii) proposal for a joint position on the removal of the obligation for all but the least-developed ACP States to contribute to the replenishment of the resources of the system for the stabilization of export earnings (Stabex) under the first, second and third ACP-EEC Lomé Conventions:
- (iii) proposal for a Council Decision on the recycling of repayments in respect of certain special loans and risk capital made available to ACP States;
- (iv) proposal for a Council Decision on the recycling of repayments in respect of risk capital made available to ACP States.

### References:

Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Parliament resolution on ACP debt: OJ C 295, 26.11.1990; Bull. EC 10-1990, point 1.4.29

Commission communication to the Council on the relief of ACP debt to the Community: Bull. EC 11-1990, point 1.4.36

Adopted by the Commission on 16 January. The Commission is giving operational effect to the guidelines set out in its communication of last November. It is asking the representatives of the Member States' governments meeting within the Council to decide to cancel special loans, except those to profit-making firms.

As the fourth Lomé Convention removed the requirement for all but the least-developed ACP States to contribute to the replenishment of the resources of the Stabex system, the Commission proposes that the same conditions should be applied to transfers under the first three Lomé Conventions which have not yet been repaid.

The Commission, taking the view that the Community should have supplementary resources available enabling it to respond flexibly to the debt problems of the ACP States, has asked the Council to agree to the recycling into EDF resources of repayments in respect of risk capital made available to the ACP States under the earlier Conventions.

Finally, the Commission has asked the Council to confirm its political will to take a similar decision, once the fourth Lomé Convention has entered into force, as regards risk capital under this Convention.

II

# Implementation of the new Convention

References:

Third ACP-EEC Convention, signed in Lomé on 8 December 1984: Bull. EC 12-1984, points 1.5.1 to 1.5.4

Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

- 1.3.47. Council Decision on the conclusion on behalf of the Community of the fourth ACP-EEC Convention.
- Commission proposal: COM(90) 302; Bull. EC 7/8-1990, point 1.4.49

Adopted by the Council on 25 February. This was a single concluding instrument signed by the Council and also by the Commission, under the powers conferred upon it by the ECSC Treaty.

- 1.3.48. Council Regulation (EEC) No 524/91 on the application of Decision No 1/91 of the ACP-EEC Council of Ministers extending Decision No 2/90 on transitional measures to be applied from 1 March 1990.
- Reference: Council Regulation (EEC) No 714/ 90 on the application of Decision No 2/90 of the ACP-EEC Council of Ministers on transitional measures: OJ L 84, 30.3.1990; Bull. EC 3-1990, point 1.2.45
- Decision to be extended: Decision No 2/90 of the ACP-EEC Council of Ministers on transitional measures: Bull. EC 1/2-1990, point 1.2.49

Proposal adopted by the Commission on 25 January.

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Endorsed by Parliament on 22 February.
OJ C 72, 18.3.1991

Decision No 1/91 adopted by the ACP-EEC Council of Ministers on 27 February.

OJL 58, 5.3.1991

Adopted by the Council on 27 February. The Decision and the Regulation are designed, with a view to continuity in ACP-EEC cooperation and the OCT-EEC association, to extend Decision No 2/90 until the date of entry into force of the fourth ACP-EEC Convention, and at the latest until 30 June 1991.

OJL 58, 5.3.1991

- 1.3.49. Council Decision 91/110/EEC extending Decision 86/283/EEC on the association of the overseas countries and territories with the European Economic Community.
- Decision to be extended: Council Decision 86/ 283/EEC on the association of the overseas countries and territories with the European Economic Community: OJ L 175, 1.7.1986; Bull. EC 6-1986, point 2.2.43

Proposal adopted by the Commission on 25 January.

COM(91) 14

Endorsed by Parliament on 22 February. OJ C 72, 18.3.1991

Adopted by the Council on 27 February.
OJ L 58, 5.3.1991

- 1.3.50. Decision 91/111/ECSC of the representatives of the Governments of the Member States meeting within the Council extending Decision 86/284/ECSC on the arrangements for trade between the Community and the associated overseas countries and territories in products within the province of the European Coal and Steel Community.
- Decision to be extended: Decision 86/284/ ECSC on the arrangements for trade between the Community and the associated overseas countries and territories: Bull. EC 6-1986, point 2.1.43

Proposal adopted by the Commission on 25 January.

COM(91) 14

Adopted by the Council on 27 February.
OJL 58, 5.3.1991

1.3.51. Council Regulation (EEC) No 523/91 extending the validity of Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the ACP States or in the overseas countries and territories (OCTs).

 Reference: Proposal for a Council Decision on the association of the OCTs with the Community: Bull. EC 9-1990, point 1.3.32

 Regulation to be extended: Council Regulation (EEC) No 715/90: OJ L 84, 30.3.1990; Bull. EC 3-1990, point 1.2.47

Proposal adopted by the Commission on 8 January.

COM(90) 682

Adopted by the Council on 27 February. In view of the uncertainty concerning the entry into force of the fourth Lomé Convention and the new Decision on the association of the OCTs before 28 February, the deadline for the initial application of Regulation (EEC) No 715/90, and in order to avoid any lapse in continuity as regards trade, Regulation (EEC) No 523/91 extends the validity of Regulation (EEC) No 715/90 until 29 February 1992.

OJ L 58, 5.3.1991

1.3.52. Council Regulation (EEC) No 297/91 amending Regulation (EEC) No 715/90 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific (ACP) States or in the overseas countries and territories (OCTs) to take account of the accession of Namibia to the fourth ACP-EEC Convention.

• Reference: Accession of Namibia to the Lomé Convention: Bull. EC 12-1990, point 1.4.48

 Regulation to be amended: Council Regulation (EEC) No 715/90: OJ L 84, 30.3.1990; Bull. EC 3-1990, point 1.2.47

Proposal for a Regulation adopted by the Commission on 10 January.

COM(91) 681

Adopted by the Council on 4 February. This Regulation enables Namibia to be included in the list of countries benefiting from the agricultural arrangements under the Lomé Convention and also allocates to Namibia an annual beef and veal quota.

OJ L 36, 8.2.1991

# Stabex and Sysmin

1.3.53. Council Regulation (EEC) No 151/91 amending the list of least-developed countries included in Annex II to Regulation (EEC) No 429/87.

 Reference: Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

 Regulation to be amended: Council Regulation (EEC) No 429/87: OJ L 43, 13.2.1987; Bull. EC 2-1987, point 2.2.32

 Commission proposal: COM(90) 308; Bull. EC 7/8-1990, point 1.4.53

Adopted by the Commission on 21 January. Following the signing of the fourth ACP-EEC Convention by Haiti, the latter country is removed from the list of countries eligible for the Compex system and from 1990 will be covered by the Stabex system established under the Convention.

OJ L 18, 24.1.1991

# Financial and technical cooperation

1.3.54. Financing of projects, programmes and emergency aid.

Commission decision allocating a total of ECU 6 570 000 from sixth EDF resources (see Table 6).

Table 5 — Financing of operations under the sixth EDF

(million ECII)

		Amount	
Country	Project	Grant	Special loan
Rural production			
Comoros	Small-scale fishing	2.000	
Social and cultural development			
Tanzania	Preservation of historical buildings	0.690	
Emergency aid	,		
Somalia	Aid for victims of the recent fighting	0.650	
All ACP countries	Establishment of an emergency aid appropriation intended to finance specific aid measures (up to ECU 100 000 per operation) so as to enable the Commission to act immediately in emergencies in the ACP countries	0.650	
Mozambique	Aid for victims of the fighting	0.640	
Ethiopia	Aid for Somali refugees	0.650	
Sudan	Aid for those affected by the drought	0.640	
Somalia	Aid for victims of the fighting, via NGOs, the Red Cross, etc.	0.650	
	Total	6.570	

### Institutions

# ACP-EEC Joint Assembly meetings in 1990

1.3.55. Parliament resolution on the results of the work of the ACP-EEC Joint Assembly meetings in Port Moresby, Papua New Guinea, and in Luxembourg in 1990.

#### References:

Session of the ACP-EEC Joint Assembly held in Port Moresby: OJ C 218, 3.9.1990; Bull. EC 3-1990, point 1.2.42

Session of the ACP-EEC Joint Assembly held in Luxembourg: OJ C 27, 4.2.1991; Bull. EC 9-1990, point 1.3.33

Fourth ACP-EEC Convention, signed in Lomé on 15 December 1989: Bull. EC 12-1989, points 1.2.1 to 1.2.3

Adopted by Parliament on

Adopted by Parliament on 24 January. Welcoming the positive results of ACP-EEC

parliamentary cooperation, in particular the fact that it was now possible to discuss sensitive political matters within the Assembly, Parliament deplored the fact that many ACP States continued to be represented in the Assembly by their ambassadors and considered that the people of these countries should be associated with the development process by the introduction of democratic structures. Parliament nevertheless welcomed the fact that the 1990 Assembly had set itself aims for short, medium and long terms designed to improve the economic and social situation in the countries concerned and that initiatives had been taken which had contributed to a considerable improvement in the text of Lomé IV, which in its view contained many gaps.

OJ C 48, 25.2.1991

# National archives

1.3.56. Parliament resolution on the right of peoples to be informed concerning their history and have their national archives returned to them.

Adopted by Parliament on 24 January. Deploring the fact that some Community Member States still held in their possession a great amount of information on the colonial and precolonial period of the developing countries, Parliament regarded as legitimate the steps taken by these countries which wished to recover their heritage and in this connection asked the Community Member States to give a favourable reception to all requests by these countries for the return of archives. Parliament also recommended the establishment of a databank listing all the archives of the ACP States dispersed throughout the Community.

OJ C 48, 25.2.1991

# **Visits**

1.3.57. Visit to the Commission by Mr N. Soglo, Prime Minister of Benin, on 21 January.

Mr Soglo met Mr Marín, Vice-President of the Commission. Mr Soglo described recent political developments in Benin and stressed the main achievements concerning democratic renewal. He further informed the Commission as regards the progress of preparatory work on the second structural adjustment programme (1991-94), which could be signed with the IMF in April.

1.3.58. Visit to the Commission by Mr P. Mocumbi, Foreign Minister of Mozambique, on 29 January.

Mr Mocumbi met Mr Marín for discussions concerned mainly with the refugee situation in Mozambique and in South Africa and the problems facing Mozambique. Reference was also made to the decision to establish a conference of donors of aid to refugees

which would be organized by Mozambique with Community support.

1.3.59. Visit by Mr Marín to the Dominican Republic from 4 to 6 February.

Mr Marín was received in Santo Domingo by President J. Balaguer and Mr J. Ricardo, Foreign Minister. They discussed questions still pending concerning the implementation of the new phase of cooperation between the Community and the Dominican Republic, regional cooperation, food aid requested by the Dominican authorities following the drought and the aid which the country was to receive from the European Development Fund.

1.3.60. Visit by Mr Marín to Haiti on 7 February.

Mr Marín visited Haiti for the investiture of President J. B. Aristide, thus stressing the political importance of this event, and the launching of cooperation with the Community under the fourth Lomé Convention. Mr Marín stressed that if future aid was to be implemented rapidly and effectively the Government should not delay in establishing the structures required under the Convention. Discussions also covered regional cooperation.

1.3.61. Visit by Mr Marín to Senegal from 14 to 16 February.

Mr Marín met President A. Diouf. They discussed various international problems including the Gulf War, the dispute with Mauritania, West African regional integration, Community initiatives as regards debt and the general framework of relations between the Community and Senegal. It was agreed that over the next five years programmable Community aid would be concentrated mainly on road infrastructure and rural development.

# General development cooperation

# **Generalized preferences**

1.3.62. Guidelines for the Community's generalized preferences scheme for the 1990s.

References:

Commission communication: COM(90) 329; Bull. EC 7/8-1990, point 1.4.59

Council declaration: Bull. EC 10-1990, point 1.4.33

Parliament resolution: OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1,4.57

Endorsed by the Economic and Social Committee on 30 January. The Committee endorsed the Commission's proposal and largely shared its view of the shortcomings of the present scheme. It thought that its scope should be restricted and the benefits focused on a smaller number of countries. It thus proposed excluding automatically all countries with a per capita gross domestic product higher than that of a Community country. Lastly, it expressed the hope that in future the GSP would be reserved for the least developed countries.

OI C 69, 18.3.1991

# Commodities and world agreements

1.3.63. Proposal for a Council Decision concerning notification of the acceptance by the Community of the International Coffee Agreement 1983, as extended to 30 September 1992.

References:

International Coffee Agreement: OJ L 308, 9.11.1983; OJ L 299, 17.10.1989; Bull. EC 9-1983, point 2.2.33

Decision to extend the International Coffee Agreement 1983: Bull. EC 9-1990, point 1.3.39

Adopted by the Commission on 4 February. The proposal provides for simultaneous notification by the EEC and its Member States of their acceptance of the International Coffee Agreement 1983, as

extended, once they have completed the necessary internal procedures.

COM(91) 22

### Food aid

# Food aid management

1.3.64. Commission report on Community food aid policy and management in 1987 and 1988.

• Basic Regulations:

Council Regulation (EEC) No 3972/86 on food aid policy and food aid management: OJ L 370, 30.12.1986; Bull. EC 12.1986, point 2.2.31

Regulation (EEC) No 2200/87 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid: OJ L 204, 25.7.1987; Bull. EC 7/8-1987, point 2.2.45

Adopted by the Commission on 16 January. The report reviews direct, indirect and emergency food aid operations, complementary storage operations and co-financing for the purchase of products, and evaluates the results of the implementation of Regulation (EEC) No 2200/87, which made changes in the responsibilities for the execution of operations and the delivery terms.

### Food aid decisions

### Standard food aid

1.3.65. Food aid allocations from the Community budget totalling an estimated ECU 202 331 000.

• Basic Regulations:

Council Regulation (EEC) No 3972/86 on food aid policy and food aid management: OJ L 370, 30.12.1986; Bull. EC 12-1986, point 2.2.31

Regulation (EEC) No 1930/90 amending *inter alia* Regulation (EEC) No 3972/86: OJ L 174, 7.7.1990; Bull. EC 6-1990, point 1.4.43

Commission decision of 4 February. See Table 6.

Table 6 — Food aid operations

Country or organization	Cereals	Mılk powder	Butter oil	Sugar	Vegetable oil	Other products
	(tonnes)					(million ECU)
Burkina Faso	7 000					
WFP <sup>1</sup>	140 000	25 000	5 000	3 500	8 500	2.0
UNRWA <sup>2</sup>	26 330	4 623		3 102	1 696	6.1
NGOs <sup>3</sup>	150 000	20 000		3 500	5 000	15.0
Total	323 330	49 623	5 000	10 102	15 196	23.1

World Food Programme.

Non-governmental organizations.

# Emergency food aid

- 1.3.66. Commission decisions granting aid:
- (i) Victims of drought in Sudan: ECU 1.44 million, chiefly for the southern and central parts of the country.
- (ii) Victims of the famine in Sudan: ECU 21.94 million for the purchase of food and other products.
- (iii) Victims of the drought and the economic crisis in Peru: ECU 3.9 million for the population of the Andes and people living around the capital.
- (iv) Palestinians seeking refuge in the Occupied Territories as a result of the Gulf crisis: ECU 7.9 million.
- (v) Victims of the drought in Burkina Faso: ECU 2.96 million, chiefly for the northern and central parts of the country.

(vi) Victims of the drought in Ethiopia: ECU 22 million to cover the food shortfall.

# Contributions to the purchase of foodstuffs

1.3.67. Contributions to the purchase of foodstuffs and seeds by international bodies or non-governmental organizations.

• Basic Regulations:

Council Regulation (EEC) No 2508/88 on the implementation of co-financing operations for the purchase of food products or seeds by international bodies or non-governmental organizations: OJ L 220, 11.8.1988; Bull. EC 7/8-1988, point 2.2.67

Council Regulation (EEC) No 1930/90 amending *inter alia* Regulation (EEC) No 3972/86: OJ L 174, 7.7.1990; Bull. EC 6-1990, point 1.4.43

Commission decisions of 12 February. See Table 7.

Table 7 — Co-financing operations for the purchase of food products

NGO/International body	Recipient country	Community contribution (ECU)	Products
Euronaid	Various	4 000 000	Various foodstuffs and seeds

<sup>2</sup> UN Relief and Works Agency for Palestinian Refugees in the Near East.

# **Emergency aid**

- 1.3.68. Commission decisions granting aid:
- (i) Victims of the earthquake of 1 February and flooding in Afghanistan and Pakistan: ECU 500 000 to finance medical and other aid programmes (medicines, medical equipment, shelters, etc.).
- (ii) Cholera victims in certain parts of Peru: ECU 1 000 000 to finance efforts to stamp out the epidemic and implement medical programmes.
- (iii) Victims of the conflict in the Gulf: ECU 7 500 000 to repatriate third-country nationals.

# Aid to increase the self-sufficiency of refugees

1.3.69. Commission decision granting aid:

Greece: ECU 500 000 to supply basic necessities for Albanian refugees.

# Cooperation via non-governmental organizations

1.3.70. Commission report on cooperation with European non-governmental organizations (NGOs) in fields concerning developing countries (1989).

Adopted by the Commission on 22 February. The report looks at the use made of the appropriations for co-financing operations with NGOs in 1989 and discusses major areas of cooperation such as food aid, emergency aid, special programmes and liaison between NGOs.

COM(91) 52

# 1.3.71. Projects in developing countries.

Co-financed by the Commission: commitment of ECU 18 268 396 for 137 projects put forward by 129 NGOs.

1.3.72. Campaigns to increase European public awareness of development issues.

Commission contribution: ECU 198 607 for three operations.

# Commercial policy

# **General matters**

# Commercial policy instruments

# Trade protection

Protection against illicit trading practices

1.3.73. Examination procedure concerning Japan under Regulation (EEC) No 2641/84 as a result of the levying in Japan of harbour dues with the aim of setting up a Harbour Management Fund.

Notice of initiation: 16 February.

OJ C 40, 16.2.1991

# Anti-dumping measures

# Annual report

1.3.74. Eighth annual report by the Commission on the Community's anti-dumping and anti-subsidy activities.

#### • References:

Parliament resolution of 16 December 1981 on the Community's anti-dumping activities: OJ C 11, 18.1.1982; Bull. EC 12-1981, point 2.3.11

Seventh report: COM(90) 229; Bull. EC 6-1990, point 1.4.52

Adopted by the Commission on 23 January. The report deals mainly with the Community's anti-dumping and anti-subsidy activities in 1989 and also contains, for the purposes of comparison, information on the number of investigations and reviews initiated and concluded in the years 1985 to 1988. It also refers to the negotiations at present being conducted as part of the Uruguay Round in order to improve, clarify and expand, as appropriate, the GATT anti-

dumping code. The proposals initially presented were supplemented by further proposals towards the end of 1989, the aim of these being to introduce minimum standards, increase certainty as to the law in anti-dumping proceedings and make the rules more effective.

### Council anti-dumping measures

- 1.3.75. Regulation (EEC) No 117/91 imposing a definitive anti-dumping duty on imports of linear tungsten halogen lamps originating in Japan.
- Reference: Provisional duty: OJ L 188, 20.7.1990; Bull. EC 7/8-1990, point 1.4.89
- Commission proposal: COM(90) 685; Bull. EC 12-1990, point 1.4.72

Adopted by the Council on 16 January.
OJ L 14, 19.1.1991

- 1.3.76. Proposal for a Regulation imposing a definitive anti-dumping duty on imports of certain types of semiconductors known as eproms (erasable programmable read-only memories) originating in Japan.
- Reference: Initiation: OJ C 101, 14.4.1987; Bull. EC 4-1987, point 2.2.5

Adopted by the Commission on 15 January. COM(90) 632

- 1.3.77. Proposal for a Regulation imposing a definitive anti-dumping duty on imports of barium chloride originating in the People's Republic of China.
- Reference: Provisional duty: OJ L 227, 4.8.1989; Bull. EC 7/8-1989, point 2.2.5

Adopted by the Commission on 1 February. COM(91) 15

- 1.3.78. Proposal for a Regulation extending the provisional anti-dumping duty on imports of audio tapes in cassettes originating in Japan, the Republic of Korea and Hong Kong.
- Reference: Initial duty: OJ L 313, 13.11.1990; Bull. EC 11-1990, point 1.4.55

Adopted by the Commission on 11 February.

COM(91) 45

### Commission anti-dumping measures

1.3.79. Proceeding concerning imports into the Community of outer rings of tapered roller-bearings originating in Japan.

Notice of initiation: 4 January.

OJ C 2, 4.1.1991

1.3.80. Review of duties applicable to certain imports of video cassettes originating in Hong Kong.

Notice of initiation: 11 January.

OJ C 7, 11.1.1991

1.3.81. Proceeding concerning imports into the Community of certain kinds of thermal paper originating in Japan.

Notice of initiation: 24 January.

OJ C 16, 24.1.1991

- 1.3.82. Partial review of measures concerning imports of small-screen colour television receivers originating in the Republic of Korea.
- Reference: Definitive duty: OJ L 107, 24.4.1990; Bull. EC 4-1990, point 1.2.48

Notice of initiation: 26 January.

OJ C 18, 26.1.1991

1.3.83. Review of measures concerning imports of certain electronic scales originating in Japan.

Notice of initiation: 26 February.

OJ L 50, 26.2.1991

- 1.3.84. Regulation (EEC) No 129/91 imposing a provisional anti-dumping duty on imports of small-screen colour television receivers originating in Hong Kong and the People's Republic of China.
- Reference: Initiation: OJ C 288, 12.11.1988;
   Bull. EC 11-1988, point 2.2.8

Adopted by the Commission on 11 January. OJ L 14, 19.1.1991

1.3.85. Expiry of measures concerning certain kinds of clogs originating in Sweden.

• Reference: Duty and undertaking: OJ L 32, 7.2.1986; Bull. EC 2-1986, point 2.2.5

Adopted by the Commission on 9 February. OJ C 34, 9.2.1991

1.3.86. Decision 91/24/EEC terminating the anti-dumping proceeding concerning imports of potassium permanganate originating in the USSR.

• Reference: Initiation: OJ L 145, 8.6.1990

Adopted by the Commission on 11 January. OJ L 14, 19.1.1991

1.3.87. Decision 91/29/EEC terminating the anti-dumping proceeding concerning imports of Portland cement originating in Yugoslavia.

Reference: Initiation: OJ C 149, 16.6.1989;
 Bull. EC 6-1989, point 2.2.3

Adopted by the Commission on 11 January.
OJ L 16, 22.1.1991

1.3.88. Decision 91/33/EEC terminating the anti-dumping proceeding concerning imports of certain cotton terry-towelling articles (bathrobes, toilet and kitchen linen) originating in Turkey.

• Reference: Initiation: OJ C 32, 10.2.1990; Bull. EC 1/2-1990, point 1.2.77

Adopted by the Commission on 18 January. OJ L 17, 23.1.1991

1.3.89. Decision 91/59/EEC terminating the review and confirming expiry of the measures applying to imports into the Community of self-propelled hydraulic excavators, track-laying or wheeled, of a total operating weight exceeding 6 tonnes but not exceeding 35 tonnes, equipped with a single bucket mounted on a boom capable of pivoting through 360°, or intended to be so equipped, originating in Japan.

• Reference: Initiation: OJ C 206, 18.8.1990; Bull. EC 7/8-1990, point 1.4.86

Adopted by the Commission on 4 February.

OJ L 36, 8.2.1991

Community surveillance

1.3.90. Commission Regulation (EEC) No 40/91 extending retrospective Community surveillance of imports of certain products originating in Japan.

• Reference: Initiation: OJ L 150, 2.6.1989; Bull. EC 6-1989, point 2.2.3

Adopted by the Commission on 7 January. OJ L 6, 9.1.1991

1.3.91. Commission Regulation (EEC) No 41/91 extending retrospective Community surveillance of imports into the Community of footwear originating in all non-member countries.

• Reference: Initiation: OJ L 188, 11.7.1978

Adopted by the Commission on 7 January.
OJ L 6, 9.1.1991

1.3.92. Commission Regulation (EEC) No 42/91 extending the Community surveillance of imports of certain products originating in Japan.

• Reference: Initiation: OJ L 77, 23.3.1983

Adopted by the Commission on 7 January. OJ L 6, 9.1.1991

1.3.93. Commission Regulation (EEC) No 43/91 introducing Community surveillance of imports of video tape recorders originating in South Korea.

• Reference: Initiation: OJ L 29, 4.2.1986

Adopted by the Commission on 7 January. OJ L 6, 9.1.1991

1.3.94. Council Regulation (EEC) No 196/91 amending, in respect of products which are subject to national quantitative restrictions, Annex I to Regulation (EEC) No 288/82 on common rules for imports.

 Reference: Regulation (EEC) No 288/82: OJ L 35, 9.2.1982

Adopted by the Council on 21 January.
OJ L 21, 26.1.1991

1.3.95. Council Regulation (EEC) No 197/91 modifying Annex II to Council Regulation (EEC) No 288/82 on common rules for imports with regard to products subject to surveillance.

 Reference: Regulation (EEC) No 288/82: OJ L 35, 9.2.1982

Adopted by the Council on 21 January.
OJ L 21, 26.1.1991

1.3.96. Commission Regulation (EEC) No 371/91 introducing prior Community surveillance of imports into the Community of diammonium hydrogenorthophosphate falling within CN code 3105 30 00 originating in non-member countries.

Adopted by the Commission on 14 February.

OJ L 43, 16.2.1991

- 1.3.97. Commission Regulation (EEC) No 372/91 extending Regulation (EEC) No 3714/89 introducing retrospective surveillance of the reimportation after outward processing of certain textile products originating in Malta, Morocco, Tunisia and Turkey.
- Reference: Regulation extended: Commission Regulation (EEC) No 3714/89: OJ L 363, 13.12.1989

Adopted by the Commission on 15 February.

OJL 43, 16.2.1991

# Treaties and trade agreements: extension or automatic renewal

- 1.3.98. Council Decision 91/104/EEC authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries.
- Reference: Council Decision 69/494/EEC: 29.12.1969

Proposal adopted by the Commission on 25 Ianuary.

COM(90) 410

Adopted by the Council on 25 February. Authorization is given in this Decision, pursuant to Council Decision 69/494/EEC of 16 December 1969, for the extension of certain trade agreements concluded by the Member States and expiring between 1 August and 31 October 1990 (third batch for 1990).

OJ L 54, 28.2.1991

- 1.3.99. Proposal for a Council Decision authorizing extension or tacit renewal of certain trade agreements concluded between Member States and third countries.
- Reference: Council Decision 69/494/EEC: OJ L 326, 29.12.1969

Adopted by the Commission on 13 February. The aim of the proposal is to authorize, pursuant to Council Decision 69/494/EEC of 16 December 1969, the extension of certain trade agreements concluded by the Member States and expiring between 1 November 1990 and 31 January 1991 (fourth batch for 1990).

COM(91) 33

- 1.3.100. Proposal for a Council Decision authorizing the automatic renewal or maintenance in force of provisions governing matters covered by the common commercial policy contained in friendship, trade and navigation treaties and similar agreements concluded between Member States and third countries.
- Reference: Council Decision 69/494/EEC: OJ L 326, 29.12.1969

Adopted by the Commission on 22 February. The aim is to authorize the automatic renewal or maintenance in force until 31 December 1992 of agreements concluded by the Member States with non-Community countries which do not contain any clauses which run counter to the common commercial policy.

COM(91) 60

### Individual sectors

# Iron and steel products

# Agreements and arrangements with non-Community countries

1.3.101. Commission communication to the Council on negotiating directives for the conclusion of arrangements concerning imports of steel originating in certain non-Community countries in 1991.

 Reference: Arrangements concerning imports of steel originating in certain non-Community countries in 1990: Bull. EC 7/8-1990, point 1.4.97

Adopted by the Commission on 16 January. The Commission proposes that amendments should be made to the arrangements' mechanisms, in particular by limiting the number of countries for which arrangements are renewed and amending the quantities to take account of German unification.

Resolution on steel arrangements adopted by the ECSC Consultative Committee on 8 February. The Committee considered it inappropriate to liberalize imports from Brazil in the present circumstances, or to increase the quantities in the context of a probable reduction in apparent consumption. The Committee regretted that subquotas by product had been abolished, since the Central and Eastern European countries would be able to concentrate their exports on one or two products, and this could harm certain sectors of the industry in the Member States.

OIC 50, 26.2.1991

### **Textiles**

# Hong Kong

1.3.102. Commission Regulation (EEC) No 71/91 amending Annexes III and IVa to Council Regulation (EEC) No 4136/86 with regard to certain textile products originating in Hong Kong.

 Regulation to be amended: OJ L 387, 31.12.1986

Adopted by the Commission on 10 January. OJ 9, 12.1.1991

### Indonesia

1.3.103. Proposal for a Council Decision concerning the provisional application of the Agreed Minute amending the Agreement between the European Economic Community and the Republic of Indonesia on trade in textile products.

• Agreement to be amended: OJ L 233, 19.8.1987

Adopted by the Commission on 4 February. The aim is to apply provisionally, subject to reciprocity, the adjustments to the negotiated quantitative limits, pending formal conclusion of the Agreed Minute.

COM(91) 20

# Malaysia

1.3.104. Proposal for a Council Decision concerning the provisional application of the Agreed Minute amending the Agreement between the European Economic Community and Malaysia on trade in textile products.

• Agreement to be amended: OJL 233, 19.8.1987

Adopted by the Commission on 4 February. The aim is to apply the negotiated adjustments provisionally from 1 January 1990, subject to reciprocity, pending formal conclusion of the Agreed Minute.

COM(91) 19

# Thailand

1.3.105. Proposal for a Council Decision concerning the provisional application of the Agreed Minute of 26 September 1990 modifying the Agreement between the European Economic Community and the Kingdom of Thailand on trade in textile products.

Agreement to be amended: OJ L 255, 5.9.1987

Adopted by the Commission on 8 January. The aim is to apply, from 26 September 1990, the new quantitative limits negotiated, subject to reciprocity and pending formal conclusion of the Agreed Minute.

COM(90) 674

# Aircraft industry

1.3.106. Council Decision on the opening of negotiations with the Government of the United States of America and with other parties to the GATT Agreement on Trade in Civil Aircraft with a view to concluding new arrangements concerning international trade in civil aircraft.

 Commission communication: Bull. EC 10-1990, point 1.4.59

Adopted by the Commission on 4 February.

International organizations and conferences

# General Agreement on Tariffs and Trade

**Uruguay Round** 

### General situation

Reference: Uruguay Round ministerial conference: Bull. EC 12-1990, point 1.4.94

1.3.107. Visit to the Commission by the Secretary-General of GATT, Mr Arthur Dunkel, on 10 January.

Carrying out the mandate given to him at the December 1990 ministerial conference to resume consultations, Mr Dunkel saw Mr Delors, Mr Andriessen and Mr Mac Sharry. The Commission's representatives stressed that the Uruguay Round negotiations should be seen as a comprehensive package and that the Community's fresh offer still stood provided the other contracting parties adopted the same attitude.

1.3.108. Meeting between the Commission and the Latin American countries.

Meeting at Punta del Este from 24 to 26 January. Mr Andriessen held bilateral talks with the delegations of Argentina, Brazil, Chile, Colombia, Mexico and Uruguay. A final meeting of all the participants brought this series of talks to a close. The Latin American delegations were unanimous about the need for a positive outcome and displayed a considerable degree of unity in their respective stances. While reaffirming the importance they attached to the farm sector they no longer made further progress in the negotiations contingent on a substantial improvement in the Community's offer.

Dwelling on those matters that were the focus of the Community's attention in the negotiations, specifically in services, intellectual property, market access and rules and disciplines, Mr Andriessen stressed that there had to be movement in those areas.

1.3.109. Visit by Mr Andriessen to the United States and Canada (→ point 1.3.30).

1.3.110. Council conclusions on the Uruguay Round negotiations.

The following conclusions were adopted by the Council (general affairs) on 4 February:

The Council felt that it was essential, after the break following the Brussels conference, to get the negotiating process firmly back on tracks. It would provide all the necessary political impetus to that end. It believed that every effort had to be made to reach a balanced agreement embracing all sectors as speedily as possible and enjoined the Commission to take all the necessary steps multilaterally and bilaterally to bring that about.

# Management of the Agreement

### Australia

1.3.111. Proposal for a Council Decision concerning the conclusion of the Agreement in the form of agreed minutes relating to certain agricultural products negotiated between the European Economic Com-

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munity and Australia under Article XXVIII of the GATT.

Adopted by the Commission on 18 February. The aim was to approve the outcome of the negotiations between the Community and Australia which had to be commenced when Australia notified the GATT Secretariat of its intention to amend its bound rates on certain semi-processed and processed vegetables. The Agreement provides for changes to bound customs duties resulting in a reduction in the customs duties collected in Australia for the vegetables concerned, an increase in the number of products in the vegetables sector subject to bound customs duties, the granting to the Community of initial negotiating rights for additional vegetables and certain industrial products and the reduction of bound customs duties for the industrial products concerned.

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### **Brazil**

1.3.112. Council Regulation (EEC) No 283/91 suspending tariff concessions and increasing the duties applicable under the Common Customs Tariff to certain products falling within CN code 5607.

 Amended Regulation: Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and the Common Customs Tariff: OJ L 256, 7.9.1987; Bull. EC 7/8-1987, point 2.1.80

Adopted by the Council on 4 February. This Regulation suspends application to Brazil of the concessions on certain products falling within code 5607 and raises the customs duties applicable to those products in accordance with Article XXVIII of the GATT, following the failure of the negotiations between Brazil and the European Economic Community on the tax on exports of raw sisal imposed by Brazil.

OJL 35, 7.2.1991

# Venezuela

1.3.113. Council Decision on the conclusion of the protocol of accession of Vene-

zuela to the General Agreement on Tariffs and Trade.

• Commission proposal: Bull. EC 12-1990, point 1.4.97

Adopted by the Council on 28 January.

# Conference on Security and Cooperation in Europe

1.3.114. Expert-level meeting on the peaceful settlement of disputes.

Reference: Closure of the third follow-up meeting: Bull. EC 1-1989, point 2.2.33

Meeting in Valletta from 15 January to 8 February. The peaceful settlement of disputes is one of the most complex aspects of international law. This explains why, quite apart from the political climate prevailing at the time between the participating States, no conclusion was reached at the CSCE meetings in Montreux (1978) and Athens (1984). However, the Valletta conference concluded with a report which was political in tone despite the diverging approaches and objectives of some Western countries. Since disputes that arise between States can affect the European Community the EC will participate in the disputes settlement procedure agreed on at Valletta. The conclusions of the Valletta meeting will be taken into account by the CSCE Council of Foreign Ministers meeting due to take place in Berlin in June.

# **Council of Europe**

1.3.115. Committee of Ministers.

• Reference: previous meeting: Bull. EC 11-1990, point 1.4.65

Extraordinary meeting held in Madrid on 21 February. The meeting was attended by Mr Matutes and, for part of the time, by the Foreign Ministers of Bulgaria, Romania, Yugoslavia and the Soviet Union. Particular features of the meeting were the accession of the Czech and Slovak Federal Republic to the Council of Europe and the accession

of the Soviet Union to the Cultural Convention. The participants underscored the welcoming role of the Council of Europe and the need to continue admitting new members. They reaffirmed the Council of Europe's role in the context of the CSCE, including its ability to take the initiative in convening meetings of experts on major CSCE issues. However, the ministers left open the matter of the parliamentary dimension of the CSCE.

1.3.116. Parliamentary Assembly.

• Previous session: Bull. EC 10-1990, point 1.4.68

Session in Strasbourg from 28 January to 1 February. In addition to Hungary, which became a member in November 1990, the meeting was attended by the parliamentary delegations of Czechoslovakia, Poland, Bulgaria, Yugoslavia and the Soviet Union, which has special guest status.

Czechoslovakia became the 25th member of the Council of Europe after the assembly had voted unanimously to admit it. The participants also reviewed progress towards admitting Poland and Bulgaria and considered granting special guest status to Romania. Other topics of debate were the situation in the Baltic republics and the Gulf conflict.

# Human rights in the world

# **Baltic republics**

1.3.117. Parliament resolution on the situation in the Baltic republics.

Adopted on 24 January. Profoundly shocked by the Soviet military intervention in Lithuania and Latvia, Parliament strongly condemned the Soviet military aggression and called on the Council to have the question of the Baltic republics entered on the agenda of the next CSCE meeting. It approved the Council's statement reserving the Community's right to reconsider the programme of financial and technical aid to the Soviet Union and noted

the Commission's decision to postpone the Joint Committee meeting with the USSR under the trade and cooperation Agreement. It supported the Commission's proposal that medical and food aid should be continued, care being taken to see that this aid reached the people concerned, and decided to send a delegation to the Baltic republics to observe the situation there and report to Parliament.

OJ C 48, 25.2.1991

1.3.118. Parliament resolution on Lithuania and the other Baltic republics.

Adopted on 21 February. Parliament called on both the Soviet and Baltic governments to settle the dispute over independence speedily through direct negotiations, conducted in good faith and without the imposition of preconditions by either side or the exertion of military or economic pressure.

OJ C 72, 18.3.1991

# Yugoslavia

1.3.119. Parliament resolution on the crisis in Kosovo.

• References:

Parliament resolution: OJ C 68, 19.3.1990; Bull. EC 1/2-1990, point 1.2.116 Parliament resolution: OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.4.71

Adopted on 21 February. Parliament called on the Serbian government to abandon forthwith its repressive policy in Kosovo, which was clearly aimed at destroying the cultural identity, the economy and the democratic rights of its Albanian inhabitants. It called on the Member States meeting in the European political cooperation context to protest strongly in Belgrade against Serbia's disregard of the CSCE agreements signed by Yugoslavia and hoped that progress in the sphere of human and minority rights would also have a bearing on the negotiations on the third financial protocol.

OI C 72, 18.3.1991

### China

1.3.120. Parliament resolution on the violation of human rights in China.

Adopted on 21 February. Parliament protested against the sentencing of persons who had demonstrated peacefully in support of freedom and all human rights violations in China and condemned the fact that the trials were held in disregard of the right to a defence and without the presence of the defendants' families or foreign observers. It considered that respect for human rights must be a precondition for relations between the Community and non-member countries, including China, and therefore called on the Commission, the Council and the Member States meeting in the European political cooperation context to reconsider the lifting of the sanctions against China which had been imposed following the Tiananmen Square massacre in June 1989.

OJ C 72, 18.3.1991

### Israel

1.3.121. Parliament resolution on the situation of the Palestinians in the Occupied Territories.

Adopted on 21 February. Parliament called on the competent Community institutions to make representations to the State of Israel to take the measures laid down by the Fourth Geneva Convention to guarantee the safety and protection of the population in the Occupied Territories. It also called upon Israel to put an end to its practice of collective reprisals. It reaffirmed its previous resolutions on an international Middle East peace conference to be held under the auspices of the United Nations.

OJ C 72, 18.3.1991

# Morocco

1.3.122. Parliament resolution on the quelling of demonstrations in Morocco and the fate of political prisoners.

Adopted on 21 February. Having regard to the gravity of the incidents that took place on 14 December 1990, in Fez, Tangiers and Kenitra in particular, in connection with the general strike called by the national trade unions, Parliament protested against the mass arrests that had taken place (over 800) and the subsequent long prison sentences handed down after summary trials without any legal safeguards whatsoever. It called for an objective and independent committee of inquiry to be set up, comprising representatives of NGOs with UN observer status and impartial public figures, to investigate the incidents. It repeated its request to the Moroccan Government to allow the EEC-Maghreb delegation to visit political prisoners and inspect both official and secret prisons when it visits Morocco this year. It also called on the Foreign Ministers meeting in the European political cooperation context and the governments of the Member States to be more firm in condemning the Moroccan Government's abuses of power and human rights violations.

OJ C 72, 18.3.1991

### Honduras

1.3.123. Parliament resolution on the imprisonment of a French citizen in Honduras.

Adopted on 21 February. Parliament protested strongly against the maltreatment of a citizen of the Community imprisoned since 28 August 1990 and called on the Honduran authorities either to release Ms Demazière immediately or to ensure that her trial was carried out in strict conformity with the law.

OIC 72, 18.3.1991

### Indonesia

1.3.124. Parliament resolution on human rights violations in Aceh, Sumatra.

Adopted on 21 February. Deeply concerned by continuing reports of repression, mass arrests, torture and some 5 000 illegal killings by the Indonesian army during 1990, and appalled by the incitement to kill members of the Aceh Sumatra Liberation Front attributed to the regional military commander, Parliament called on the Indonesian authorities to take immediate steps to stop all killings and torture and to observe internationally accepted human rights standards in all respects in relations with the people of Aceh. It appealed to Member States to ban the supply of arms to Indonesia and to take action through the United Nations to press for an international ban on such supplies.

OJ C 72, 18.3.1991

# Diplomatic relations

1.3.125. The following ambassadors, whose appointments took effect on the dates shown, presented their letters of credence to the President of the Council and the President of the Commission:

# 10 January:

HE Mr Erkki Liikanen, Head of Mission of the Republic of Finland to the European Communities:

HE Mr David Lepreu Gamble, Head of Mission of New Zealand to the European Communities;

HE Mr Adolfo Hegewisch Fernandez Castello, Head of Mission of the United Mexican States to the European Communities;

HE Mr Roberto Aleman Healy, Head of Mission of the Republic of Panama to the European Communities;

HE Mr Sergio Mario Blandon Lanzas, Head of Mission of the Republic of Nicaragua to the European Communities;

HE Mr Win Aung, Head of Mission of the Union of Myanmar to the European Economic Community;

# 4 February:

HE Mr Abdi Hassan Mshangama, Head of Mission of the United Republic of Tanzania to the European Communities;

# 22 February:

HE Mr Mamadou Bobo Camara, Head of Mission of the Republic of Guinea to the European Communities;

HE Mr Siosaia Ma'ulupekatofa Tuita, Head of Mission of the Kingdom of Tonga to the European Communities;

HE Mr Taial Al Hassan, Head of Mission of the Hashemite Kingdom of Jordan to the European Communities;

HE Mr Ivan Szasz, Head of Mission of the Republic of Hungary to the European Communities;

The Government of the Socialist Republic of Viet Nam announced that it was opening a mission to the European Communities from 1 January and designated Mr Hoang van Nha as chargé d'affaires, pending the accreditation of an ambassador. This brought the number of diplomatic missions to 143.

The Government of the Republic of Namibia announced that it was opening a mission to the European Communities from 8 February and designated Mr Peter Manning as chargé d'affaires, pending the accreditation of an ambassador. This brings the number of diplomatic missions to 144.

# 4. Intergovernmental cooperation

# European political cooperation

1.4.1. The joint statements adopted and published in January and February are reproduced below in chronological order.

### Somalia

1.4.2. The following joint statement was published in Luxembourg and Brussels on 2 January:

'The Community and its Member States are following with utmost concern the latest developments in Somalia, in particular the deteriorating situation in Mogadishu, where violent military actions have caused numerous victims as well as severe material damage.

The Community and its Member States express the wish that the parties to the conflict may, through dialogue and negotiation, find a solution to the legitimate aspirations of the population of the country, thus avoiding further bloodshed. They are furthermore deeply preoccupied by the fate of their nationals who are directly concerned by the ongoing unrest.

The Community and its Member States launch an urgent appeal to all the parties to the conflict to agree on a cease-fire between 8 a.m. and 6 p.m., as from 3 January, taking into account the sufferings of innocent civilians and in order to create conditions which would favour the beginning of the dialogue called for.'

#### Burma

1.4.3. The following joint statement was published in Luxembourg and Brussels on 4 January:

'The Community and its Member States expressed their satisfaction at the way in which free elections last May allowed the Burmese people to demonstrate their overwhelming desire for a democratic system in Burma.

They cannot, however, conceal their growing concern at the continuing failure of the Burmese military authorities to respond to the people's will and at the continuing rejection by those authorities of requests by properly elected representatives for a democratic process to be initiated. Neither can they ignore the numerous failures to adhere to internationally accepted standards of behaviour,

to respect human rights, including the rights of Burmese citizens employed by diplomatic representations, to put an end to the harassment, detention and house-arrest of opposition leaders and to release political prisoners immediately.

The Community and its Member States have a legitimate concern for human rights and cannot remain silent when civil and democratic rights are violated. Respect for such rights is a condition for the maintenance of peace, which is increasingly seen as a collective international responsibility. A call to respect human rights cannot be dismissed as interference in the domestic affairs of other States.

The situation in Burma has led the Community and its Member States to suspend non-humanitarian development aid programmes. Economic and trade relations are now reduced to a minimum. For some time the Member States of the Community have not sold arms to Burma.

The Community and its Member States have no desire to punish or isolate Burma. On the contrary, they wish to see the internal situation develop democratically in the light of the 1990 election result. This would enable Burma to play a more constructive role in the international community, consistent with its traditions and responsibilities and in the interests of peace and development in the South-East Asia region.'

### Gulf crisis

1.4.4. The following Presidency press statement was published in conjunction with the extraordinary ministerial meeting held in Luxembourg on 4 January:

'In accordance with the positions adopted by the Community and its Member States since the beginning of the crisis, Ministers reiterate their firm commitment in favour of the full and unconditional implementation of the relevant resolutions of the UN Security Council. Should this happen, the Twelve consider that Iraq should receive the assurance not to be subject to a military intervention. They consequently recall that the entire responsibility for war or peace rests with the Iraqi Government alone, as is spelled out in Resolution 678 of the UN Security Council.

Any initiative tending to promote partial solutions, or to establish a link between the full implementation of the resolutions of the UN Security Council and other problems is unacceptable.

Reaffirming their attachment to a peaceful solution in full respect of the relevant resolutions of the UN

Security Council, the Community and its Member States welcome the agreement reached on a meeting between the American Secretary of State, Mr James Baker, and the Iraqi Minister for Foreign Affairs, Mr Tarek Aziz.

In accordance with the Declaration adopted by the European Council in Rome on 15 December 1990, Ministers have asked the Presidency to invite the Iraqi Foreign Minister to a meeting with the Troika in Luxembourg on 10 January. The Presidency will remain in close consultation with the United States, the Arab countries concerned and the Presidency of the Movement of the Non-Aligned, to prepare the two meetings.

In the spirit of the foregoing, and as soon as the present crisis will have been settled peacefully and in full respect of the resolutions of the UN Security Council, the Community and its Member States reaffirm their commitment to contribute actively to a settlement of the other problems of the region and establish a situation of security, stability and development there.'

1.4.5. The following joint statement was published in Luxembourg and Brussels on 6 January:

'The Community and its Member States have learned that the Minister for Foreign Affairs of Iraq, Mr Tarek Aziz, has declined the offer from the President of the Council of Ministers of the European Community to meet with the Ministerial Troika in Luxembourg on 10 January 1991.

The Twelve regret that their invitation has not been accepted. They believe that this reaction of the Iraqi Government does not contribute to the efforts undertaken in the search for a peaceful solution of the Gulf crisis.

Under the present circumstances, the Twelve keep up their invitation.

They ask the Iraqi Government to reconsider its position.'

### Haiti

1.4.6. The following joint statement was published in Luxembourg, Brussels and Port au Prince on 8 January:

'The European Community and its Member States unreservedly condemn the violent seizure of power in Haiti by Mr Roger Lafontant during the night of 6 to 7 January 1991. This constituted a flagrant violation of the popular will, freely expressed in the presidential elections of last December.

The European Community and its Member States are glad that democratic legality has prevailed, and the position of the elected President been upheld, with the help of the country's civil and military authorities.'

#### Suriname

1.4.7. The following joint statement was published in Luxembourg, Brussels and Paramaribo on 10 January:

'The Community and its Member States strongly condemn the military coup in Suriname on 24 December 1990. These events run contrary to the strengthening of democracy throughout the world, and in particular in South America, and will further isolate Suriname from other members of the international community.

The 'government' brought to power as a result of these events cannot claim to be an expression of the sovereign will of the people of Suriname.

The Community and its Member States associate themselves with the statement issued by the OAS and Caricom and urge the new authorities of Suriname to return rapidly to democratic legality, in accordance with their promises, so that Suriname may recover its respected place in the international community.'

### Gulf crisis

1.4.8. The following reaction of the Presidency was published in Luxembourg and Brussels on 10 January:

'The Presidency expresses its concern and deep disappointment at the absence of any result from the meeting of 9 January in Geneva between the American Secretary of State, Mr Baker, and the Iraqi Minister for Foreign Affairs, Mr Tarek Aziz.

It continues to hope that the full and complete implementation of the relevant resolutions of the Security Council can be ensured in a peaceful manner. To this end, the Community and its Member States support fully the action taken by the Secretary-General of the United Nations, with whom the Ministers for Foreign Affairs of the Twelve will have a meeting tomorrow, 11 January, in Geneva.

The Presidency also confirms the invitation to Mr Tarek Aziz for a meeting with the European Troika.'

# **Baltic republics**

1.4.9. The following joint statement on the situation in the Baltic republics was published in Luxembourg and Brussels on 11 January:

'The Community and its Member States are deeply concerned by the situation in the Baltic republics.

Bearing in mind all the implications of this situation, they expect that the Soviet authorities, in conformity with their commitments under the Helsinki Final Act and the Charter of Paris, will refrain from any act of intimidation.

The Community and its Member States hope that the Soviet Union will enter as soon as possible into negotiations with the elected representatives of the Baltic republics in order to meet, through a peaceful solution, the legitimate aspirations of the Baltic peoples.

The Community and its Member States recall to the Soviet authorities the negative effect which the present developments have on their public opinions.'

#### Guatemala

1.4.10. The following joint statement on the investiture of the President of Guatemala was published in Luxembourg, Brussels and Guatemala City on 14 January:

'On the occasion of the investiture of the Presidency of the Republic of Guatemala, the Community and its Member States address to the President-elect, Mr Jorge Serrano, their congratulations on his election and their best wishes for his success in the important task which is now entrusted to him.

The Community and its Member States, who feel a particular solidarity with Guatemala, strongly hope that peace can be restored in this country through internal reconciliation, and in full respect of human rights.

The democratic character of the elections and the first transfer of power from one civilian President to another in the recent history of Guatemala are important and encouraging signs for the peace process and the consolidation of democratic institutions in Central America.'

### Gulf crisis

1.4.11. In conjunction with the extraordinary ministerial meeting held in Brussels on 14 January, the following joint statement was published in Luxembourg and Brussels:

Following a meeting between the President of the Council and the Secretary-General of the United Nations, Ministers for Foreign Affairs of the European Community were informed of the substance of the conversations of Mr Perez de Cuellar with the President and Foreign Minister of Iraq.

They note that the Secretary-General will this evening report on his mission to the Security Council of the United Nations, which will have the task of evaluating the results.

For their part, the Community and its Member States have from the beginning of the Gulf crisis supported unreservedly the full and unconditional implementation of the relevant resolutions of the Security Council.

They have spared no effort in exploring all paths to a peaceful solution in conformity with these resolutions. In this spirit, the European Community had made known its readiness to meet at the level of the Troika of Foreign Ministers the Iraqi Foreign Minister, Mr Tarek Aziz, first in the Presidency capital and then in Algiers.

Through the Presidency statement of 4 January 1991, the Twelve had clearly indicated that if the resolutions of the Security Council were fully and unconditionally implemented, Iraq should receive the assurance that it would not be subject to a military intervention.

In the same statement, the Twelve had also clearly reaffirmed their commitment to contribute actively to the settlement of the other problems of the region and to establish their situation of security, stability and development, as soon as the Gulf crisis is resolved.

On the occasion of the Rome European Council on 15 December 1990, the European Community and its Member States had indicated that they remained completely in favour of the convening of an international peace conference on the Middle East at the appropriate moment.

It is a fact that unfortunately must be acknowledged that the readiness thus displayed to contribute to a peaceful solution of the crisis opening the way to an equitable settlement of all the other problems of the region has not, up to this point, received a response from the Iraqi authorities.

In the face of the continued refusal of the Iraqi authorities to implement the resolutions of the Security Council and in the absence of any signal in this sense, the European Community and its Member States regret to have to conclude that the conditions for a new European initiative do not exist as of this moment.

Nevertheless, the invitation to Mr Tarek Aziz to meet the Ministerial troika remains on the table.

The European Community and its Member States are conscious of having done everything that was possible to find a peaceful exit from the crisis. They remain determined to explore all possibilities for the preservation of peace in the respect of international legality. In this context, they request Arab countries and organizations to continue to devote every effort to bringing the Iraqi authorities to understand that it is in the interest of Iraq, as of the whole Arab world, that it should abide by the resolutions of the Security Council.

Ministers have asked the Presidency to stay in close contact with all parties concerned.

Ministers and their Political Directors will remain in permanent touch in the coming days to follow the course of the crisis and take any necessary decisions.'

# **Baltic republics**

1.4.12. In conjunction with the extraordinary ministerial meeting held in Brussels on 14 January, the following joint statement was published in Luxembourg and Brussels:

'The Community and its Member States are convinced that the use of force, as has happened in Lithuania, is unacceptable. They deeply regret that this repression has caused innocent victims. A solution can only be found through a dialogue between the Soviet authorities and the elected representatives of the Baltic peoples, with a view to satisfying the legitimate aspirations of these peoples.

They address an urgent appeal to the Soviet authorities to refrain from the use of force, resume the path of dialogue and end the military intervention.

The Community and its Member States were among the first to support the democratic process initiated in the Soviet Union. *Perestroika* represents for the Community and its Member States a sign of hope and they most sincerely desire that it will remain such.

The CSCE process, from the Helsinki Final Act to the Charter of Paris, has as guiding ideas that democratic government is based on the will of the people and that the use of force constitutes, among the 34 States participating in the CSCE, an unacceptable means of resolving differences. The architecture of the new Europe can only be based on the principles of the rule of law.

The Community and its Member States do not underestimate the difficulties of the situation in the USSR. It is partly with a view to helping the USSR to overcome them that they have expressed in a concrete way their readiness to extend and strengthen cooperation between the European Community and the Soviet Union.

The development of this cooperation cannot, however, have any other basis than shared values and objectives. That is why the Community and its Member States insist that the situation which prevails in Lithuania should not be prolonged in any way or extended to the other Baltic republics. Otherwise, they would have to draw the conclusion that it was necessary to react through appropriate measures and to suspend the implementation of the European Community's cooperation with the Soviet Union.

Considering how much is now at stake for the Soviet Union and Europe, the Community and its Member States appeal to President Gorbachev to do everything in his power to preserve the hopes raised by the Charter of Paris for a new Europe, free and democratic.'

# Somalia

1.4.13. The following joint statement was published in Luxembourg and Brussels on 15 January:

'The Community and its Member States are deeply concerned at the deterioration of the situation in Somalia since the beginning of this year.

Further to their appeal made on 2 January 1991, they reiterate their disquiet as regards the fate of the civilian population as well as of their own nationals who have remained on the spot and are affected by violent military actions.

The Community and its Member States renew their urgent appeal for the establishment of an immediate cease-fire.

They express the strong wish that all the parties to the conflict will do everything they can in order to achieve, through dialogue and negotiation, a peaceful and lasting solution which will take into account the legitimate aspirations of the entire population.

In this context, the Community and its Member States reaffirm their deep commitment in favour of an effective process of national reconciliation, based on the respect of human rights and on the

independence, unity and territorial integrity of Somalia.'

# Bangladesh

1.4.14. The following joint statement was published in Luxembourg and Brussels on 15 January:

'The Community and its Member States welcome the steps being taken by the interim government in Bangladesh to prepare for free and fair parliamentary elections on 27 February.

They also welcome the invitations given to various Member States indicating that the interim government would be happy for parliamentarians of EC Member States and Members of the European Parliament to attend the elections as observers.'

#### El Salvador

1.4.15. The following joint statement was published in Luxembourg and Brussels on 15 January:

'The Community and its Member States are following with the greatest attention the efforts of the UN Secretary-General, fully supported by the Security Council, to reach a negotiated settlement of the conflict in El Salvador.

They pay tribute to the Secretary-General for the significant progress already achieved since the resumption of dialogue last April, under his auspices, between the Salvadorian Government and the Frente Farabundo Marti de Liberacion Nacional (FMLN).

They welcome the decision of the parties to entrust the Secretary-General with a more active role and give their firm support to the efforts of Mr Perez de Cuellar to advance the negotiating process.'

### Gulf crisis

1.4.16. The following statement by the Presidency was published in Luxembourg and Brussels on 17 January:

'On behalf of the Community and its Member States the Presidency has to express its deep regret that use of force has become necessary to oblige Iraq to withdraw from Kuwait and thus re-establish international legality. It would have been up to the Iraqi leadership only to signal their willingness to avoid the conflict which has just started.

The European Community and its Member States have spared no effort to allow for a peaceful solution. These efforts as well as those undertaken by other members of the international community and by the Secretary-General of the United Nations have met no reaction whatsoever from the part of Iraq.

We cannot but establish that the Iraqi leaders had neither the shrewdness nor the courage to go back on a policy which has been condemned by a unanimous international community and repeatedly sanctioned by the United Nations Security Council.

The Presidency expresses the wish that the conflict which has just begun will be of a short duration and that the Iraqi leadership will within the next hours understand the extent of its error and act in consequence thereof.

The withdrawal of Iraqi forces from Kuwait only would avoid more victims and more destruction.'

### Gulf War

1.4.17. In conjunction with the extraordinary ministerial meeting held in Paris on 17 January, the following joint statement was published in Luxembourg and Brussels:

'The Ministers for Foreign Affairs of the Twelve and the Commission, assembled at an extraordinary meeting in Paris, express their deep regret that use of force was necessary to oblige Iraq to withdraw from Kuwait and in order to re-establish international legality. It falls upon the Iraqi authorities only to stop the conflict which has just broken out by complying with the relevant resolutions of the United Nations.

The European Community and its Member States have spared no effort to allow for a peaceful solution. These efforts as well as those undertaken by other members of the international community, including Arab countries, as well as by the Secretary-General of the United Nations, have met no reaction whatsoever from the part of Saddam Hussein.

Under the present circumstances, the Community and its Member States reiterate their firm support of the objectives contained in the relevant resolutions of the Security Council. They express their solidarity, in accordance with these resolutions, with those Member States and other members of the international community the forces of which are involved in the re-establishment of legality.

They express their hope that the conflict, which has just begun, will be of a short duration. To this end, they strongly urge the Iraqi leadership to

withdraw immediately and fully its forces out of Kuwait, thus avoiding further victims and destruction.

Deeply attached to the universal values of the Charter of the United Nations, the Community and its Member States reaffirm their commitment to contribute actively, once international legality is re-established, to assure, in dignity and security, a future of peace, stability and development in a framework of social justice and solidarity for all the peoples of the region. The Iraqi aggression against another Arab State cannot jeopardize the traditional links of friendship between the Community and the Arab countries.

To this effect, they will develop a global approach towards the region through a renewed Mediterranean policy, a relaunched Euro-Arab dialogue and a reinforced cooperation with the Gulf Cooperation Council and the Arab Maghreb Union and all countries concerned in the region. They pronounce themselves in favour of increased stability based on principles of security and cooperation. In this context, they count on the aid of the wealthiest countries of the region.

The Community and its Member States renew their full commitment for the convening of an international peace conference on the Middle East, at the appropriate moment. It is evident that this conference shall need a serious preparation.

As an immediate issue, the Commission will rapidly implement humanitarian assistance programmes in favour of all victims of the Gulf War. Furthermore, the Commission will implement the financial assistance to the countries most affected by the application of the embargo against Iraq.'

### Israel

1.4.18. The following joint statement on the bombardment of Israel's territory by Iraqi missiles was published in Luxembourg and Brussels on 18 January:

'By launching a non-provoked and entirely unjustified missile attack on Israeli territory last night, Saddam Hussein is aiming, through a cynical and deliberate provocation, to draw Israel into the Gulf conflict.

The Community and its Member States strongly condemn this attack which represents a further violation of international law by the Iraqi authorities.

They express their sympathy to the Israeli people. Recalling that Israel's right to security constitutes one of the fundamental principles of the policy of the Community and its Member States in the Middle East, they do hope that Israel will not be drawn into the conflict.

Under the present circumstances, every restraint displayed by Israel must be interpreted as a sign of strength and not of weakness.'

# Situation of prisoners of war in Iraq

1.4.19. The following joint statement was published in Luxembourg and Brussels on 22 January:

'The Community and its Member States express their deep concern at the unscrupulous use of prisoners of war and of the intention announced by Iraq to concentrate them near military bases and targets. They consider these actions particularly odious because they are contrary to elementary respect of international law and humanitarian principles. They condemn such actions unreservedly. They request the Iraqi authorities rigorously to respect all the Geneva Conventions relating to the conduct of war and in particular the Convention of 12 August 1949 on the treatment of prisoners of war. This stipulates in particular in Article 13 that "prisoners of war must at all times be protected, particularly against acts of violence or intimidation and against insults and public curiosity" and in Article 23, that "no prisoner of war may at any time be sent to, or detained in areas where he may be exposed to the fire of the combat zone, nor may his presence be used to render certain points or areas immune from military-operations".

In conformity with Article 125 of this same Convention, the special position of the International Committee of the Red Cross in this field should be recognized and respected. The Community and its Member States pay tribute to the work of the Red Cross and support all steps aimed at strengthening its role.

The Community and its Member States hold the Iraqi authorities responsible, in accordance with international law—including in their individual capacities—for all illegal acts endangering the physical integrity and the life of prisoners of war—which clearly constitutes a war crime.'

#### South Africa

1.4.20. The following joint statement was published in Luxembourg and Brussels on 4 February:

'The Community and its Member States warmly welcome the announcement made on 1 February

1991 by President de Klerk of further important changes to come in South Africa. These will include the repeal of the Group Areas Act, of the two Land Acts, and of the Population Registration Act, which will thus open the path towards the complete and irreversible abolition of apartheid and the establishment of a united, non-racial and democratic South Africa.

The Community and its Member States recall that at its meeting of 14 and 15 December 1990, the European Council decided that as soon as legislative action is taken by the South African Government to repeal the Group Areas Act and the Land Acts, the Community and its Member States will proceed to an easing of the set of measures adopted in 1986. In these circumstances, the Community will prepare the necessary steps.

The Community and its Member States also welcome the outcome of the meeting of 29 January between Mr Mandela and Mr Buthelezi, on behalf, respectively, of the ANC and the Inkatha Party. The agreement between the two parties must now be implemented so as to enable discussion on the future of South Africa to take place in a peaceful atmosphere.'

# Baltic republics

1.4.21. The following joint statement was published in Luxembourg and Brussels on 4 February:

'The European Community and its Member States welcome the decision to hold a referendum in each of the Baltic republics and express the hope that this will favour the resumption of a meaningful and constructive dialogue between the central authorities of the USSR and the Baltic republics.

They consider that such a decision is in conformity with the spirit of the Paris Charter for a new Europe.'

#### Sudan

1.4.22. The following joint statement was published in Luxembourg and Brussels on 7 February:

'With drought and famine threatening the lives of millions of people in North Kordofan, North Darfur, the Red Sea Hills and Southern Sudan over the next few months the Community and its Member States are shocked and dismayed at the Government of Sudan's continued failure to make any response to efforts by the donor community to engage in substantive discussion on emergency assistance and to cooperate with donors and

NGOs in implementing measures to ensure that emergency supplies reach the needy populations in time in all parts of the country affected by drought.

The Community and its Member States once again strongly urge the Government of Sudan fully and immediately to take all the necessary measures to cooperate with donors so as to avoid loss of life and suffering.'

# Ethiopia

1.4.23. The following joint statement was published in Luxembourg and Brussels on 15 February:

'The Community and its Member States welcome the opening of the port of Massawa and the successful start of the northern relief corridor and congratulate the two parties on having responded positively to the need to put the interests of the population of drought-stricken Eritrea before political considerations. They urge both sides to ensure that the operation can continue to develop successfully, and to endorse the need for the opening of the relief corridor to lead into the beginning of a peace process.

The Community and its Member States call upon both parties to ensure that this process is advanced by the round talks to be held shortly in Washington, under United States auspices.

They further call on both parties to demonstrate their sincerity, facing up to the heavy responsibilities which lie upon them, by addressing substantive issues in a constructive spirit. In this context, the Community and its Member States recall their conviction that a just solution should be based on the principles of the unity and territorial integrity of Ethiopia, as well as the legitimate aspirations and distinct identity of the Eritrean people.'

### Gulf War

1.4.24. The following joint statement was published in Luxembourg and Brussels following the ministerial meeting held on 19 February:

'The Community and its Member States have taken note with interest of the appeal of President Gorbachev to the Iraqi leadership and they welcome in particular his call for a full and unconditional withdrawal of the Iraqi troops from Kuwait and the re-establishment of the sovereignty and legitimate government of that country in conformity with the relevant Security Council resolutions.

They renew their appeal to the Iraqi Government fully and unconditionally to implement all the relevant resolutions of the UN Security Council thus putting an end to the conflict and sparing new sufferings to their people and the people of Kuwait.

They reaffirm the commitment of the Community and its Member States to contribute actively, once international legality is re-established, to security, stability and development for all the countries in the region, in an appropriate framework which also takes into account the need for a global, flexible and gradual approach to the various problems of the area.

In this connection, they reaffirm their commitment to the sovereignty, unity, independence and territorial integrity of all the countries of the region. They will continue their consultations with the United States and other concerned countries, notably the Soviet Union.

They are fully committed to support the role of the United Nations in promoting security and international peace in the area. They believe that it is mainly for the States of the region to reach agreement on arrangements aimed at ensuring their future security both individually and collectively. The Community and its Member States will be ready to play their full part in supporting the efforts of the States concerned, and to complement them with appropriate and convergent action.

In this connection, the Community and its Member States welcome the fact that at their meeting held in Cairo on 15 and 16 February the Foreign Ministers of Egypt, Syria and the Gulf Cooperation Council agreed upon a framework for future cooperation. They will undertake the appropriate contacts with those countries. A meeting of the Troika will be held in the near future with Israel at ministerial level. Other countries, notably Iran, also have an important role to play for the future stability of the region.

The Community and its Member States attach particular importance to their political dialogue with the GCC countries. They are looking forward to the early convening of the EC-GCC Cooperation Council.

The Community and its Member States attach special importance to their cooperation and political dialogue with the countries of the Arab Maghreb Union. They will promote the pursuit of a meaningful and constructive dialogue at political level shortly, and will undertake the appropriate contact.

The Community and its Member States believe that the Arab-Israeli conflict and the Palestinian question are fundamental sources of instability in the region. They consider that the international community should make renewed efforts urgently to achieve a comprehensive, just and lasting solution. They continue to believe that a properly structured international conference at an appropriate time will provide a suitable framework for negotiations. Such a conference will require serious preparation. They will actively promote the search for a peaceful settlement through dialogue with and between all concerned parties.

Regarding the situation in Lebanon, they express their strong support for the full implementation of the Taif Agreement as the means to achieve national reconciliation in a Lebanon free of all foreign troops.

The Community and its Member States endorse the view expressed in the Cairo meeting about the importance of efforts by the Arabs themselves to foster greater economic and social development, respecting the principle of sovereignty over economic resources. The Community and its Member States share this perspective and stand ready, in full respect of this principle and in a spirit of mutual solidarity, to develop their cooperation with the countries of the region. Their immediate priorities are to ensure the early implementation of their new Mediterranean policy and the rapid disbursement of their aid for the three countries most directly affected by the economic consequences of the Gulf crisis.

The Community and its Member States are aware of the need for a comprehensive approach to all the problems of the Mediterranean, Middle East and Gulf region. In this connection, they are willing to explore the modalities for launching a process aimed at establishing a set of rules and principles in the fields of security, economic cooperation, human rights and cultural exchanges.'

### Gulf War

1.4.25. The following joint statement was published in Luxembourg and Brussels on 24 February:

'The Community and its Member States deeply regret that Iraq has failed to respond positively to the appeal of the international coalition to withdraw immediately and unconditionally from Kuwait in accordance with the UN Security Council resolutions. In this grave moment, the Community and its Member States are at the side of the forces of the allied coalition.

The Community and its Member States hope that the liberation of Kuwait can now intervene rapidly and with a minimum of loss in human lives on both sides.'

### Nicaragua

# 1.4.26. The following joint statement was published in Luxembourg and Brussels on 25 February:

'On the occasion of the first anniversary of the elections which made possible, in democratic fashion, a change of government in Nicaragua, the European Community and its Member States reiterate their support for pluralist democracy in this country and throughout Central America.

They express their conviction that the Central American countries will continue to display their determination to attain fully the objectives of the regional peace process through national reconciliation, and the respect and promotion of human rights.'

### Albania

# 1.4.27. The following joint statement was published in Luxembourg and Brussels on 26 February:

'In view of recent events in Albania, the Community and its Member States recall their strong interest in the development of the process of democratization in that country, as it takes shape against the background, in particular, of the free elections scheduled for 31 March.

The Community and its Member States give their encouragement to any progress towards democracy in accordance with the principles of the rule of law and call upon the Albanian authorities to do nothing which could compromise the movements towards reform.'

### Thailand

# 1.4.28. The following joint statement was published in Luxembourg and Brussels on 26 February:

'The Community and its Member States have been deeply disturbed to learn the news of the military coup d'état on 23 February in Thailand. Opposed to all illegal use of force, they condemn the suspension of the constitution, the dissolution of the parliament that was democratically elected on 24 July 1988, the dismissal of the government and the establishment of martial law.

They call on the military personnel who have seized power to return it to those who have been duly elected and who represent the popular will, so that democracy can be restored.

The Community and its Member States consider that only a democratic Thailand will be in a position to play fully the constructive role to which it is called in the interests of peace and development in the region of South-East Asia.'

### Gulf War

# 1.4.29. The following joint statement was published in Luxembourg and Brussels on 28 February:

'The Community and its Member States welcome the suspension of military operations in the Gulf.

The Community and its Member States are greatly satisfied that Kuwait has recovered its freedom and that international legality has been restored. They express their gratitude to all States which committed forces to the cause of ensuring respect for the resolutions of the Security Council of the United Nations.

They pay homage to all those who have lost their lives in this conflict.

They note Iraq's acceptance of the 12 resolutions of the Security Council of the United Nations and express the hope that its government will rapidly accept the conditions put forth by the coalition.

It is now the task of the Security Council of the United Nations to define the necessary arrangements to put an end to the conflict.

As they stated on the day on which military operations began, the Community and its Member States reaffirm their commitment to contribute to bringing about for all the peoples of the region, in dignity and security, a future of peace, stability and development in a context of social justice and regional economic solidarity.

To this end, they will make a major effort to develop an overall approach with regard to the region, bearing at one and the same time on security questions, political problems, and economic cooperation.'

## Other intergovernmental cooperation

1.4.30. Parliament resolution on the harmonization of policies on entry to the territories of the Member States of the European Economic Community with a view to the free movement of persons and

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the drawing-up of an intergovernmental convention among the 12 Member States of the European Economic Community.

Adopted by Parliament on 22 February. In view of the intention of the 12 Member States of the Community to sign a convention on external frontiers, Parliament reiter-

ated its call to the governments concerned to conduct their intergovernmental work on the free movement of persons and internal security in a Community context and consult the European Parliament and the national parliaments on the substance of the measures to be taken.

OJ C 72, 18.3.1991

### 5. Financing Community activities

### **Budgets**

### **General budget**

### Financial perspective

- 1.5.1. Revision of the financial perspective annexed to the Interinstitutional Agreement of 29 June 1988 as a result of proposals to grant technical assistance to the USSR and financial aid to Israel and the Occupied Territories.
- Legislation to be amended: Interinstitutional Agreement of 29 June 1988 on budgetary discipline and improvement of the budgetary procedure: OJ L 185, 15.7.1988; Bull. EC 6-1988, point 2.3.8
- References:

Conclusions of the Rome II European Council: Bull. EC 12-1990, point I.30

Proposal withdrawn: COM(90) 691; Bull. EC 12-1990, point 1.6.2

Proposal for a Regulation on financial assistance to Israel and the Occupied Territories: COM(91) 61; point 1.3.25 of this Bulletin

Proposal adopted by the Commission on 20 February. Having regard to the European Council's decision to grant technical assistance to the USSR and the Council's agreement in principle to grant financial aid to Israel and the Occupied Territories, the object of the proposal is to raise the ceiling

for heading 4 ('Other policies') of the financial perspective by ECU 1 000 million in 1991 and by ECU 1 200 million in 1992.

It also stipulates that any amount under the increase in the ceiling for heading 4 for 1991 that is not used to finance the operations stated and the increase for 1992 may be used only to finance external operations linked to strengthening or extending aid to the countries of Central and Eastern Europe, including the USSR, or operations to deal with emergencies or crises outside the Community.

Commission proposal COM(90) 691, relating exclusively to technical assistance to the USSR, was withdrawn.

### **Budgetary procedure**

### 1991 financial year

Supplementary and amending budget

- 1.5.2. Preliminary draft supplementary and amending budget No 1/91.
- Reference: General budget of the European Communities for 1991: OJ L 30, 4.2.1991; Bull. EC 12-1990, point 1.6.4

Adopted by the Commission on 25 January. Purpose: to take account of the following

estimates of expenditure and revenue in the 1991 budget:

- (i) administrative expenditure: additional appropriations required to take account of salary and pension adjustments adopted by the Council in December (ECU 25.52, 5.3 and 3.9 million for the various institutions), additional revenue generated by the increase in the amount of deductions from salaries;
- (ii) refunds to Spain and Portugal: increase in refunds (ECU 2.97 million) and financial compensation for the depreciation of agricultural stocks (ECU 0.02 million);
- (iii) guarantees: entry in the statements of expenditure and revenue of the headings needed for the Community guarantee in relation to three operations: the revision of the texts concerning the guarantee given to the EIB to cover the extension of the EEC credit guarantee to loans granted in Czechoslovakia, Bulgaria and Romania, to ensure exports of agricultural products and foodstuffs from the Community to the USSR and to provide budgetary cover for the EEC guarantee to the Community's borrowing programme for the granting of medium-term financial assistance Czechoslovakia:
- (iv) balance from 1990: increase in the new estimated balance for 1990 to ECU 2 000 million;
- (v) correction of budgetary imbalances: revised correction increasing the amount provided for in the 1991 budget by ECU 184 million.

### Own resources

1.5.3. Decisions 91/82/EEC, Euratom to 91/87/EEC, Euratom amending Decisions 90/176/Euratom, EEC to 90/179/Euratom, EEC, 90/182/Euratom, EEC and 90/183/Euratom, EEC authorizing France, Belgium, Luxembourg, the Federal Republic of Germany, the United Kingdom and Ireland not to take into account certain categories of transactions and to use certain approximate estimates for the calculation of the VAT own resources base.

Decisions amended: Decisions 90/176/Euratom, EEC to 90/179/Euratom, EEC, 90/182/Euratom, EEC and 90/183/Euratom, EEC: OJ L 99, 19.4.1990

Adopted by the Commission on 4 February.
OJ L 49, 22.2.1991

- 1.5.4. Proposal for a Decision concerning the refund to Portugal of revenue from the 'accession' compensatory amounts applied to supplies of common wheat from the other Member States.
- Commission proposal: OJ C 2, 4.1.1991;
   COM(90) 559; Bull. EC 12-1990, point 1.6.5

Endorsed by Parliament on 8 and 18 February, subject to two amendments, one on abolishing the limit of 400 000 tonnes (supplies intended for national consumption) and the other on the procedure for refunding revenue.

### Financial Regulation

- 1.5.5. Draft Commission Regulation laying down detailed rules for the implementation of certain provisions of the Financial Regulation of 21 December 1977.
- Reference: Council Regulation (Euratom, ECSC, EEC) No 610/90 amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities: OJ L 70, 16.3.1990; Bull. EC 3-1990, point 1.4.6
- Regulation to be amended: Commission Regulation 86/610/EEC, Euratom, ECSC laying down detailed rules for the implementation of certain provisions of the Financial Regulation of 21 December 1977: OJ L 360, 19.12.1986; Bull. EC 12-1986, point 2.3.3

Adopted by the Commission on 1 February. Purpose: to update, after consulting the other institutions, Commission Regulation 86/610/EEC, Euratom, ECSC following the adoption of Council Regulation (Euratom, ECSC, EEC) No 610/90.

### Financial operations

### **General aspects**

- 1.5.6. Parliament resolution on Community policy concerning ECSC, Euratom and NCI loans and borrowings.
- Reference: Parliament resolution on economic and monetary union: OJ C 284, 12.11.1990; Bull. EC 10-1990, point 1.1.12

Adopted On 22 February. Having regard to its call for loans and borrowings to be included in the general budget of the European Communities, which, in the context of economic and monetary union, should become an instrument for the correction of macroeconomic imbalances and a means of funding financial compensation between the Member States, Parliament considered it was necessary to assess the effectiveness of the ECSC, Euratom and the NCI to date.

While considering that they were indeed effective, Parliament none the less called on the Commission to make improvements in the administration and monitoring of loans.

OJ C 72, 18.3.1991

### **ECSC**

### Loans raised

1.5.7. In January and February the Commission made a number of private placings in marks and lire for the equivalent of ECU 29.2 million and a UKL 50 million five-year public issue at 11.50% with an issue price of 100.30%.

### Loans granted

1.5.8. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans in January and February totalling ECU 77.8 million, as follows.

### Industrial loans

1.5.9. Industrial loans (Article 54 ECSC) totalling ECU 60.7 million were made to Germany and the United Kingdom.

### Conversion loans

1.5.10. Conversion loans (Article 56 ECSC) totalling ECU 12.4 million were made to the United Kingdom and Spain.

### Workers' housing

1.5.11. Loans totalling ECU 4.7 million were granted for steelworkers and mineworkers (ECSC sector) in Germany, Belgium, France, Italy and the United Kingdom.

### **EEC**

### Loans raised

1.5.12. In January and February the Commission raised the following loans:

For the EEC—balance of payments:

an ECU 500 million public loan for four years and 11 months, interchangeable with an issue of ECU 260 million covering 1991-96 at 9.25% with an issue price of 102.75%, bringing the issue up to ECU 760 million. ECU 260 million of this tranche was swapped for marks at a variable rate;

a seven-year ECU 500 million public loan at 9.25% with an issue price of 100.85%;

For the EEC—medium-term financial assistance to Hungary:

a five-year ECU 280 million public loan at 9.75% with an issue price of 100.2%. The proceeds of the loan were swapped for variable interest rates. This was the second tranche of the Community loan to Hungary approved by the Council in December.

### Loans granted

1.5.13. The first ECU 1 000 million tranche of the loan to Greece as part of balance-of-payments support operations was paid, on the same terms as the borrowing referred to above ( $\rightarrow$  point 1.5.12).

1.5.14. The proceeds of the borrowing operation described above were paid over as part of the financial assistance to Hungary. The loan was granted on the same terms as the borrowing ( $\rightarrow$  point 1.5.12).

### **European Investment Bank**

The task of the European Invest-1.5.15. ment Bank is to contribute to the balanced development of the Community along the lines laid down in Article 130 of the EEC Treaty and confirmed by the Single European Act. The Bank is non-profit-making and finances investments which should help to attain one or more of the following objectives: the economic development of disadvantaged regions, the improvement of transport and telecommunications infrastructures that will benefit the Community, the protection of the environment and the quality of life, urban development, the implementation of Community energy policy, enhancement of the international competitiveness of industry and the integration of industry within Europe, and support for small businesses.

Outside the Community the EIB operates under the Community's cooperation and development policy in 12 Mediterranean countries and in 66 African, Caribbean and Pacific countries, signatories to the third Lomé Convention.

Bank loans are expressed in terms of ecu equivalent value but are in practice paid in a single currency—national or foreign, or ecus—or in a mix to suit the borrower's preferences and what the Bank has available.

### Operations in January and February

1.5.16. In January and February the Bank granted loans totalling ECU 1 665.1 million; ECU 1 641.1 million was lent in the Community and 24 million outside.

### Community

### Denmark

1.5.17. ECU 6.9 million was lent for the installation of a flight simulator at Copenhagen Airport.

### Germany

1.5.18. ECU 70.4 million was granted in the form of global loans to finance small and medium-scale investments. ECU 17.1 million was lent for modernization and extension work at Hamburg Airport and 9.8 million for wood-free paper mills in Lower Saxony.

### Greece

1.5.19. ECU 23.4 million was granted in the form of a global loan to finance small and medium-scale investments and 7.3 million to construct a natural gas distribution system.

### Spain

1.5.20. ECU 49.8 million was lent to finance modernization of the electricity grid in Galicia, Madrid, Castilla-La Mancha and Castilla y León.

### France

1.5.21. ECU 47.5 million was lent to finance the Eurodisneyland leisure park east of Paris and 36 million for the construction of the Channel Tunnel.

### Ireland

1.5.22. ECU 17.3 million was lent to continue renewal of the Aer Lingus fleet.

### Italy

1.5.23. ECU 246.7 million went towards the development of oilfields in Abruzzi and Piedmont, gasfields in Marche and the Mezzogiorno, electricity transmission and distribution in Calabria and Sardinia and natural gas distribution in the North. ECU 168.8 million was lent for telecommunications modernization and extension work in the Mezzogiorno. Individual loans to industry, totalling ECU 129.2 million, went to the chemical and pharmaceuticals industry in Lazio, Lombardy, Piedmont and Tuscany, the paper industry in Lazio and Friuli-Venezia Giulia and the expansion of an ice-cream factory in Campania. ECU 75.5 million was granted in the form of global loans to finance small and medium-scale investments in the energy industry. ECU 74 million was intended for water supply infrastructure projects and the repair of various items of infrastructure damaged in the earthquakes in Abruzzi, Molise and Umbria.

### **Portugal**

1.5.24. ECU 71.1 million went to improving the motorway system in Lisbon, 24.1 million to repairing a breakwater in the port of Sines and 9 million to modernizing an artificial leather factory and a textile dyeing and finishing plant north of Oporto.

### United Kingdom

1.5.25. ECU 177.2 million was granted for the improvement of communications of benefit to the Community: the extension of the telecommunications system in Northern Ireland and the construction of the Channel Tunnel and of a passenger terminal at Birmingham Airport. ECU 57.2 million went towards constructing a titanium dioxide plant in the north of England and modernizing a beauty products plant in Wales and a dairy in Scotland. ECU 84.8 million was lent to finance improvements to river and bathing water quality and to develop water supplies in the south-west and northeast of England, ECU 38 million was granted to finance the development of an oilfield in the Norwegian sector of the North Sea and 200 million for the establishment of a second generation of Eutelsat telecommunications satellites, both projects of Community interest situated outside the Community but treated as investments within it.

### Outside the Community

### Mediterranean

1.5.26. ECU 22 million was lent to Algeria to repair drainage and irrigation networks in several oases.

### **ACP** countries

1.5.27. ECU 2 million was lent from risk capital to rebuild harbour facilities in Montserrat destroyed by hurricanes.

### 6. Statistics

### General

### Legislation ·

- 1.6.1. Commission Regulation (EEC) No 91/91 on the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States.
- Basic Regulation: Council Regulation (EEC) No 1736/75 on the external trade statistics of the Community and statistics of trade between Member States: OJ L 183, 14.7.1975, last amended by Council Regulation (EEC) No 1629/88: OJ L 147, 14.6.1988
- Regulation previously applicable: Commission Regulation (EEC) No 420/90: OJ L 44, 20.2.1990; Bull. EC 1/2-1990, point 1.5.5

Adopted by the Commission on 15 January as the annual updating of the country nomenclature for the Community's external trade statistics.

OJ L 11, 16.1.1991

- 1.6.2. Proposal for a Council Regulation on the statistics relating to the trading of goods between Member States (Intrastat).
- Commission proposal: OJ C 41, 18.2.1989;
   COM(88) 810; Bull. EC 12-1988, point 2.5.1
- First Economic and Social Committee opinion: OJ C 159, 26.6.1989; Bull. EC 4-1989, point 2.6.3
- First amended Commission proposal: OJ C 177, 18.7.1990; COM(90) 177; Bull. EC 5-1990, point 1.2.5
- Second Economic and Social Committee opinion: Bull. EC 9-1990, point 1.6.3
- Second amended Commission proposal: OJ C 254, 9.10.1990; COM(90) 423; Bull. EC 9-1990, point 1.6.3
- Parliament opinion: OJ C 324, 24.12.1990;
   Bull. EC 11-1990, point 1.7.2

Amended proposal adopted by the Commission on 7 February.

OJ C 47, 23.2.1991; COM(91) 18

- 1.6.3. Council Decision 91/115/EEC establishing a Committee on Monetary, Financial and Balance of Payments Statistics.
- Commission proposal: OJ C 212, 25.8.1990;
   COM(90) 355; Bull. EC 7/8-1990, point 1.7.3

- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.7.2
- Parliament opinion: OJ C 324, 24.12.1990;
   Bull. EC 11-1990, point 1.7.3

Adopted by the Council on 25 February.
OJL 59, 6.3.1991

- 1.6.4. Council Decision 91/116/EEC setting up the European Advisory Committee on Statistical Information in the Economic and Social Spheres.
- Commission proposal: OJ C 208, 21.8.1990;
   COM(90) 324; Bull. EC 7/8-1990, point 1.7.2
- Economic and Social Committee opinion: OJ C 31, 6.2.1991; Bull. EC 10-1990, point 1.7.3
- Parliament opinion: OJ C 19, 28.1.1991; Bull. EC 12-1990, point 1.7.3

Adopted by the Council on 25 February.
OJ L 59, 6.3.1991

1.6.5. Proposal for a Council Regulation on the establishment of a Community survey of industrial production.

• References:

Statistical classification of economic activities in the EC: OJ L 293, 24.10.1990
Prodcom list: OJ L 256, 7.9.1987

Adopted by the Commission on 25 February with a view to harmonizing the Member States' survey practices and classifications so that data collected in individual countries can also be used in the production of Community statistics.

COM(91) 56

1.6.6. Commission Decision No 612/91/ ECSC and Commission recommendation 91/141/ECSC concerning coal statistics.

Adopted by the Commission on 31 January with a view to improving the collection and dissemination of coal statistics. Under this Decision, undertakings in the sector are required to supply the Commission with certain statistics from January 1991 onwards. The recommendation places a similar obligation on the Member States.

OJL 74, 20.3.1991

### Results

European Community direct investment from 1984 to 1988

1.6.7. The European Community is a net exporter of direct investment capital — its investment in non-Community countries regularly exceeds the latter's investment in the Community. In 1988, for example, outgoing capital was more than double incoming capital (ECU 30 700 million compared with ECU 14 200 million).

Direct-investment flows in both directions have increased substantially in recent years. Both outward and inward flows almost doubled between 1984 and 1988, although incoming investment grew somewhat faster than outgoing investment. Thus, although a net exporter, the European Community remains a magnet for investment capital.

The corresponding statistics for Japan and the United States provide a useful comparison. While very substantial investment continues to be made in the United States, particularly when the dollar is low (ECU 44 000 million in 1988, i.e. three times the volume of inward investment in the Community), US investment abroad fluctuates widely. Japan — although a comparative newcomer to this investment process — has now all but caught up with the European Community as regards investment abroad (ECU 29 000

million in 1988). There is, however, little direct foreign investment in Japan.

Over the same period (1984-88), intra-Community investment expanded even more dramatically than the Community's flows to other countries, rising from ECU 4 200 million in 1984 to just short of ECU 20 000 million in 1988. Substantial increases were recorded both in 1986 — the year in which the signing of the Single European Act gave substance to hopes of a single market and in which Spain and Portugal joined the Community — and in 1988, when figures again doubled.

In 1988, for every three ecus invested outside the Community, Community enterprises invested two in another Member State. The approach of the single market has forced Community enterprises to restructure their operations, and they are doing so in particular through direct investment, e.g. via acquisitions, mergers, mutual holdings and the setting up of new branches.

### Information

### **Publications**

1.6.8. The following documents were published in January and are available from the sales offices for European Community publications:

Tourism — Annual statistics Electricity prices 1985-90 Gas prices 1985-90

### 7. Community institutions

### **Parliament**

### Strasbourg: 21 to 25 January

1.7.1. In the event this part-session, which was due to focus on the Commission's work programme for 1991 and the programme of the Luxembourg Presidency, was largely taken up with the Gulf conflict and the situation in the Baltic republics, so that part of the debate and the vote on the Commission's programme had to be postponed until the next part-session. However, Mr Delors outlined the priority areas of Commission activity: balanced implementation of the Single Act, the need for the Community to face up to its international responsibilities, and preparations for post-1992. Mr Poos, the incoming President of the Council, reminded the House of the challenges involved in completing the internal market, establishing economic and monetary union, transforming the Community into a political union and strengthening the role of the Community on the international scene. At this point in the debate, a majority of members expressed support for the Presidency's programme. Following a statement by Mr Andreotti, the outgoing President of the Council, on the Rome II European Council and the achievements of the Italian Presidency, Parliament renewed its demand for an active part in the Intergovernmental Conferences and asserted its right to debate the conclusions. At the end of the debate, which included the adoption of a resolution ( $\rightarrow$  point 1.1.1), members also called for the Community to be given increased powers in the area of foreign and security policy.

Much of the time devoted to the war in the Gulf was taken up by a debate on the postwar situation and the need for an international conference to initiate a peace process in the region. Mr Poos expressed his satisfaction with the cohesion displayed by the Community throughout the crisis and stressed that Europe would play an active part in convening a peace conference under the auspices of the UN when the time came. Mr Matutes outlined the Commission's main ideas for developing Community relations with Arab countries after the war by implementing Community policies (Mediterranean policy, cooperation with the Gulf States, closer links with Turkey), by extending the network of relations to other countries, particularly Iran and possibly Iraq, by deepening the political dialogue with the Gulf Cooperation Council, Egypt and Israel, by setting up regional cooperation projects, by increasing aid to poor countries and by playing a part in a plan for peace and economic development in the region. After a lengthy and controversial debate on the conditions for a cease-fire and what provisions it should include, Parliament adopted a compromise resolution on the conditions which Iraq would have to fulfil in order to bring about the immediate cessation of hostilities and to allow negotiations to be resumed ( $\rightarrow$  point 1.3.27).

It became clear in the course of the debate on the Baltic republics that views were sharply divided: some members wanted cooperation with the USSR to continue, while others demanded that punitive measures should be taken immediately. The House eventually adopted a resolution warning against a break with the Soviet authorities (→ point 1.3.118).

Despite the major changes in the agenda, a considerable amount of work was also done on the internal market. Nine common positions were adopted without any amendments: eight of them concerned the conclusion of cooperation agreements with the EFTA countries on applied metrology and chemical analysis and on the Stimulation plan for economic science (SPES) (→ point 1.2.85); the last concerned hazardous substances (→ point 2.2.20).

Five proposals were given a first reading: they concerned 'clean' lorries (→ point 1.2.222), research programmes in the field of non-nuclear energy (→ point 1.2.83), agriculture and the agro-industry (→ point 1.2.81) and, most significant of all, the Euro-

pean company statute. On the proposals under this last heading, 280 amendments were adopted by a very large majority. The main changes concerned the rules governing the establishment of a European company, the law applicable, the arbitration procedure, the choice of models for worker participation, and tax provisions (→ point 1.2.69).

Acting under the consultation procedure, Parliament gave its opinion on the proposal for a Directive on the restricted use of natural gas in power stations ( $\rightarrow$  point 1.2.109), the conclusion of a protocol between the Community and Senegal on fishing ( $\rightarrow$  point 1.2.217) and a decision concerning the administration of bovine somatotropin ( $\rightarrow$  point 1.2.150).

At the end of the week, MEPs decided to hold two extraordinary part-sessions in Brussels on 30 January and 6 February, principally to debate developments in the Gulf.

> Report of proceedings: OJ Annex 3-398 Texts of opinions and resolutions: OJ C 48, 25.2.1991

### Extraordinary part-session, Brussels: 30 January

1.7.2. This part-session was relatively quiet. Attendance was rather low and no resolutions were adopted.

With regard to the Gulf, the proceedings centred on two main points: an assessment of the action taken by the Community as regards the scope of its powers in this field and the need for a common policy on arms exports. On the first point, Mr Matutes, speaking for the Commission, argued that the Community had done everything it could and all that it was bound to do, only to find itself confronted by intransigence and war. He added that, once the war was over, the Community's strategy must be geared towards three goals: identifying the entire range of problems throughout the region, undertaking a thorough analysis of them all, and pursuing a realistic, flexible, case-by-case approach. In his view, a system

for limiting exports of arms and other dangerous products would have to be applied eventually. Members also voiced their concern about the possibility of a xenophobic backlash in the Member States and stressed the need for effective Community aid for refugees and for full Community involvement in the efforts of the Member States to limit the effects of environmental terrorism.

The latest events in the Baltic republics were also on the agenda. Mr Andriessen, for the Commission, reiterated that the Community was always prepared to condemn rights violations. Members human denounced the recent violations too and reaffirmed the right of every people to selfdetermination. They accepted the Commission's analysis of the situation and agreed on the need to concentrate on sending the right political signals. Mr Andriessen, winding up the debate, once again expressed his desire for progress and stability in the region.

Report of proceedings: OJ Annex 3-399

### Extraordinary part-session, Brussels: 6 February

This part-session was also taken up entirely with the situation in the Gulf and the Baltic republics. Mr Matutes, for the Commission, gave an assessment of the financial aid given in connection with the Gulf crisis, stressing its even-handed distribution - to refugees, to front-line States, to the Palestinians and, soon, to Israel and the Occupied Territories. He also spelled out specific objectives for action after the war with a view to achieving a stable and lasting peace, based on clearly defined principles. These objectives were: the normalization of diplomatic relations in the region; a commitment by all parties to resolve their disputes; a stable balance of power in the region; and the recognition of borders and respect for fundamental individual and collective rights. Mr Matutes' statement was well received by MEPs, some of whom expressed their support for the idea of a comprehensive international conference.

With regard to events in the Baltic republics, Mr Andriessen, for the Commission, said that the increasingly severe difficulties caused by the situation in the Gulf and the Baltic republics made a common foreign policy even more essential than before. He also stressed that, since there had been no significant change in the situation in the Baltic, the Community, whilst pursuing its dialogue with the USSR, should continue to press for respect for human rights and thus might well adopt a more 'wait-and-see' stance. Mr Andriessen's speech won broad approval in the House and many members spoke to assure the Commission that they would support a policy which took account, in as balanced a way as possible, of the special situation in the Baltic republics and the rights of the Baltic peoples on the one hand, while acknowledging the achievements of perestroika and the specific difficulties currently facing the Soviet Union on the other. Replying to questions, Mr Andriessen explained the different types of aid being given to the Soviet Union and added that the fact that the Baltic issue could not be discussed within the framework of the CSCE was not due to a refusal to do so by the Member States of the Community but rather to opposition to the idea from other countries, notably the USSR.

Report of proceedings: OJ Annex 3-400

### Part-session, Strasbourg: 18 to 22 February

1.7.4. This part-session was mainly devoted to the further debate and vote on the Commission's programme for 1991 and to a number of debates on foreign relations (in particular, the Gulf war, GATT, aid to the USSR and Eastern Europe, South Africa, Central America and agreements with Romania and Chile). There were also substantial debates on internal legislation, and the practical difficulties arising in the course of the debates demonstrated that the number of dossiers Parliament had to handle was stretching its capacity almost to the limits.

Parliament resumed January's debate on the Commission's work programme, concen-

trating on its proposals for action on social policy, environmental policy, the use of the ecu, economic and social convergence, the reform of the common agricultural policy and GATT. In response to the points raised by members, Mr Delors stressed the need to bear in mind the constraints imposed by the Treaty, the Single Act, the Council's decisions and the availability of resources when analysing the programme for 1991. At the end of the debate, the House adopted a detailed resolution on the programme for 1991.

Members also debated the seventh annual report on the application of Community law and called for a breakdown of infringements by sector as well as a more political approach to the issue.

In the field of foreign affairs, Parliament held another debate on the Uruguay Round of trade negotiations. Most speakers acknowledged the need for reciprocal concessions and called on the Community to take the initiative. Mr Andriessen, speaking on behalf of the Commission, repeated that a comprehensive agreement covering all sectors had to be reached. He said the Community would be reasonable but pointed out that the rate at which the negotiations progressed did not depend on the Community alone and that there was some uncertainty as to the US Congress's intentions regarding extension of the 'fast track' procedure.

Parliament approved emergency aid to Romania, Bulgaria and the Soviet Union and the extension of EIB loans to Czechoslovakia, Bulgaria and Romania, whilst, at the same time, expressing concern about the growing burden of foreign commitments. It also gave its approval to the cooperation agreement with Romania in the light of the progress made towards democratization (→ point 1.3.19).

The conflict in the Gulf figured on the agenda once again and MEPs reaffirmed their support for the measures taken by the Presidency and the Commission. Mr Poos, as President of the Council, gave an outline of the main issues addressed in a discussion

paper on how to deal with the aftermath of the crisis. Pursuing the principle of a comprehensive approach, the paper sets out to identify the needs of the region and the options for action by the Community under three separate headings (security, political aspects and economic development). Mr Matutes explained the Commission's analysis, emphasizing that a lasting peace was dependent on economic development in the region, which in turn was conditional on a return to peace; hence the idea of reducing political tensions and economic and social simultaneously. **Parliament** adopted a resolution deploring Saddam Hussein's negative response to the Soviet peace plan ( $\rightarrow$  point 1.3.37).

Parliament also approved the cooperation agreement with Chile and adopted a resolution on Central America and Cuba, in which it welcomed the substantial progress made towards democracy ( $\rightarrow$  point 1.3.39). In the same spirit, the House also adopted a resolution on Southern Africa, whilst nevertheless recommending that sanctions against South Africa be maintained until it was clear that the dismantling of apartheid was irreversible. Once again MEPs stressed the need to maintain dialogue with the Soviet Union whilst at the same time monitoring the situation in the Baltic republics. They also adopted an emergency resolution on the situation in Yugoslavia and a resolution on the violation of human rights in China ( $\rightarrow$  point 1.3.120).

On the legislative side, Parliament approved five common positions of the Council without amendment on second reading and delivered opinions on five Commission proposals on first reading. MEPs began by adopting an opinion on first reading on a proposal concerning the organization of working time. Some 40 amendments were tabled. Miss Papandreou, speaking for the Commission, explained that the legal basis for the proposal, Article 118a, provided only for the imposition of minimum occupational health and safety conditions (→ point 1.2.115). Members rejected the revision of the SPES programme on first reading, taking the view that it served no

purpose. The Commission decided to withdraw its proposal. A first reading was also given to the agreement between the European Economic Community and Switzerland on direct insurance other than life assurance, the proposal for the codification of the Customs Code ( $\rightarrow$  point 1.2.15) and the proposal on health and safety requirements at temporary and mobile work sites  $(\rightarrow point 1.2.119)$ . On second reading, the House approved common positions on the agreement between the European Economic Community and Iceland on the Science plan  $(\rightarrow \text{ point } 1.2.87)$ , on the movement of goods  $(\rightarrow point 1.2.14)$ , on TIR and ATA carnets as transit documents ( $\rightarrow$  point 1.2.17), on single administrative document  $(\rightarrow point 1.2.9)$  and on the phrases or marks for the identification of lots to which foodstuffs belong ( $\rightarrow$  point 1.2.28).

Finally, Parliament adopted opinions on plant protection products ( $\rightarrow$  point 1.2.167), the Community strategy on and transboundary movements of hazardous wastes ( $\rightarrow$  point 1.2.229) and the Leader initiative ( $\rightarrow$  point 1.2.137).

Report of proceedings: OJ Annex 3-401 Texts of opinions and resolutions: OJ C 72, 18.3.1991

### Council

### 1469th meeting

1.7.5. Agriculture (Brussels, 21 and 22 January).

• Previous meeting: Bull. EC 12-1990, point 1.8.11

President: Mr Steichen, Luxembourg Minister for Agriculture.

Commission: Mr Mac Sharry.

### Main items

Sugar: Commission proposal examined.

Determination of the Community standard quality of sheep carcases: discussed in detail.

Bull. EC 1/2-1991 119

Inward processing arrangements in the milk sector: proposal examined.

Development of the common agricultural policy: discussed in detail.

Uruguay — agricultural aspect: exchange of views.

### 1470th meeting

1.7.6. Economic and financial affairs (Brussels, 28 January).

• Previous meeting: Bull. EC 12-1990, point 1.8.15

President: Mr Juncker, Luxembourg Minister for Finance.

Commission: Mr Delors, Mr Christophersen and Mrs Scrivener.

### Main items

Multilateral surveillance: economic policy and performance in the Member States surveyed.

Abolition of fiscal frontiers: work programme approved.

Measures for Central and East European countries: Commission proposals examined.

Medium-term assistance to Greece: conclusions adopted.

Court of Auditors' report on export refunds under the EAGGF: conclusions adopted.

### 1471st meeting

1.7.7. General affairs (Brussels, 4 February).

• Previous meeting: Bull. EC 12-1990, point 1.8.17

President: Mr Poos, Luxembourg Minister for Foreign Affairs.

Commission: Mr Delors, Mr Andriessen and Mr Matutes.

#### Main item

Uruguay Round: conclusions adopted (→ point 1.3.110).

### Other business

Relations with countries of Central and Eastern Europe and the USSR: held over.

### 1472nd meeting

1.7.8. Agriculture (Brussels, 4 and 5 February).

• Previous meeting: point 1.7.5 of this Bulletin.

President: Mr Steichen, Luxembourg Minister for Agriculture.

Commission: Mr Mac Sharry.

### Main item

Determination of the Community standard quality of sheep carcases: Regulation adopted (→ point 1.2.190).

### Other business

Development of the common agricultural policy: discussed in detail.

Uruguay Round — agricultural aspect: discussed.

### 1473rd meeting

1.7.9. Economic and financial affairs (Brussels, 25 February).

• Previous meeting: point 1.7.6. of this Bulletin

President: Mr Juncker, Luxembourg Minister for Finance.

Commission: Mr Delors, Mr Christophersen and Sir Leon Brittan.

### Main items

Medium-term assistance to Greece: Decision approved (→ point 1.2.1).

Medium-term financial aid for Czechoslovakia: Decision adopted (→ point 1.3.21).

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### Other business

Investment services: examined.

Extension to Czechoslovakia, Bulgaria and Romania of EIB operations: agreed.

Financial aid for other Central and Eastern European countries: discussed in detail.

Third ministerial meeting of the Intergovernmental Conference on Economic and Monetary Union: exchange of views.

### Commission

### Programme

1.7.10. On 23 January Mr Delors presented the Commission's programme for 1991 to Parliament. The primary object of the programme, which highlights the major policy objectives which Parliament and the Commission have in common, is to reinforce the political impetus towards European Union without, however, losing sight of the Community citizen's feeling of identification with the European venture.

The priorities for the 1991 programme, set out in five successive chapters, are:

- (i) progress towards political union and economic and monetary union and completion of the work of the Intergovernmental Conferences:
- (ii) further integration of the territory of the former German Democratic Republic;
- (iii) continuation of efforts to achieve the objectives of the Single Act;
- (iv) progress towards completion of the single market;
- (v) underpinning the smooth running of the single market by reinforcing its physical structures;
- (vi) implementing the accompanying measures;
- (vii) pursuit of existing external relations' policies: Central and Eastern Europe, the European economic area involving the

EFTA countries, and the remodelled Mediterranean policy.

As regards the objectives of the Single Act, the bulk of the legislation still to be adopted by the Council relates to taxation, transport, services and food quality and safety. The Commission, for its part, intends to play an active part in work relating to the free movement of persons and will place greater emphasis on all aspects of immigration. Special attention will be given to the smooth running of the single market and the transposition of Community legislation by the Member States, as well as to further work on the Community's competition policy and implementation of the flanking policies, with particular reference to the environment, research and technological development. Significant progress must also be made on setting up an internal energy market, strengthening infrastructures at European level and applying the industrial policy guidelines recently set by the Commission.

In order to develop and assess policies, the Commission must make sure that the first stage and preparations for the second stage of economic and monetary union are a success, remaining faithful to the objectives of the coordination of monetary policies, economic convergence and completion of the market in financial services.

The Commission must also strengthen economic and social cohesion by giving priority to implementation of the reformed structural Funds, support for areas affected by industrial decline, and regional development.

To back up the process of German unification, the Commission will exploit the potential of the reformed structural instruments to the full, manage the agreed derogations from Community law in such a way as to ensure a smooth change-over to the final phase, and give particular attention to energy and the environment.

As regards the Community's external policy, particularly towards Europe, the Commission will be focusing on the establish-

ment of the European economic area and the negotiation of European agreements with Hungary, Poland and Czechoslovakia. The task of coordinating economic assistance from the Group of 24 to the six countries of Central and Eastern Europe will be embarked upon; the start-up of the European Bank for Reconstruction and Development will be of particular help in this.

The Commission is also committed to implementing the remodelled Mediterranean policy and negotiating the fourth financial protocols with the Maghreb and Mashreq countries, Israel and Turkey. Further objectives include bringing the negotiations on the Uruguay Round to a satisfactory conclusion, establishing more intensive dialogue with the United States of America and seeking a new style of relations with Japan.

With regard to the ACP and other developing countries, steps must be taken to ensure that all aspects of the Lomé IV Convention are put into effect, to cooperate with Latin America and Asia using increased resources and to focus attention on opportunities for the gradual normalization of the Community's relations with China.

Lastly, looking beyond 1992, the Commission points out that 1991 is the year of the Intergovernmental Conferences and stresses that it will be working to defend the ideas set out in its draft treaty on economic and monetary union and in its opinion on political union delivered in October. It will also be devoting special attention to the Community's financing system to enable it to cope with the 'expansion of the tasks now facing a rapidly changing Community'.

### Debates and policy discussions

1.7.11. The Commission discussed the problems of immigration and the environment resulting from the situation in the Gulf.

### Proposals adopted

1.7.12. The main proposal involving the internal market adopted by the Commission

under the cooperation procedure is designed to lay down minimum requirements to improve the mobility and the safe transport of workers with reduced mobility ( $\rightarrow$  point 1.2.112).

The main proposals adopted by the Commission under the consultation procedure concern the fixing of certain rates and target rates of excise duty on mineral oils ( $\rightarrow$  point 1.2.5), direct life assurance (third Directive) ( $\rightarrow$  point 1.2.6) and the establishment of a financial instrument for the environment (LIFE) ( $\rightarrow$  point 1.2.220).

The Commission also adopted proposals on financial cooperation in respect of all the Mediterranean non-member countries (→ point 1.3.22) and on financial aid to Israel and the Occupied Territories (→ point 1.3.23).

### Communications and reports

The 1.7.13. main communications adopted by the Commission in January and February related to the customs union in the context of the single market (→ point 1.2.4), the effects of the Gulf hostilities on European air transport (point 1.2.95), a Charter European Energy (→ point 1.2.106), the future of the common agricultural policy ( $\rightarrow$  point 1.2.131), and the relief of ACP debt ( $\rightarrow$  point 1.3.46). It also adopted its 1990 report on agriculture  $(\rightarrow point 1.2.133)$ .

### Ongoing work

1.7.14. In February the Commission approved proposals on agricultural prices and related measures for 1991/92; these will be presented to the Council in March  $(\rightarrow \text{ point } 1.2.132)$ .

### Community lawcourts

1.7.15. From 1 January 1991, Court material will be covered in the Bulletin for

the month in which the items are reported in the Official Journal.

New cases

1.7.16. The following cases came before the Court of Justice in January and February either as references for preliminary rulings or as actions brought direct.

Free movement of goods

Case C-3/81 Exportur v L.O.R. and Société Confiserie du Tech

Basis: Article 177 of the EEC Treaty

Interpretation of Articles 30, 34 and 36 of the EEC Treaty with reference to measures for the protection of designations of origin or of source, in particular the designations 'Alicante' or 'Jijona' for torrone.

OJ C 38, 14.2.1991

### Customs union

Case C-371/90 Beiafrio v Chefe de Serviço da Conferência final da Alfândega do Porto Basis: Article 177 of the EEC Treaty

Interpretation of Article 5(1) of Council Regulation No 1697/79 on the post-clearance recovery of export duties which have not been required of the person liable for payment on goods entered for a customs procedure involving the obligation to pay such duties, in so far as it refers to 'information given by the competent authorities themselves which is binding on them', with reference to information on the rates applicable supplied by telex by central customs services and binding on the customs services which have initiated proceedings for post-clearance recovery.

OJ C 34, 9.2.1991

Case C-14/91 SuCrest v Oberfinanzdirektion München

Basis: Article 177 of the EEC Treaty

Interpretation of the CCT, combined nomenclature, with reference to whether emulsifiers intended for pastry dough are excluded from Chapter 38 under Note 1(b) to that Chapter and fall within Heading 2106.

OJ C 38, 14.2.1991

Case C-16/91 Wacker Werke v HZA München-West

Basis: Article 177 of the EEC Treaty

Interpretation of Council Regulation No 2473/86 on outward processing relief arrangements and the standard exchange system and Council Regulation No 1224/80 on the valuation of goods for customs purposes, with reference to how compensating products and the temporary export goods used in their manufacture and exported outside the customs territory of the Community should be valued under outward processing arrangements.

OJ C 43, 19.2.1991

Case C-21/91 Wünsche Handelsgesellschaft International v HZA Hamburg-Jonas Basis: Article 177 of the EEC Treaty

Interpretation of Article 3 of Commission Regulation No 1495/80 amending the provisions of Articles 1, 3 and 8 of Council Regulation No 1224/80 on the valuation of goods for customs purposes, with reference to a financing agreement relating to the purchase of imported goods where the seller allows the buyer credit for which a purchase price increased by interest is agreed.

OJ C 45, 21.2.1991

### Competition

Case C-2/91 Criminal proceedings v Meng Basis: Article 177 of the EEC Treaty

Interpretation of Articles 3(f), 5 and 85 of the EEC Treaty, with reference to national rules prohibiting self-employed insurance brokers from granting preferential treatment by paying over their commission fees.

OJ C 38, 14.2.1991

### State aid

Case C-1/91 Schiffswerft Germersheim v Commission

Basis: Article 173 of the EEC Treaty

Application for annulment of the Commission Decision of 1 August 1990 (C(90)1937 final) concerning aid given by Germany to shipyards in difficulty.

OJ C 50, 26.2.1991

Social affairs

Case C-360/90 Arbeiterwohlfahrt der Stadt Berlin v Bötel

Basis: Article 177 of the EEC Treaty

Interpretation of Article 119 of the EEC Treaty and Council Directive 75/117/EEC on the application of the principle of equal pay for men and women, with reference to national provisions which guarantee works council members compensation for work time lost by reason of attendance on courses whilst not providing compensation in the form of leave or money, up to a level corresponding to full working hours, for works council members who work part-time but are obliged to devote further time in addition to their individual working hours to such courses, even though the proportion of women affected by these provisions is significantly higher than that of men.

OIC 17, 25,1,1991

Case C-4/91 Bleis v Ministère de l'Education nationale

Basis: Article 177 of the EEC Treaty

Does employment as a secondary school teacher in French public establishments constitute employment in the public service within the meaning of Article 48(4) of the EEC Treaty?

OJ C 34, 9.2.1991

Case C-5/91 Di Prinzio v Office national des pensions

Basis: Article 177 of the EEC Treaty

Interpretation of Article 46 of Council Regulation No 1408/71 of 14 June 1991 on the application of social security schemes to employed persons and their families moving within the Community, with reference to the calculation of pension by a Member State where retirement age has not been reached in that State and benefits earned in

another Member State have to be taken into account.

OJ C 38, 14.2.1991

Agriculture

Case C-15/91 Buckl & Söhne and Others v Commission

Basis: Article 175 of the EEC Treaty

Seeking a declaration that, by failing to reestablish completely the levy on ducks and geese originating in Hungary and Poland, which was reduced by 50% by Regulation No 3899/89, the Commission is in breach of the Treaty and Council Regulations No 2777/75 on the common organization of the market in poultrymeat and No 3899/89 reducing for 1990 the levies on certain agricultural products originating in developing countries.

OJ C 45, 21.2.1991

Case C-17/91 1. Georges Lornoy en Zonen 2. Jos Theys 3. Van Lomel and 4. Staf Lornoy en Zonen v Belgian State

Basis: Article 177 of the EEC Treaty

Interpretation of Articles 12, 13, 30, 92 and 95 of the EEC Treaty and the applicable directives with reference to the introduction by a Member State of a compulsory contribution for the support of a 'Fund for animal health and livestock production', firstly by imposing on slaughterhouses in that Member State a contribution for every slaughtered calf and secondly by imposing on every exporter of calves a similar contribution.

OIC 46, 22.2.1991

**Fisheries** 

Case C-25/91 Pesqueras Echebastar v Commission

Basis: Article 175 of the EEC Treaty

Failure by the Commission to take a decision under Articles 6 to 8, 35(1) and 37(1) of Council Regulation No 4028/86 on Community measures to improve and adapt structures in the fisheries and aquaculture sector.

OJ C 50, 26.2.1991

Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters

Case C-26/91 Jakob Handte Maschinenfabrik v Traitements mécano-chimiques des surfaces

Does Article 5(1) of the amended Brussels Convention of 27 September 1968, which provides for special jurisdiction in matters relating to contract, apply to a dispute between a subsequent purchaser and the manufacturer, who is not the seller, of an object, in connection with defects in that object or its unsuitability for the purpose for which it was intended?

OJ C 50, 26.2.1991

### Consumers

Case C-373/90 Procureur de la République  $\nu$  X

Basis: Article 177 of the EEC Treaty

Is it consistent with the European rules currently in force to publish advertisements saying that 'new vehicles' are 'cheaper' when the vehicles in question have been registered in a Member State for the purposes of importation?

OJ C 34, 9.2.1991

### Infringements

Case C-6/91 Commission v Italy Basis: Article 169 of the EEC Treaty

Failure to comply with Council Directive 88/406/EEC amending Council Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine and repealing Council Directive 80/1102/EEC.

OJ C 38, 14.2.1991

Case C-7/91 Commission v Italy Basis: Article 169 of the EEC Treaty

Failure to comply with Council Directive 87/238/EEC of 1 April 1987 amending the Annexes to Council Directive 74/63/EEC of 17 December 1973 on the fixing of

maximum permitted levels for undesirable substances and products in feedingstuffs.

OJ C 38, 14.2.1991

Case C-10/91 Commission v Italy Basis: Article 169 of the EEC Treaty

Failure to comply with the fourth Commission Directive 86/229/EEC amending the Annex to Council Directive 74/63/EEC on the fixing of maximum permitted levels for undesirable substances and products in feedingstuffs.

OJ C 38, 14.2.1991

Case C-11/91 Commission v Italy Basis: Article 169 of the EEC Treaty

Seeking a declaration that by failing to adopt within the prescribed period all the measures necessary in order to comply with Council Directive 87/486/EEC amending Directive 80/217/EEC of 22 January 1980 introducing Community measures for the control of classical swine fever and Council Directive 87/491/EEC amending Directive 80/215/EEC on animal health problems affecting intra-Community trade in meat products, Italy has failed to fulfil its obligations under the EEC Treaty.

OJ C 38, 14.2.1991

Case C-12/91 Commission v Greece Basis: Article 169 of the EEC Treaty

Seeking a declaration that by applying a system on the basis of which Greek citizens are entitled to enter national museums free of charge, whereas nationals of the other Member States are required to pay an entrance fee, Greece has failed to fulfil its obligations under the EEC Treaty.

OJ C 38, 14.2.1991

Case C-19/91 Commission v Belgium Basis: Article 169 of the EEC Treaty

Seeking a declaration that by persisting, notwithstanding the judgment delivered by the Court of Justice on 24 May 1988 in Case 307/86, in not adopting the measures needed to implement Council Directive 82/714/EEC laying down technical requirements for inland waterway vessels, Belgium has failed

to fulfil its obligations under Article 171 of the EEC Treaty.

OJ C 50, 26.2.1991

Disputes between the Community and its staff

Appeals against judgments of the Court of First Instance

v Commission:

Case C-368/90P Hettrich and Others

Application to the Court of Justice to review its decision to refer the case to the Court of First Instance on the grounds that it is vitiated by the judgment of the Court of First Instance that it has no jurisdiction to rule in an appeal against an act by an institution which is not an act of the appointing authority adversely affecting the applicant, and to rule on the complaint so that the officials concerned are not denied the right to a hearing before their natural court.

OJ C 26, 2.2.1991

Case C-378/90P Pitrone

OJC 26, 2.2.1991

1.7.17. The following actions were brought before the Court of First Instance in January and February.

Disputes between the Community and its staff

v Commission

Case T-54/90 Lacroix

OJ C 26, 2.2.1991

Cases T-55/90 and T-55/90R White and TAO/AFI

Basis: Article 179 of the EEC Treaty

Seeking annulment of the decision adopted by the Local Staff Committee on 27 November 1990 and the decision adopted on 14 December 1990 appointing the representatives of the Central and Local Staff Committees on the bodies instituted under the Staff Regulations and other administrative bodies and requiring the Commission to ensure that these appointments are made in accordance with the last paragraph of Article 14 of the Rules laying down the composition and the functioning of the Staff Committee and with Article 9(3) of the Staff Regulations (T-55/90).

Seeking a ruling that the appointments made by the decision of 27 November 1990 are suspended and inoperative (T-55/90R).

OJ C 26, 2.2.1991

Case T-1/91 Della Pietra

OJ C 26, 2.2.1991

Case T-2/91 Matthys

OJ C 26, 2.2.1991

Case T-3/91 Nijssen

OJ C 38, 14.2.1991

Case T-4/91 Toller

OJ C 50, 26.2.1991

### **Judgments**

1.7.18. Decisions were given by the Court of Justice in the following cases in January and February.

Customs union

24.1.1991: Case C-384/89 Ministère public v Tomatis and Fulchiron

- 1. Subheading 87.02.A of the Common Customs Tariff must be interpreted as including vehicles having, behind the driver's seat or bench, specially fitted spaces for fixed, folding or removable seats, side windows and a rear door, side door or tailgate and an interior finish similar to that of a vehicle for the transport of passengers.
- 2. The tariff classification given to a product by the authorities of a Member State may be called into question by the authorities of another Member State in connection with the classification of other examples of the same product or for the purposes of their national law.

OJ C 50, 26.2.1991

### Competition

24.1.1991: Case C-339/89 Alsthom atlantique v Compagnie de construction mécanique Sulzer The combined provisions of Articles 2, 3(f), 34 and 85(1) of the EEC Treaty must be interpreted as not precluding the application of a Member State's case law which, by not allowing persons selling goods by way of trade to prove that on the date of their delivery they were unaware of a defect in the goods they supplied, has the effect of preventing them from relying on national legislative provisions which allow them to limit their liability when unaware of the defect, in the same way as their competitors in the other Member States may do.

OJ C 50, 26.2.1991

### Freedom of movement for workers

### 31.1.1991: Case C-18/90 ONEM v Kziber

Article 41(1) of the Cooperation Agreement between the European Economic Community and the Kingdom of Morocco signed in Rabat on 27 April 1976 and concluded on behalf of the Community by Council Regulation No 2211/78 must be interpreted as meaning that it precludes a Member State from refusing to grant an unemployment benefit which its legislation makes available to young persons seeking work to a member of the family of a worker of Moroccan nationality residing with him, on the ground that the person seeking work is a Moroccan national.

OJC 50, 26.2.1991

### Agriculture

### 15.1.1991: Case C-215/89 Eddelbüttel v Bezirksregierung Lüneburg

- 1. The combined provisions of Article 3(1) of Council Regulation (EEC) No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds, as amended by Council Regulation No 1041/78, and the first indent of Article 1(3)(b) of Commission Regulation No 1391/78 laying down amended rules for the application of the system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds must be interpreted as requiring the amount of the conversion premium to be reduced to the extent to which the number of dairy cows kept on the holding at the time of approval of the application, although at least 15, is less than the number needed to achieve the deliveries of milk or milk products on the basis of which the premium is calculated.
- 2. The term 'appropriate number [of dairy cows]' in the first indent of Article 1(3)(b) of Commission Regulation No 1391/78 must be interpreted as meaning the number of dairy cows which, in the

specific circumstances of the holding in question, is needed in order to achieve the deliveries of milk or milk products on the basis of which the amount of the premium is calculated.

OJ C 38, 14.2.1991

### 15.1.1991: Case C-341/89 Ballmann v HZA Osnabrück

Article 12(c) and (d) of Council Regulation No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation No 804/68 in the milk and milk products sector must be interpreted as meaning that milk production obtained by a farmer in leased facilities must be imputed to that farmer's milk reference quantity if he manages on an independent basis the production units for the operation of which he has leased certain facilities and clear separation of the quantities of milk produced by the lessee and the lessor is ensured.

OJ C 38, 14.2.1991

# 15.1.1991: Case C-372/89 Gold-Ei Erzeugerverbund v Überwachungsstelle für Milcherzeugnisse und Handelsklassen

Article 21 of Council Regulation No 2772/75 on marketing standards for eggs, as amended by Council Regulation No 1831/84, must be interpreted as meaning that an indication of the date of laying on the outside or inside of a packet of eggs is prohibited and cannot be regarded as a statement designed to promote sales.

OJ C 38, 14.2.1991

### 24.1.1991: Case C-27/90 Sitpa v Oniflhor

Examination of Council Regulation No 989/84 introducing a system of guarantee thresholds for certain processed fruit and vegetable products and Commission Regulations No 1925/84, No 2222/85, No 2077/86 and No 2016/87 fixing for the 1984/85, 1985/86, 1986/87 and 1987/88 marketing years the minimum price to be paid to producers for tomatoes and the amount of production aid for tomato-based products has not disclosed any factor such as to affect their validity.

OJ C 50, 26.2.1991

### Infringements

### 17.1.1991: Case C-157/89 Commission $\nu$ Italy

By permitting the hunting of various species of birds during their rearing season and the various stages of reproduction, and of various migratory species during the period in which they return to

their rearing grounds, the Italian Republic has failed to fulfil its obligations under Council Directive 79/409/EEC on the conservation of wild birds.

OJ C 34, 9.2.1991

17.1.1991: Case C-334/89 Commission v Italy

By failing to adopt within the prescribed period the measures needed to implement in its national legal system Commission Directive 85/41/EEC amending Council Directive 79/409/EEC on the conservation of wild birds, the Italian Republic has failed to fulfil its obligations under the EEC Treaty.

OJ C 34, 9.2.1991

1.7.19. Decisions were given by the Court of First Instance in the following cases in January and February.

Disputes between the Community and its staff

v Commission

15.1.1991: Case T-53/89 Strack

Removed from the Court Register.

OJ C 38, 14.2.1991

15.1.1991: Case T-164/89 Strack

Removed from the Court Register.

OJ C 38, 14.2.1991

24.1.1991: Case T-63/89 Latham

OIC 50, 26.2.1991

24.1.1991: Case T-27/90 Latham

OJ C 50, 26.2.1991

### **Court of Auditors**

1.7.20. Special report No 1/91 on the EDF rehabilitation and revival plan.

Adopted by the Court on 7 February. The special report deals with the implementation of European Development Fund special relief to 10 African countries which suffered worst from drought in 1984 and 1985 (Botswana, Burkina Faso, Cape Verde, Chad, Ethiopia, Mali, Mauritania, Niger,

Somalia, Sudan). The RRP was intended to be carried out in two years so as to produce immediate improvements in the 1986/87 crop year. However, after four years, five measures, representing 13% of the funds allocated, had still to be carried out in an aid package which should have been completed two years earlier.

Despite a call by the Council for coordination between the Commission's actions and the bilateral aid programmes of Member States, the Court found that there was a lack of effective response by Member States.

The RRP had as its objective the reinforcement of existing structures to overcome drought and to revive agriculture. The Court noted a number of shortcomings in the implementation of the plan. Aid was often directed to inefficient national administrations instead of to organizations with good track records.

The flow of information from recipient countries was insufficient, as a consequence of which, even as late as mid-1989, it was not possible to pronounce on the impact of the plan in the countries concerned.

Aid was granted subject to the condition that counterpart funds be created by recipient States and used for specific operations only. This condition was widely disregarded. In only one country was it possible for the Court to establish the precise situation of counterpart funds.

The plan's accounting organization was so defective that several accounting irregularities occurred.

- 1.7.21. Opinion No 1/91 and observations on the draft Financial Regulation applicable to development finance cooperation under the fourth Lomé Convention.
- Reference: Council agreement on the content of the new internal agreement setting up the seventh EDF: Bull. EC 6-1990, point 1.4.32

Adopted by the Court on 21 February.

1.7.22. Opinion No 2/91 on the proposal for a Council Decision concerning the refund to Portugal of revenue from the

'accession' compensatory amounts applied to supplies of common wheat from the other Member States.

 Reference: Proposal for a Decision: OJ C 2, 4.1.1991; COM(90) 599; Bull. EC 12-1990, point 1.6.5

Adopted by the Court on 21 February.

### **Economic and Social Committee**

### 283rd plenary session

1.7.23. The 283rd plenary session of the Economic and Social Committee was held in Brussels on 30 and 31 January, chaired by Mr Staedelin, Mrs Tiemann and Mr Kazazis. Mrs Scrivener, Member of the Commission, attended.

1.7.24. The Committee debated and adopted opinions on the following:

the harmonization of the structures of excise duties ( $\rightarrow$  point 1.2.39);

the application of Article 85(3) of the Treaty to certain categories of agreements, decisions and concerted practices between shipping companies ( $\rightarrow$  point 1.2.43);

the creation of a supplementary protection certificate for medicinal products ( $\rightarrow$  point 1.2.72);

a specific research and technological development programme in the field of nuclear fission safety (→ point 1.2.84);

the introduction and the maintenance of agricultural production methods compatible with the requirements of the protection of the environment and the maintenance of the countryside (→ point 1.2.136);

the administration of bovine somatotropin ( $\rightarrow$  point 1.2.150).

1.7.25. The Committee adopted opinions on the following without debate:

the facilitation of physical inspections and administrative formalities in respect of the carriage of goods between Member States (→ point 1.2.8);

the capital adequacy of investment firms and credit institutions (→ point 1.2.31);

the generalized system of preferences: guidelines for the 1990s ( $\rightarrow$  point 1.3.62);

a Community guarantee for exports of foodstuffs from the Community to the USSR, and urgent action to supply agricultural products to the USSR, Romania and Bulgaria (→ point 1.3.8).

Full text of the opinions: OJ C 69, 18.3.1991

### 284th plenary session

1.7.26. The 284th plenary session of the Economic and Social Committee was held in Brussels on 27 and 28 February, chaired by Mr Staedelin, Mrs Tiemann and Mr Kazazis. The President of the Commission, Mr Delors, and the President of the Council, Mr Juncker, Luxembourg's Minister for Finance and Minister for Labour, attended.

After setting out the 11 priorities in the Commission's programme for 1991, Mr Delors commented on difficulties in achieving the internal objectives and reviewed progress at the two Intergovernmental Conferences. Representatives of the various groups making up the Committee expressed a number of specific concerns, to which Mr Delors responded by outlining the various measures under consideration.

Mr Juncker described the main themes of Luxembourg's programme for its term as Council President and the policies which would receive most emphasis. In addressing the concerns voiced during the debate, Mr Juncker was able to clarify the Council position on a number of points.

1.7.27. The Committee debated and adopted opinions on the following:

economic and monetary union ( $\rightarrow$  point 1.1.4);

the annual economic report (→ point 1.2.2);

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the supervision of credit institutions  $(\rightarrow point 1.2.32)$ ;

the third Council Directive on the coordination of laws, regulations and administrative provisions relating to direct insurance other than life assurance (→ point 1.2.36);

the setting-up of an Insurance Committee (→ point 1.2.34);

the 13th Council Directive on company law concerning takeover and other general bids (→ point 1.2.71);

the efficiency requirements for new hotwater boilers fired with liquid or gaseous fuels (→ point 1.2.107);

the evaluation and the control of the environmental risks of existing substances ( $\rightarrow$  point 1.2.226).

1.7.28. The Committee adopted opinions on the following without debate:

the vocational training of customs officials  $(\rightarrow point 1.2.12)$ ;

mutual assistance for the recovery of claims (EAGGF) in respect of value-added tax (→ point 1.2.37);

the revision of the programme for the improvement of the business environment and the promotion of the development of enterprises (→ point 1.2.74);

the interchange of electronic data and the second phase of the Tedis programme (→ point 1.2.91);

the action programme for the vocational training of young people and their preparation for adult and working life (Petra) (→ point 1.2.123);

the approximation of the laws of the Member States relating to cosmetic products (→ point 1.2.240).

### **ECSC Consultative Committee**

### 290th meeting (extraordinary)

1.7.29. Luxembourg, 8 February.

Chairman: Mr Windisch.

Items discussed

Review of the Commission report on the application of Community rules for State aid to the coal industry in 1988.

Draft Commission Decision on the conclusion with Poland and Hungary of a protocol on trade and commercial and economic cooperation: consultation (→ point 1.3.11).

The negotiation of arrangements for steel imports from certain non-member countries in 1991: resolution ( $\rightarrow$  point 1.3.101).

# PART TWO DOCUMENTATION

### The ecu

### Values in national currencies of ECU 1

	<b></b>	January 1991 <sup>1</sup>	February 1991 <sup>2</sup>	
BFR/ LFR	Belgian franc and Luxembourg franc	42.2126	42.1694	
DKR	Danish krone	7.88794	7.88173	
DM	German mark	2.04881	.04881 2.04840	
DR	Greek drachma	216.831	219.449	
ESC	Portuguese escudo	182.484	180.193	
FF	French franc	6.95952	6.97249	
HFL	Dutch guilder	2.30979	2.30851	
IRL	Irish pound	0.767772	0.769838	
LIT	Italian lira	1 540.15	1 537.58	
PTA	Spanish peseta	129.124	128.151	
UKL	Pound sterling	0.701862	0.704206	
AUD	Australian dollar	1.74228	1.76613	
CAD	Canadian dollar	1.56893	1.59857	
FMK	Finnish markka	4.94113	4.97049	
NKR	Norwegian krone	7.01160	8.01370	
NZD	New Zealand dollar	2.28142	2.30043	
os	Austrian schilling	14.4141	14.4141 14.4103	
SFR	Swiss franc	1.72601 1.75324		
SKR	Swedish krona	7.64797	7.66258	
USD	United States dollar	1.35752	1.38411	
YEN	Japanese yen	181.372	180.419	

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. EC 7/9-1982, points 3.1.1 to 3.1.3, and Bull. EC 9-1989, point 2.1.3.

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Average for the month; OJ C 25, 1.2.1991.
 Average for the month; OJ C 54, 1.3.1991.

### Representative rates ('green' rates)

Conversion rates into national currencies for the ecu used in connection with the common agricultural policy

	January 1991	
	National currency/sector	Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc All products	48.5563
DKR	Danish krone All products	8.97989
DM	German mark Cereals Other products	2.37360 2.35418
DR	Greek drachma Sheepmeat and goatmeat Structural measures Pigmeat	231.754 230.337 245.559 on 28.1.1991 243.331
	Tobacco, cereals, sugar, wine Olive oil Eggs and poultrymeat Fishery products Other crop products Other products	on 21.1.1991 230.472 232.153 212.503 206.395 222.905 204.710
ESC	Portuguese escudo All products	208.676
FF	French franc All products	7.89563
HFL	Dutch guilder Cereals Other products	2.66089 2.65256
IRL	Irish pound All products	0.878776
LIT	Italian lira All products	1 761.45

January 1991					
	National currency/sector	Value in national currency of ECU 1			
PTA	Spanish peseta				
	Sheepmeat and goatmeat Milk and milk products, structural measures, eggs and poultrymeat, fishery	152.756			
	products	154.794			
	Pigmeat	147.393			
	Wine, olive oil	151.927			
	Other livestock products	155.786			
	Tobacco	153.498			
	Rice, wine, oilseeds	152.896			
	Other crop products	154.213			
UKL	Pound sterling				
	Cereals, sugar, olive oil,				
	sheepmeat and goatmeat	0.779553			
	Beef and veal	0.795232			
	Pigmeat	0.800520			
	Other crop products	0.704335			
	Other products	0.758185			

February 1991		February 1991			
National currency/sector		Value in national currency of ECU 1	National currency/sector		Value in national currency of ECU 1
BFR/ LFR	Luxembourg franc	10.55.0	РТА	Spanish peseta Sheepmeat and goatmeat	152.756
DKR	All products  Danish krone	48.5563		Milk and milk products, structural measures, eggs and poultrymeat, fishery products	154.794
	All products	8.97989		Pigmeat Wine, olive oil Other livestock products Tobacco	147.393 151.927 155.786 153.498
DM	German mark Cereals	2.37360		Rice, wine, oilseeds Other crop products	152.896 154.213
	Other products	2.35418	UKL		
DR	Greek drachma			Cereals, sugar, olive oil, sheepmeat and goatmeat Beef and yeal	0.779553 0.795232
	Sheepmeat and goatmeat Structural measures Pigmeat	231.754 230.337 246.319 on 18.2.1991		Pigmeat Other crop products Other products	0.800520 0.704335 0.758185
	Tobacco, cereals, sugar, wine Olive oil Eggs and poultrymeat Fishery products Other crop products Other products			•	
ESC	Portuguese escudo				
	All products	208.676			
FF	French franc All products	7.89563			
	7m products	7.02303			
HFL	Dutch guilder				
	Cereals Other products	2.66089 2.65256			
IRL	Irish pound				
	All products	0.878776			
LIT	Italian lira				
	All products	1 761.45			

### 2. Infringement proceedings

### Initiation of proceedings for failure to implement Directives

### Letters of formal notice

2.2.1. In January and February the Commission sent letters of formal notice for failure to inform it of any national implementing measures in the following cases:

#### Internal market

Council Directive 88/320/EEC (Greece, Ireland, Italy

OJ L 145, 11.6.1988

Commission Directive 90/18/EEC (Greece, Ireland, Italy)

OJL 11, 13.1.1990

Council Directive 89/440/EEC (Federal Republic of Germany, Italy, Luxembourg, Netherlands)
OI L 210, 21.7.1989

Commission Directive 80/766/EEC (Portugal) OJ L 213, 16.8.1980

Council Directive 81/20/EEC (Portugal) OJ L 43, 14.2.1981

Council Directive 81/102/EEC (Denmark, Federal Republic of Germany, Luxembourg)
OI L 88, 3,4,1986

Council Directive 88/388/EEC (United Kingdom) O J L 184, 15.7.1988

Council Directive 89/107/EEC (Belgium, Denmark, Federal Republic of Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, United Kingdom)

OJ L 40, 11.2.1989

Council Directive 89/108/EEC (Belgium, Denmark, Federal Republic of Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands)

OIL 40, 11.2.1989

Council Directive 89/109/EEC (Belgium, Federal Republic of Germany, Greece, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom)

OJL 40, 11.2.1989

Council Directive 89/397/EEC (United Kingdom) OJ L 186, 30.6.1989 Council Directive 89/105/EEC (Italy) OJ L 40, 11.2.1989

Commission Directive 88/126/EEC (United Kingdom)

OJ L 63, 9.3.1988

Commission Directive 89/519/EEC (Denmark, Greece, Spain, France, Ireland, Italy, Luxembourg, United Kingdom)

OJL 265, 12.9.1989

Council Directive 87/402/EEC (Italy) OJ L 220, 8.8.1987

Commission Directive 90/629/EEC (Greece) OJ L 341, 6.12.1990

Council Directive 87/404/EEC (Federal Republic of Germany, United Kingdom)
O J L 220, 8.8.1987

Council Directive 89/676/EEC (Federal Republic of Germany, Spain, Ireland, Italy, Luxembourg, Portugal)

OIL 398, 30.12.1989

Council Directive 86/653/EEC (Italy) OJ L 382, 31.12.1986

### Social affairs

Council Directive 86/378/EEC (Netherlands) OJL 225, 12.8.1986

Council Directive 86/188/EEC (Belgium) OJ L 137, 24.5.1986

Council Directive 89/622/EEC (Belgium, Federal Republic of Germany, Greece, Spain, France, Ireland, Netherlands, Portugal, United Kingdom) OJ L 359, 8.12.1989

### Agriculture

Commission Directive 86/320/EEC (Italy) OJ L 200, 23.7.1986

Commission Directive 87/480/EEC (Ireland, Luxembourg, Netherlands, Portugal)
OJ L 273, 26.9.1987

Council Directive 88/380/EEC (Denmark, Ireland, Italy, Luxembourg, Netherlands, Portugal)
O J L 187, 16.7.1988

Commission Directive 89/2/EEC (Belgium, Denmark, Ireland, Italy, Luxembourg, Netherlands)
OJ L 5, 7.1.1989

Commission Directive 89/23/EEC (Italy, Luxembourg, United Kingdom)

OJL 11, 14.1.1989

Commission Directive 89/424/EEC (Denmark, Greece, Spain, Ireland, Italy, Luxembourg)
O.J. L. 196, 12.7.1989

Commission Directive 90/110/EEC (Belgium, Denmark, Greece, France, Ireland, Luxembourg, United Kingdom)

OJL 67, 15.3.1990

Commission Directive 90/214/EEC (Denmark, Greece, Spain, France, Ireland, Luxembourg, United Kingdom)

OJL 113, 4.5.1990

Council Directive 88/658/EEC (Belgium, Federal Republic of Germany, Spain, France, Ireland, Italy, Luxembourg, Netherlands, United Kingdom) OJ L 382, 31.12.1988

Council Directive 89/384/EEC (Spain, France, Italy, Luxembourg, Portugal)
OJ L 181, 28.6.1989

Council Directive 90/120/EEC (Ireland) OJ L 71, 17.3.1990

Council Directive 90/422/EEC (Belgium, Denmark, Federal Republic of Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal)

OJL 224, 18.8.1990

Council Directive 90/425/EEC (Belgium, Denmark, Federal Republic of Germany, Greece, Spain, France, Ireland, Italy, Luxembourg, Netherlands, Portugal, United Kingdom)
O. L. 224, 18.8.1990

### Transport

Council Directive 88/599/EEC (Luxembourg) OI L 325, 29.11.1988

Council Directive 88/449/EEC (Belgium, Spain, Ireland, United Kingdom)
O.J. L. 222, 12.8.1988

### **Environment**

Council Directive 88/609/EEC (Belgium) OJ L 336, 7.12.1988

Council Directive 89/428/EEC (Belgium, United Kingdom)

OIL 201, 14.7.1989

Council Directive 86/609/EEC (Belgium) OJ L 358, 18.12.1986

Council Directive 87/101/EEC (Belgium) OJ L 42, 12.2.1987

Council Directive 89/629/EEC (Belgium, Denmark, Ireland, Italy, Netherlands)
OJ L 363, 13.12.1989

Commission Directive 88/490/EEC (Belgium) OJ L 259, 19.9.1988

Council Directive 88/610/EEC (Federal Republic of Germany)
OJ L 336, 7.12.1988

### Financial institutions and company law

Council Directive 87/343/EEC (Luxembourg) OJ L 185, 4.7.1987

Council Directive 87/344/EEC (Luxembourg) OJ L 185, 4.7.1987

Council Directive 90/604/EEC (Spain) OJ L 317, 16.11.1990

#### Customs union and indirect taxation

Council Directive 89/604/EEC (Belgium, Italy, Portugal, United Kingdom)
OJ L 348, 29.11.1989

#### Consumers

Council Directive 88/314/EEC (Spain, Ireland) OJ L 142, 9.6.1988

Council Directive 88/315/EEC (Spain, Ireland) OJ L 142, 9.6.1988

Council Directive 88/667/EEC (Ireland) OJ L 382, 21.12.1988

### Reasoned opinions

2.2.2. In December and January the Commission delivered reasoned opinions for failure to inform it of any national implementing measures in the following cases:

### Internal market

Commission Directive 87/94/EEC (Italy, United Kingdom)

OJ L 38, 7.2.1987

Commission Directive 87/566/EEC (Italy, Luxembourg, United Kingdom)

OJL 342, 4.12.1987

Council Directive 88/183/EEC (Greece, Italy, Luxembourg)

OJL 83, 29.3.1988

### **Transport**

Council Directive 87/540/EEC (Italy) OJ L 322, 12.11.1987

### Environment

Council Directive 75/440/EEC (Italy) OJ L 194, 25.7.1975

Council Directive 78/659/EEC (France) OJ L 222, 14.8.1978 Council Directive 79/869/EEC (Italy) OJ L 271, 29.10,1979

Council Directive 80/68/EEC (Spain) OJ L 20, 26.1.1980

Council Directive 80/836/EEC (Luxembourg) OJ L 246, 17.9.1980

Council Directive 87/217/EEC (Greece, Italy) OJL 85, 28.3.1987

Council Directive 88/347/EEC (Greece, Italy) OJ L 158, 25.6.1988

Council Directive 86/662/EEC (Greece, Italy, Luxembourg)

OJ L 384, 31.12.1986

Commission Directive 87/252/EEC (Greece) OJ L 117, 5.5.1987

### Financial institutions and company law

Council Directive 84/253/EEC (Denmark) OJ L 126, 12.5.1984

# 3. Additional references in the Official Journal

2.3.1. This section lists the titles of legal instruments and notices of Community institutions or organs which have appeared in the Official Journal since the last Bulletin was published but relating to items appearing in earlier issues of the Bulletin; the references were not available when the Bulletin went to press.

The number of the Bulletin and the point to which this additional information refers is followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication. Bull. EC 3-1990

Point 1.2.43

Decision No 3/90 of the ACP-EEC Council of Ministers of 29 March 1990 adopting the general regulations, general conditions and procedural rules on conciliation and arbitration for works, supply and service contracts financed by the European Development Fund (EDF) and concerning their application

OJ L 382, 31.12.1990

### Bull. EC 9-1990

### Point 1.2.7

Proposal for a Council Directive relating to the coordination of procedures on the award of public service contracts

OJ C 23, 31.1.1991

### Point 1.3.33

Joint Assembly of the Convention concluded between the African, Caribbean and Pacific States and the European Economic Community (ACP-EEC) from 24 to 28 September 1990 in Luxembourg

OJ C 27, 4.2.1991

### Points 1.7.24 to 1.7.27

Opinions adopted by the Economic and Social Committee during its 279th session on 19 and 20 September 1990

OJ C 332, 31.12.1990

### Bull, EC 10-1990

### Point 1.3.4

Commission communication on the development of European standardization — Action for faster technological integration in Europe

OJ C 20, 28.1.1991

### Points 1.8.38 and 1.8.39

Opinions adopted by the Economic and Social Committee during its 280th session on 16, 17 and 18 October 1990

OJ C 31, 6.2.1991

### Bull. EC 11-1990

### Point 1.3.20

Proposal for a Council Directive determining the scope of Article 4(1)(d) of Directive 77/388/EEC as regards exemption from value-added tax on the final importation of certain goods

OI C 23, 31.1.1991

#### Point 1.3.42

Proposal for a Council Directive on a form of proof of an employment relationship OJ C 24, 31.1.1991

### Point 1.3.102

Proposal for a Council Directive on a common system of taxation applicable to interest and royalty payments made between parent companies and subsidiaries in different Member States
OJ C 53, 28.2.1991

### Point 1.3.103

Proposal for a Council Directive concerning arrangements for the taking into account by enterprises of the losses of their permanent establishments and subsidiaries situated in other Member States

OJ C 53, 28.2.1991

### Point 1.3.104

Proposal for a Council Decision revising the programme for the improvement of the business environment and the promotion of the development of enterprises, and in particular small and medium-sized enterprises, in the Community OI C 13, 19.1.1991

### Point 1.3.200

Council Decision 91/49/EEC of 26 November 1990 on Community actions for the elderly
OJ L 28, 2.2.1991

### Point 1.3.205

Proposal for a Council Directive amending Directive 89/622/EEC on the approximation of the laws, regulations and administrative provisions of the Member States concerning the labelling of tobacco products

OJ C 29, 5.2.1991

### Points 1.8.34 and 1.8.35

Opinions adopted by the Economic and Social Committee during its 281st session on 20 November 1990

OJ C 41, 18.2.1991

### Bull. EC 12-1990

### Point 1.3.1

Annual Economic Report 1990/91 — The European Community in the 1990s: Towards economic and monetary union

OI C 53, 28.2.1991

### Point 1.3.8

Proposal for a Council Directive on the manufacture and the placing on the market of certain substances used in the illicit manufacture of narcotic drugs and psychotropic substances OI C 21, 29.1.1991

### Point 1.3.93

Proposal for a Council Directive on the establishment of a European Works Council in Community-scale undertakings or groups of undertakings for the purposes of informing and consulting employees

OI C 39, 15,2,1991

### Point 1.3.102

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

OJ C 53, 28.2.1991

### Point 1.3.103

Proposal for a Council Directive concerning minimum requirements for improving the safety and health protection of workers in the extractive industries

OJ C 32, 7.2.1991

### Point 1.3.106

Proposal for a Council Decision amending Decision 89/657/EEC establishing an action programme to promote innovation in the field of vocational training resulting from technological change in the Community (Eurotecnet) and Decision 90/267/EEC establishing an action programme for the development of continuing vocational training in the European Community (Force) in order to establish the Advisory Committee for continuing education and training embracing Force and Eurotecnet

OIC 24, 31.1.1991

#### Point 1.3.122

Proposal for a Council Decision on the dissemination and exploitation of knowledge resulting from the specific programmes of research and technological development of the Community OIC 53, 28.2.1991

### Point 1.3.125

Amendment to the proposal for a Council Decision concerning a specific programme of research and technological development in the field of information technology (1990 to 1994)

OIC 30, 6.2.1991

### Point 1.3.145

Amendment to the proposal for a Council Regulation (EEC) on substances that deplete the ozone layer

OJ C 25, 1.2.1991

### Point 1.3.146

Proposal for a Council Regulation (EEC) concerning export and import of certain dangerous chemicals

OIC 17, 25.1.1991

### Point 1.3.157

Amendment to the proposal for a Council Regulation (EEC) on action by the Community for the protection of the environment in the Mediterranean region (Medspa)

OJ C 25, 1.2.1991

### Point 1.3.159

Proposal for a Council Regulation (EEC) on specific action to protect the environment in the coastal areas and coastal waters of the Irish Sea, North Sea, Baltic Sea and North-East Atlantic Ocean OIC 21, 29.1.1991

### Point 1.3.166

Proposal for a Council Regulation (EEC) on certificates of specific character for foodstuffs

Proposal for a Council Regulation (EEC) on the protection of geographical indications and designations of origin for agricultural products and foodstuffs

OJ C 30, 6.2.1991

### Point 1.3.169

Proposal for a Council Decision concerning the accession of the Member States to the Berne Convention for the Protection of Literary and Artistic Works, as revised by the Paris Act of 24 July 1971, and the International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (Rome Convention) of 26 October 1961

OI C 24, 31.1.1991

### Point 1.3.170

Proposal for a Council Directive on rental right, lending right, and on certain rights related to copyright

OJ C 53, 28.2.1991

### Point 1.3.271

Proposal for a Council Decision concerning the establishing of a network of high-speed trains OIC 51, 27.2.1991

### Point 1.3.272

Council Resolution of 17 December 1990 on the development of a European high-speed rail net-

OJ C 33, 8.2.1991

#### Point 1.3.276

Proposal for a Council Regulation (EEC) on common rules for the allocation of slots at Community airports

OJ C 43, 19.2.1991

### Point 1.3.280

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

OJ C 59, 5.2.1991

### Point 1.4.2

Proposal for a Council Regulation (EEC) on urgent action to supply agricultural products to the Union of Soviet Socialist Republics, Romania and Bul-

Proposal for a Council Regulation (EEC) introducing a Community guarantee for exports of foodstuffs from the European Community to the Union of Soviet Socialist Republics

OJ C 22, 30.1.1991

### Point 1.4.34

Proposal for a Council Decision concerning general guidelines for financial and technical cooperation with the developing countries in Latin America and Asia during the period 1991 to 1995 OJ C 37, 13.2.1991

### Point 1.4.60

Council Decision 91/51/EEC of 18 December 1990 on the signing of the International Agreement on Jute and Jute Products, 1989

OJL 29, 4.2.1991

### Point 1.4.88

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