

ISSN 0378-3693

European Commission

# **Bulletin** **of the European Union**



5 • 1994

The *Bulletin of the European Union* reports on the activities of the Commission and the other Community institutions. It is produced by the Secretariat-General of the European Commission and published 10 times a year in the official European languages.

The following reference system is used: the first digit indicates the part number, the second digit the chapter number and the subsequent digit or digits the point number. Citations should therefore read as follows: Bull 1/2-1994, point 1.1.1 or 2.2.3.

*Supplements to the Bulletin are published in a separate series at irregular intervals. They contain official Commission material (e.g. communications to the Council, programmes, reports and proposals).*

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*Sent to press in August 1994*

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### References in the text

References to other parts of the same issue of the Bulletin are given in parentheses in text, thus (→ point 2.1.53).

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

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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# **PART ONE**

## **ACTIVITIES IN MAY 1994**

# News in brief

## **The Community economic and social area**

### *Economic and monetary policy*

- The Commission approves recommendations for the broad economic policy guidelines of the Member States and the Community for 1994 (→ point 1.2.3).

### *Internal market*

- Parliament and the Council adopt a Directive on deposit guarantee schemes (→ point 1.2.16).

### *Competition*

- The Commission adopts the *XXIIIrd Report on Competition Policy (1993)* (→ point 1.2.21).

### *Enterprise policy*

- The Commission approves an integrated programme for SMEs and the craft sector and adopts a communication and a recommendation on the taxation of SMEs (→ points 1.2.45 to 1.2.47).

### *Energy*

- Parliament and the Council adopt a Directive on oil and gas exploration and production (→ point 1.2.77).

### *Economic and social cohesion*

- Parliament gives its assent to the Regulation establishing a Cohesion Fund, which is then adopted by the Council (→ point 1.2.89).

### *Agriculture*

- The Commission adopts a proposal for a Regulation on reform of the common organization of the wine market (→ point 1.2.103).

## **The role of the Union in the world**

### *Common foreign and security policy*

- The inaugural conference for a pact on stability in Europe is held in Paris (→ point 1.3.1).

### *Enlargement*

- Parliament gives its assent to and the Council adopts a decision on the accession of Norway, Austria, Finland and Sweden to the European Union (→ point 1.3.20).

### *Development policy*

- The Council adopts resolutions and conclusions on the coordination of development policies (→ points 1.3.87 to 1.3.90).

# 1. Citizens' rights

## Democracy, transparency and subsidiarity

*1.1.1.* Parliament resolution on the transparency of Community legislation and the need for it to be consolidated.

### References:

Council Decision of 15 September 1958 creating the 'Official Journal': OJ 17, 6.10.1958

Council resolution of 8 June 1993 on the quality of drafting of Community legislation: OJ C 166, 17.6.1993; Bull. 6-1993, point 1.1.4

Interinstitutional declaration of 25 October 1993 on democracy, transparency and subsidiarity: Bull. 10-1993, points 1.6.2 and 2.2.1

Commission report to the European Council on the adaptation of existing legislation to the subsidiarity principle: COM(93) 545; Bull. 11-1993, point 1.7.2

*Adopted on 6 May.* Given that there is now widespread agreement on the need for Community legislation to be simplified, Parliament is proposing the development of a consistent and gradual approach to the problem, focusing on three cases:

- the revision and simplification of existing legislation: the Commission to present its views and proposals when drawing up the legislative programme; Parliament would react point by point;
- reformulation involving significant amendment but the objectives and principles of the legislation in force remaining the same: the Commission to submit proposals that would also include the provisions that remained unchanged, so that the new text could be substituted for the old in its entirety;
- official consolidation solely for the sake of legal certainty: the Commission to indicate in its programme the priority areas for consolidation agreed by the three institutions and to include a list of proposals for consolidation involving no substantive changes; these could be examined by the Parliament and Council using an accelerated procedure.

Parliament also called for common rules to be drawn up by the institutions on the drafting of

legislation and recommended revision of the Decision creating the Official Journal, the upgrading of the CELEX database and the use of other forms of communication to keep the public up to date with legislative developments.

*1.1.2.* Parliament resolution on the right to use own's own language.

*Adopted on 6 May.* Parliament holds that the possibility of using one's own language is contributing to the achievement of a people's Europe. It confirmed that all the official languages of the European Union are also working languages of the European Parliament and expressed the view that its Rules of Procedure should recognize the right of citizens to send their petitions in their own language provided it is an official language in their country.

## Protection of citizens

*1.1.3.* Parliament resolution on violations of the freedoms and fundamental rights of women.

**Reference:** Community accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms: Bull. 4-1994, point 1.1.4

*Adopted on 6 May.* In response to the numerous and diverse violations of women's fundamental human rights, Parliament called on the institutions of the Union and the Member States to take action relating to cultural customs and ritual mutilations, systematic rape in areas of armed conflict, sexual tourism, prostitution and the trade in women, pornography, the situation of women in prison and new reproductive technologies.

Parliament also called on the Member States to grant immigrant women residence and work permits in their own right and to abolish the discrimination suffered by them, particularly as regards access to employment and training. It also urged the Commission to make proposals to the Council for Union accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

## 2. The Community economic and social area

### Implementation of the White Paper on growth, competitiveness and employment

1.2.1. Commission communication on the implementation of an integrated programme in favour of small and medium-sized enterprises (SMEs) and the craft sector (→ point 1.2.45).

1.2.2. Commission communication to the Council and Parliament on the improvement of the fiscal environment of small and medium-sized enterprises (SMEs), accompanied by a Commission recommendation concerning the way SMEs are taxed (→ points 1.2.46 and 1.2.47).

### Economic and monetary policy

#### Economic and monetary union (EMU)

##### *Implementation of Stage II*

1.2.3. Commission's recommendations for the broad guidelines of the economic policies of the Member States and the Community drawn up in conformity with Article 103(2) of the Treaty establishing the European Community.

##### **References:**

Conclusions of the Brussels European Council: Bull. 12-1993, point I.3

Commission White Paper entitled 'Growth, competitiveness, employment: The challenges and ways forward into the 21st century': COM (93) 700; Bull. 12-1993, point 1.2.44; Supplement 6/93 — Bull.

Council Recommendation 94/7/EC on the broad guidelines of the economic policies of the

Member States and of the Community: OJ L 7, 11.1.1994; Bull. 12-1993, points 1.2.45 and 2.2.1

*Approved by the Commission on 25 May.* In these recommendations, the Commission reviews the progress made in implementing the December 1993 guidelines and describes the medium-term policy framework into which the new guidelines must be placed.

The Commission notes that an economic recovery is currently under way in the Community, although the growth rate of 1.6% expected for this year is not strong enough to prevent a further increase in unemployment which is expected to stabilize only in 1995, when the rate of output growth should reach 2.5%. While these new guidelines reaffirm the goal identified in December 1993 of substantially increasing employment over the next few years, the Commission feels that, now that the recovery is under way, economic policy must be firmly oriented towards the medium-term goals of boosting investment, reinforcing the dynamism of the Community economy and enhancing its ability to generate jobs.

The Commission considers that progress has been made in implementing the December 1993 guidelines and that the headway made in reducing inflationary pressures, which is a step towards durable price stability, is encouraging but that the situation with regard to consolidating budgetary positions and bringing in structural reforms is less satisfactory. After outlining the prospects for inflation, wages, public deficits and structural reforms, the Commission states that the key task of economic policy will be to sustain and to strengthen this recovery in the coming quarters and to ensure that it prepares the ground for strong employment growth. To achieve this, it will be necessary to continue to create the conditions for further reductions in short-term interest rates and for a reversal in the recent increase in long-term rates. Budgetary policy will play a crucial role in this respect, by making budgetary positions sustainable again and by contributing to the necessary increase in

national saving. Equally important will be the continuation of the structural adjustment reforms currently under way. The Commission also considers that all Member States should ensure that their economic policies are consistent with exchange-rate stability within the Community in order to reap the full benefits of closer economic integration, to improve the allocation of resources throughout the Community and to move to more ambitious price-stability objectives.

Lastly, with more particular reference to structural measures for creating more employment, the Commission mentions improving training and education, making labour markets and employment systems much more flexible, stepping up active labour market policies, fully exploiting the job-creating potential of small and medium-sized enterprises and avoiding discrimination against labour as a factor of production by reducing non-wage costs, especially for low-paid workers.

COM(94) 217

#### 1.2.4. Parliament resolution on the objectives and instruments of a monetary policy.

*Adopted on 6 May.* Parliament calls on the European Monetary Institute (EMI) to give priority to preparing, in accordance with Article 109f(3) of the EC Treaty, the instruments and procedures necessary for carrying out a single monetary policy. In this connection, it takes the view that for the European Central Bank (ECB) to determine and publicly announce monetary objectives would make it possible to attain the objective of price stability while furthering growth and employment and would help to underpin the credibility of European monetary policy. While recalling, first, the principle of the independence of the ECB and, second, the fact that the homogeneity and efficacy of the common monetary policy require that this policy should be the sole responsibility of the ECB, it takes the view that the implementation of the common monetary policy and of the monetary policy instruments, in particular the compulsory reserves, must take place in accordance with the principle of subsidiarity. Lastly, Parliament proposes that, as soon as the necessary conditions for the adoption of a single currency are fulfilled and before the date set for the beginning of Stage III of EMU, an experimental stage consisting of a common monetary policy should be initiated.

#### 1.2.5. Parliament resolution on the supervision of commercial banks and financial institutions and monetary stability.

*Adopted on 6 May.* Considering that the existing harmonization of rules on the supervision of financial institutions at Community level displays shortcomings, that national supervisory bodies are experiencing increasing difficulty in carrying out their responsibilities because of the changes in financial and money markets over recent years and that the integration of European economies will necessitate greater cooperation between national supervisory bodies, Parliament believes that the creation of a single currency will require fuller harmonization of the rules on supervision and the introduction of stricter rules. In order to achieve this, it advocates a gradual approach leading to further approximation of the rules, with arrangements for monitoring and implementation remaining the responsibility of the Member States during Stage II of EMU, and considers that it is premature to make assumptions about the institutional form which the organization of prudential supervision at Community level might take during phase Stage III of EMU.

#### *European Monetary System*

#### 1.2.6. Parliament resolution on the impact of exchange-rate fluctuations on the Community's internal and external trade.

*Adopted on 6 May.* Parliament maintains the view that the completion of the internal market through the achievement of economic and monetary union remains a priority objective for the stabilization and expansion of trade within the European Union and considers that exchange-rate policy within the European Union must seek to prevent persistent distortions of real exchange rates. It calls on the Member States to limit short-term exchange-rate fluctuations as far as possible and to ensure that a credible reduction in the fluctuation margins of the European Monetary System (EMS) is progressively achieved. It proposes that they modify the EMS mechanisms and that decisions on the conditions governing participation in and withdrawal from the EMS and on devaluations and revaluations should be taken at Community level. With regard to relations with third countries, Parliament calls for better and more responsible mon-

etary coordination and cooperation in the G7 through greater steadiness in the growth of the world money supply at an inflation-free level and, above all, for the avoidance of persistent exchange-rate adjustments.

### *Wider use of the ecu*

1.2.7. Parliament resolution on the international dimension of the ecu.

*Adopted on 6 May.* Parliament considers that the ecu must meet certain criteria to become an international currency in its own right, namely that it must be a stable currency in which there is confidence and that the appropriate institutional structure must be established. It states that the European Union should promote a European financial market, the enlargement and deepening of the Community and the monetary and financial stability of its markets. It takes the view that the confidence placed in the ecu will depend not only on economic and budgetary policy and proposes that, as early as Stage II of EMU, opportunities for payment in ecus be developed. It also proposes that the European Monetary Institute (EMI) should study the international aspects of establishing an ecu zone with the countries of Central and Eastern Europe with a view to assisting them in the process of economic transition.

## **Economic situation**

1.2.8. Parliament resolution on the Annual Economic Report for 1994.

### **References:**

Commission White Paper entitled 'Completing the internal market': COM(85) 310; Bull. 6-1985, points 1.3.1 to 1.3.9

Conclusions of the Edinburgh European Council: Bull. 12-1992, point I.30

Conclusions of the Copenhagen European Council: Bull. 6-1993, points I.3 to I.7

Commission White Paper entitled 'Growth, competitiveness, employment: The challenges and ways forward into the 21st century': COM (93) 700; Bull. 12-1993, point 1.2.44; Supplement 6/93 — Bull.

Annual Economic Report for 1994: COM(94) 90; Bull. 3-1993, point 1.2.7

*Adopted by Parliament on 6 May.* Parliament calls on the Community and the Member States

to give absolute priority to employment creation. It therefore calls on the Council to adopt the measures outstanding from the Commission White Paper 'Completing the internal market', on the Member States to implement all relevant EU legislation and on the Commission and the Member States to improve public access to, and information about, EU legislation, particularly as it affects small and medium-sized enterprises. It considers that these measures will facilitate real and nominal convergence in the Union and underlines the fact that they are impossible without sufficient and sustainable growth. It also considers that the quest for nominal convergence must be supplemented by an effort by the Member States towards social convergence. Parliament highlights the importance of the proposals contained in the Commission White Paper 'Growth, competitiveness, employment' and of the growth initiative mapped out at the Edinburgh European Council and confirmed at the Copenhagen European Council, and recalls its objectives. As far as monetary policy is concerned, Parliament welcomes the decline in interest rates in 1993, calls on the European Monetary Institute to strengthen monetary policy coordination, to harmonize monetary policy instruments and to prepare for the use of the ecu, and urges the Council, if it plans to maintain the wide bands in the exchange-rate mechanism, to consider alternatives to exchange-rate targeting as a means to economic and monetary convergence.

## **Growth initiative**

1.2.9. Addition to the Protocol on the Statute of the European Investment Bank empowering the EIB Board of Governors to establish a European Investment Fund.

**Commission proposal:** OJ C 37, 11.2.1993; COM(93) 3; Bull. EC 1/2-1993, point 1.2.40

**Initial Parliament opinion and favourable Council opinion on the holding of an intergovernmental conference with a view to the signing of the Protocol:** OJ C 72, 15.3.1993; Bull. EC 1/2-1993, point 1.2.40

**Second Parliament opinion:** OJ C 115, 26.4.1993; Bull. 3-1993, point 1.2.20

**Signing:** Bull. 3-1993, point 1.2.20

*Entered into force on 1 May.* This addition empowers the Governors of the European

Investment Bank to create the European Investment Fund. It will enter into force following completion of the procedure relating to deposit of the instruments of ratification by the Member States.

## Internal market

### Free movement of goods

#### *Technical aspects*

#### **Motor vehicles**

*1.2.10.* Proposal for a Parliament and Council Directive on the maximum design speed, maximum torque and maximum net engine power of two- or three-wheel motor vehicles.

**Commission proposal:** OJ C 93, 13.4.1992; COM(91) 497; Bull. 1/2-1992, point 1.3.30

**Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. 9-1992, point 1.2.17

**Parliament opinion (first reading):** OJ C 72, 15.3.1993; Bull. 1/2-1993, point 1.2.2

**Council common position:** Bull. 6-1993, point 1.2.7

**Parliament opinion (second reading):** OJ C 315, 22.11.1993; Bull. 10-1993, point 1.2.5

**Proposal subject to the co-decision procedure since 1 November 1993**

**Parliament declaration of intention to reject the common position:** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.2.9

**Conciliation Committee meeting:** Bull. 3-1994, point 1.2.10

*Amended by Parliament (second reading) on 4 May.* Parliament's amendments are designed in particular to drop the Commission's proposed limit of 74 kW on the net engine power of two- or three-wheel vehicles and to have a study carried out to establish whether there is a link between accidents and the use of vehicles with an engine power in excess of 74 kW.

*1.2.11.* Parliament and Council Directive 94/20/EC relating to the mechanical coupling devices of motor vehicles and their trailers and their attachment to those vehicles.

**Commission proposal:** OJ C 134, 25.5.1992; COM(92) 108; Bull. 3-1992, point 1.2.18

**Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. 9-1992, point 1.2.18

**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. 10-1992, point 1.3.24

**Council common position:** Bull. 9-1993, point 1.2.3

**Proposal subject to the co-decision procedure since 1 November 1993**

**Parliament amendments (second reading):** OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.11

**Commission opinion:** COM(94) 130; Bull. 4-1994, point 1.2.15

**Joint text:** Bull. 4-1994, point 1.2.15

*Joint text approved by Parliament on 5 May.*

*Approved by the Council on 16 May.*

*Signed by Parliament and the Council on 30 May.* The aim of the Directive is to harmonize the technical requirements that have to be met by the mechanical coupling devices of motor vehicles and their trailers with a view to making these compatible and interchangeable.

#### **Industrial products**

*1.2.12.* Proposal for a Parliament and Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft.

**Commission proposal:** OJ C 123, 15.5.1992; COM(92) 141; Bull. 4-1992, point 1.3.15

**Economic and Social Committee opinion:** OJ C 313, 30.11.1992; Bull. 9-1992, point 1.2.20

**Parliament opinion (first reading):** OJ C 337, 21.12.1992; Bull. 11-1992, point 1.3.30

**Amended Commission proposal:** OJ C 59, 2.3.1993; COM(93) 23; Bull. 1/2-1993, point 1.2.6

**Proposal subject to the co-decision procedure since 1 November 1993**

**Council common position:** Bull. 12-1993, point 1.2.9

**Parliament amendments (second reading):** OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.13

**Commission opinion incorporating an amended proposal:** COM(94) 119; Bull. 4-1994, point 1.2.17

**Joint text:** Bull. 4-1994, point 1.2.17

*Joint text approved by Parliament on 5 May.*

#### **Dangerous substances**

*1.2.13.* Proposal for a Parliament and Council Directive amending for the 14th 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.

**Commission proposal:** OJ C 116, 27.4.1993; COM(93) 134; Bull. 4-1993, point 1.2.6

**Economic and Social Committee opinion:** OJ C 304, 10.11.1993; Bull. 9-1993, point 1.2.4

**Parliament opinion (first reading):** OJ C 315, 22.11.1993; Bull. 10-1993, point 1.2.8

**Proposal subject to the co-decision procedure since 1 November 1993**

**Amended Commission proposal:** OJ C 23, 27.1.1994; COM(93) 633; Bull. 12-1993, point 1.2.6

**Council agreement on a common position:** Bull. 12-1993, point 1.2.6

**Council common position:** Bull. 3-1994, point 1.2.17

*Approved by Parliament (second reading) on 4 May.*

## Pharmaceutical products

*1.2.14.* Proposal for a Council Regulation on fees payable to the European Medicines Evaluation Agency.

**Basic Regulation:** Regulation (EEC) No 2309/93 laying down Community procedures for the authorization and supervision of medicinal products for human and veterinary use and establishing a European Agency for the Evaluation of Medicinal Products; OJ L 214, 24.8.1993; Bull. 7/8-1993, point 1.2.3

*Adopted by the Commission on 27 May.* The aim of the proposal is to set the level of the fees which the European Agency for the Evaluation of Medicinal Products will charge for issuing or maintaining Community authorizations to market medicinal products for human or veterinary use.

COM(94) 167

## Foodstuffs

*1.2.15.* Proposal for a Parliament and Council Regulation laying down a Community procedure for flavouring substances used in foodstuffs.

**Commission proposal:** OJ C 1, 4.1.1994; COM(93) 609; Bull. 12-1993, point 1.2.11

**Economic and Social Committee opinion:** Bull. 4-1994, point 1.2.27

*Endorsed by Parliament (first reading) on 5 May,* subject to amendments relating in particular to flavouring substances containing genetically engineered organisms and to the role of the Scientific Committee for Food.

## Free movement of services

### *Financial services*

*1.2.16.* Parliament and Council Directive 94/19/EC on deposit-guarantee schemes.

**Commission proposal:** OJ C 163, 30.6.1992; COM(92) 188; Bull. 5-1992, point 1.1.11

**Economic and Social Committee opinion:** OJ C 332, 16.12.1992; Bull. 10-1992, point 1.3.41

**Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. 3-1993, point 1.2.16

**Amended Commission proposal:** OJ C 178, 30.6.1993; COM(93) 253; Bull. 6-1993, point 1.2.28

**Council agreement on a common position:** Bull. 9-1993, point 1.2.16

**Council common position:** Bull. 10-1993, point 1.2.23

**Proposal subject to the co-decision procedure since 1 November 1993**

**Parliament amendments (second reading):** OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.27

**Commission opinion incorporating an amended proposal:** COM(94) 99; Bull. 3-1994, point 1.2.27

**Joint text:** Bull. 4-1994, point 1.2.35

*Joint text approved by Parliament on 5 May.*

*Approved by the Council on 16 May.*

*Signed by Parliament and the Council on 30 May.* This Directive is designed to protect depositors in the event of an authorized credit institution failing. It stipulates that there must be a guarantee scheme in all Member States, financed by the banking sector and covering all deposits up to ECU 20 000 per depositor. The scheme will have to cover the depositors not only of institutions in the Member State which authorize them but also those of branches of such institutions set up in other Member States.

The Directive provides that, in the event of a financial crisis preventing an institution's depositors from obtaining a refund of their deposits, the banking supervisory authorities or the judi-

cial authorities will have 21 days in which to determine that deposits are not available. This will enable depositors to assert their right to the guarantee provided under the scheme, which will have to be paid within three months. This deadline may be extended under exceptional circumstances to nine months.

Certain transitional arrangements are laid down (applicable until the end of 1999): the possibility of limiting the guarantee to ECU 15 000 in certain Member States (Spain, Greece, Luxembourg and Portugal) and limitation of the cover granted to depositors of a branch to the amount available under the scheme in the Member State in which that branch is situated.

OJ L 135, 31.5.1994

1.2.17. Parliament and Council Directive 94/18/EC amending Directive 80/390/EEC coordinating the requirements for the drawing-up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock-exchange listing, with regard to the obligation to publish listing particulars.

**Commission proposal:** OJ C 23, 27.1.1993; COM(92) 566; Bull. 12-1992, point 1.3.46

**Economic and Social Committee opinion:** OJ C 161; 14.6.1993; Bull. 4-1993, point 1.2.22

**Proposal subject to the co-decision procedure since 1 November 1993**

**Parliament opinion (first reading):** OJ C 20, 24.1.1994; Bull. 12-1993, point 1.2.35

**Amended Commission proposal:** OJ C 88, 25.3.1994; COM(94) 33; Bull. 1/2-1994, point 1.2.29

**Council common position:** Bull. 3-1994, point 1.2.28

**Parliament approval (second reading):** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.37

*Approved by the Council on 16 May.*

*Signed by Parliament and the Council on 30 May.* The purpose of this Directive is to permit, subject to certain conditions, the official listing in a Member State, without publication of new listing particulars, of companies already listed, either in another Member State or on a junior market in the same Member State.

OJ L 135, 31.5.1994

1.2.18. Proposal for a Parliament and Council Directive amending Directives 77/780/EEC and 89/646/EEC in the field of credit institutions, Directives 73/239/EEC and 92/49/EEC in the

field of non-life insurance, Directives 79/267/EEC and 92/96/EEC in the field of life assurance, Directive 92/22/EEC in the field of investment firms, and Directive 85/611/EEC in the field of undertakings for collective investment in transferable securities, in order to reinforce prudential supervision.

**Commission proposal:** OJ C 229, 25.8.1993; COM(93) 363; Bull. 7/8-1993, point 1.2.19

**Proposal subject to the co-decision procedure since 1 November 1993**

**Economic and Social Committee opinion:** OJ C 52, 19.2.1994; Bull. 12-1993, point 1.2.36

**Parliament opinion (first reading):** OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.29

*Amended proposal adopted by the Commission on 2 May.*

COM(94) 170

## Taxation

### *Indirect taxation*

1.2.19. Proposal for a Council Directive amending Directive 77/388/EEC and introducing new simplification measures with regard to value-added tax — scope of certain exemptions and practical arrangements for implementing them.

**Commission proposal:** OJ C 107, 15.4.1994; COM(94) 58; Bull. 3-1994, point 1.2.30

**Economic and Social Committee opinion:** Bull. 4-1994, point 1.2.41

*Endorsed by Parliament on 6 May,* subject to amendments designed in particular to lower to ECU 50 the threshold above which exemption from VAT is available for supplies of goods to be carried outside the Community in the personal luggage of travellers whose domicile or habitual residence is not situated within the territory of the country.

## Intellectual property

1.2.20. Proposal for a Parliament and Council Directive on the legal protection of biotechnological inventions.

**Commission proposal:** OJ C 10, 13.1.1989; COM(88) 496; Bull. 10-1988, point 2.1.17

**Economic and Social Committee opinion:** OJ C 159, 26.6.1989; Bull. 4-1989, point 2.1.44

**Parliament opinion (first reading):** OJ C 305, 23.11.1992; Bull. 10-1992, point 1.3.44

**Amended Commission proposal:** OJ C 44, 16.2.1993; COM(92) 589; Bull. 12-1992, point 1.3.50

**Proposal subject to the co-decision procedure since 1 November 1993**

**Council agreement on a common position:** Bull. 12-1993, point 1.2.40

**Council common position:** OJ C 101, 9.4.1994; Bull. 1/2-1994, point 1.2.36

*Amended by Parliament (second reading) on 4 May.* These amendments relate to the proposal's recitals.

## Competition

### Annual report on competition policy

*1.2.21. XXIIIrd Report on Competition Policy (1993).*

**Previous report:** Bull. 5-1993, point 1.2.31

**References:**

Commission White Paper entitled 'Growth, competitiveness, employment: The challenges and ways forward into the 21st century': COM (93) 700; Bull. 12-1993, point 1.2.44; Supplement 6/93 — Bull.

Agreement on the European Economic Area: Bull. 1/2-1994, point 1.3.27

Final Act of the Uruguay Round of multilateral trade negotiations: COM(94) 143; Bull. 4-1994, point 1.3.61

*Adopted on 5 May.* The Commission provides a detailed account of its activities in the field of competition policy in 1993, and sets out the general principles underlying that policy.

It looks in particular at the role of competition policy in major events in the Community's development in 1993, such as completion of the single market, the entry into force of the Treaty on European Union, the ratification of the agreement on the European Economic Area, conclusion of the Uruguay Round agreements and adoption of the White Paper on growth, competitiveness and employment, and considers the

ways in which competition policy can help to achieve the Community's objectives.

If the single market and its expected economic benefits are to become a reality, firms will have to compete harder; as markets open up, the negative impact of anti-competitive practices will be felt more and more strongly so that increased vigilance is required on the part of the Commission.

Completion of the single market, intensification of international competition and the rapidity of technological change have led to a wave of restructuring in industry at a time when unemployment has reached unacceptable levels. The Commission's response is given in the White Paper, and competition policy will be of fundamental importance in achieving the targets the White Paper sets out.

The formal inclusion of industrial policy, cultural policy and environmental protection policy goals in the EC Treaty will have implications for competition policy; this is particularly true of the objective of sustainable growth which respects the environment, because of the structural changes it requires.

In the international context the conclusion of the Uruguay Round and the ratification of the EEA Agreement will have a direct and far-reaching impact on competition policy. The EEA will have a set of competition rules common to the EU Member States and the EFTA countries. The new GATT agreement includes competition clauses. The Report considers the link between the globalization of trade, commercial policy, the reduction of trade barriers and competition policy.

The Report also reviews the cases handled by the Commission, placing the emphasis on two particularly important questions: the restructuring of the steel industry and the liberalization of telecommunications.

COM(94) 161

### Rules applying to businesses

#### *Permissible forms of cooperation*

#### **Commission decisions under Article 85(3) of the EC Treaty**

##### *Exxon/Shell*

*1.2.22. Decision 94/322/EC of 18 May.* The decision grants a 10-year exemption for a set of

agreements between chemical companies of the Exxon and Shell groups which are to set up a joint venture mainly to produce linear low-density polyethylene. The joint venture, Cipen, will not be an independent business: it is to confine itself to producing linear polyethylene for supply to its parent companies, which will continue to produce and sell identical or similar products.

The Commission finds that the joint venture, which has a structure that requires close collaboration and the continuous exchange of sensitive information between the parties, is caught by Article 85(1) of the EC Treaty. The Commission nevertheless decides to exempt it under Article 85(3), the parties having amended the agreements in certain respects. The amendments give the parties greater freedom to invest independently in the joint venture; replace the Operating Committee by an Advisory Committee to be convened at the sole director's discretion and to be consulted by him on any subject of an administrative or technical nature; provide that in the case of under-utilization of its production rights by any party, the other party is entitled to take over all or part of the non-utilized production rights without any need to consult the under-utilizing party.

The technology used provides a high degree of flexibility and efficiency, enabling the plant to produce polyethylene at competitive costs. The presence of a new source of low-density polyethylene in the Community should encourage customers to convert ageing extrusion equipment and to take advantage of the superiority of linear polyethylene over conventional polyethylene. Consumers will also benefit as a result of this advanced technology and the availability of large quantities of polyethylene at low prices. The benefit will be felt only in the medium term, and the Commission accordingly considers a 10-year exemption appropriate.

OJ L 144, 9.6.1994

## *Mergers*

### **Commission decisions under the Merger Control Regulation**

**Reference:** Council Regulation (EEC) No 4064/89 on the control of concentrations between undertakings: OJ L 395, 30.12.1989 (corrected version: OJ L 257, 21.9.1990); Bull. 12-1989, point 2.1.78; Supplement 2/90 — Bull.

### *VIAG/Bayernwerk*

*1.2.23. Adopted on 5 May.* The decision authorizes the German company VIAG to take a majority holding in another German company, Bayernwerk.

Bayernwerk's main business is the generation and supply of electricity and the supply of gas. Among its wide range of activities VIAG does some business in electricity generation and gas supply. But there is no overlap between the two companies in the energy market: as far as gas is concerned they operate on different geographic markets, while the electricity generated by VIAG is used in its own aluminium and chemical plants. The Commission concludes that the transaction will not create or strengthen a dominant position, and declares it compatible with the common market.

### *General Electric/ENI/Nuovo Pignone*

*1.2.24. Adopted on 6 May.* The decision authorizes the acquisition of Nuovo Pignone by General Electric.

The General Electric Company is buying a 69.33% stake in Nuovo Pignone SpA from Ente Nazionale Idrocarburi (ENI); the sale is part of the Italian Government's privatization programme. Nuovo Pignone is ENI's holding company for the mechanical engineering industry. General Electric has been licensing technology to Nuovo Pignone and other European turbine manufacturers, but has no European production capacity of its own.

The main effect of the transaction will be felt on the turbine market, with the vertical integration of General Electric into turbine manufacture and technology. There is no danger of dominance, given the presence of large competitors such as Siemens, Westinghouse, ABB and Rolls Royce, which possess technology and production capacities equivalent to that of the new unit.

### *Hüls/Phenolchemie*

*1.2.25. Adopted on 6 May.* The decision authorizes the acquisition of Phenolchemie GmbH by Hüls AG.

Hüls notified its intention of acquiring the entire capital of Phenolchemie, which produces phenol

and its by-products, and holds a strong position on the West European market; Hüls was already the majority shareholder.

Until now Hüls has shared control with Harpener AG. The switch to sole control will not be a major change. The effects of the transaction are so small that it cannot create or strengthen a dominant position, irrespective of whether or not a dominant position existed previously.

### *ERC/NRG Victory*

*1.2.26. Adopted on 27 May.* The Commission here authorizes an acquisition in the insurance sector.

Employers Reinsurance Corporation (ERC), acting through two wholly owned subsidiaries, Employers Reassurance Ltd (ERAL) and Nordisk Reinsurance Company A/S, has acquired the life and health reinsurance business of NRG Victory and certain related assets. Nordisk is to take over the reinsurance business of NRG Victory's subsidiary in Singapore, and ERAL is to take over all the other assets involved.

ERC is a subsidiary of the US-based General Electric group, and NRG Victory belongs to the Dutch ING group. The business concerned here is essentially based in the United Kingdom, even though the relevant geographic market is international or even worldwide. The combined market shares after the transaction are low, even if the calculation is based on the narrower United Kingdom market alone.

### *Winterthur/DBV Holding*

*1.2.27. Adopted on 30 May.* The decision authorizes a takeover in the insurance sector.

Winterthur Schweizerische Versicherungs-Gesellschaft is to obtain control of DBV Holding in stages. The operation will take several months: Winterthur will have acquired full control by December 1994. The transaction will give Winterthur market shares in various forms of private insurance including life, health, property and accident insurance in Germany. The combined market shares will be low, and competition from other companies is strong.

### *Sidmar/Klöckner Stahl*

*1.2.28. Adopted on 30 May.* The Belgian steel-maker Sidmar NV is authorized to acquire a

minority holding in the German Klöckner Stahl GmbH; the decision covers those products of the two companies which fall outside the scope of the ECSC Treaty, namely steel pipes, slag and blast furnace gas.

There is no overlap between the two companies as far as these products are concerned, and the Commission accordingly declares the transaction compatible with the common market under the Merger Control Regulation.

However, the transaction primarily affects products which do fall within the scope of the ECSC Treaty, and it has also been notified under the ECSC Treaty rules. This decision does not affect the decisions the Commission may take under Articles 65 and 66 and the state aid rules in the ECSC Treaty.

## **State aid**

### *Decisions to raise no objection*

#### **Shipbuilding**

**Reference:** Seventh Council Directive 90/684/EEC on aid to shipbuilding (OJ L 380, 31.12.1990; Bull. 12-1990, point 1.3.64), as last amended by Council Directive 93/115/EC: OJ L 326, 28.12.1993; Bull. 12-1993, point 1.2.71

#### *Germany*

*1.2.29.* Commission decisions on aid to two German shipyards.

*Adopted on 4 May.* These decisions are based on Article 4(7) of the Seventh Directive, which deals with aid granted as development assistance to developing countries, and relate to the following cases:

□ the purchase of three dredgers from the German yard Volkswerft Stralsund by the Indonesian State enterprise Pengerukan in Jakarta. The aid consists of a credit covering 90% of the contract value (DM 272.79 million) and is being granted for 11 years at an annual interest rate of 3.5%. These dredgers will be used exclusively for maintaining domestic shipping routes between the various Indonesian islands and thus for guaranteeing their safety;

□ the purchase of three multi-purpose cargo vessels from the German yard Brand Werft GmbH, in Oldenburg, by two Chinese companies. The vessels are to replace old ones which are to be scrapped. The aid, in the form of a credit covering 90% of the contract value (DM 119.7 million), is being granted for a 12-year period at an annual interest rate of 3.25%.

The Commission takes the view that the various requirements for authorizing such aid are met, including the ones referring to the recipient countries, the flag States, and the conditions laid down by the OECD.

*1.2.30.* Commission decision on aid to the German shipyard Meerestechnik Werft (MTW), formerly Mathias-Thesen-Werft (MTW), in Mecklenburg-Western Pomerania.

**Previous decision:** Bull. 12-1992, point 1.3.77

*Adopted on 11 May.* The amended seventh Directive contains a derogation for shipyards in the former German Democratic Republic to enable them to undergo urgent restructuring. Under this derogation, the German Government agreed to carry out by the end of 1995 a definitive 40% reduction in shipbuilding capacity in the new *Länder*, which stood at 545 000 cgt in 1990.

MTW was privatized in August 1992 when it was bought by Bremer Vulkan AG. After examining its investment plan, the Commission authorized the release of a first tranche of investment, operating and closure aid. The second tranche, which the Commission has just authorized, consists of operating aid amounting to DM 406 million. This will be the last operating aid to be paid to the yard under the contracts signed by 31 December 1993. The Commission has based its decision on a number of factors: the yard's capacity will be limited to 100 000 cgt per year for a period of 10 years (the German Government may apply for an increase after five years); the modernization of MTW will make a positive contribution to the Mecklenburg-Western Pomerania region; and the capacity reduction imposed will help to eliminate the general overcapacity in the European Union in the interests of all Community shipyards.

#### *Netherlands*

*1.2.31.* Commission decision on the renewal of the Dutch shipbuilding aid scheme (Subsidie-regeling Zeescheepsnieuwbouw) for 1994.

**Previous decision:** OJ C 178, 9.7.1991; Bull. 7/8-1991, point 1.2.64

*Adopted on 11 May.* This scheme, whose renewal the Commission has authorized, involves the building of sea-going ships and provides for a possible grant of between 4.45% and 8.5% of the contract value, depending on the size of the contract. The Commission has concluded that the scheme is compatible with the provisions of the seventh Directive and with the 1994 aid ceilings, which have been set at 9% (4.5% in the case of ships costing less than ECU 10 million).

#### **Other measures**

##### *France*

*1.2.32.* Commission decision on aid to Entreprise minière et chimique (EMC).

*Adopted on 11 May.* EMC has sole ownership of its subsidiary Mines de potasse d'Alsace (MDPA), which is engaged in mining and selling potash from its mines in Alsace. This market is flagging in the European Union as a result of the fall in demand for potash for agricultural purposes. MDPAs being required by law to bear certain social costs linked to its retired miners, its parent company EMC has always helped it to shoulder those costs, which it was unable to do in 1993 owing to its own poor results.

The Commission has approved aid of FF 500 million (ECU 75 million) to EMC to enable it to help its subsidiary to fund the pensions in question. In taking this decision, the Commission has taken account of the fact that these measures to assist the mining industry are linked to social costs and have no impact on production.

#### **Aid for SMEs**

**Reference:** Community guidelines on aid for SMEs: OJ C 213, 19.8.1992; Bull. 5-1992, point 1.1.33

##### *Germany*

*1.2.33.* Commission decision on a scheme to encourage the setting-up and expansion of small businesses - 'Eigenkapitalhilfe-Programm'.

*Adopted 4 May.* The Commission has authorized the amendment and extension of a scheme

which has existed since 1990 and is designed to encourage the start-up and expansion of small businesses.

Under this scheme, which is applicable throughout Germany, subsidized loans, limited to DM 700 000 per recipient, may be granted to individuals setting up their own businesses, buying existing enterprises or investing in their own businesses. The aid is limited to SMEs as defined by the relevant guidelines and the aid rates are below the ceilings laid down in those guidelines.

#### *Denmark*

1.2.34. Commission decision on a guarantee scheme for venture capital companies.

*Adopted on 11 May.* Under this scheme, which is being introduced for a two-year experimental period, some venture capital companies will be eligible, for a period of eight to 12 years, for the Danish Government's guarantee covering up to 50% of any losses incurred on capital invested in an innovative SME. Only 10 or so companies will be selected following an open competition in which venture capital companies from other Member States may participate. Applicant companies must have the technical and commercial capacity to assist the SMEs in question in carrying out their innovative projects. The SMEs involved will be those defined in the guidelines on aid for SMEs. The guarantee will be available only if the capital injection is used to finance research and development activities or activities not directly linked to production.

The total amount of equity capital that may be covered by the scheme is DKR 1 billion (ECU 130 million). The aid intensity for the recipient SMEs is difficult to calculate, but it is estimated that the guarantee will probably reduce the rate of return on capital by 1.3%. In any event, the aid intensity will be well below the rates authorized by the Commission for research and development aid and for aid designed to finance activities not directly linked to production.

In view of the fact that it will help provide equity capital for innovative SMEs, the Commission has authorized this scheme in order to promote research and development activities and activities not directly linked to production among such firms.

## **Regional aid**

**Reference:** Commission communication on the principles of coordination of regional aid systems: OJ C 31, 31.2.1979

### *France*

1.2.35. Commission decision on a guarantee fund for firms in French overseas departments.

*Adopted on 4 May.* The Société de gestion des fonds de garantie des DOM (Sofodom), a substantial proportion of whose capital is held by the State, manages a guarantee fund for firms in France's overseas departments. The loans obtained by such firms from credit organizations are eligible for the guarantee provided by Sofodom if the firms in question have a balanced financial structure, are solvent and have a turnover not exceeding ECU 26 million. Given the low amounts of aid involved, the underdeveloped region status of the overseas departments and their extremely remote location, the Commission has decided not to raise any objection to this aid.

### *Greece*

1.2.36. Commission decision on the Greek regional aid system.

*Adopted on 11 May.* A number of minor amendments have been made to the Greek regional aid system already authorized by the Commission. The Commission has decided not to raise any objection to the application of these amendments given that the types of aid granted, the definition of eligible investment projects and the maximum aid intensity have not been significantly altered and the whole of Greece constitutes a less favoured region.

### *Italy*

1.2.37. Commission decision on aid for SMEs in Friuli-Venezia Giulia.

**Reference:** Commission Decision 91/500/EEC concerning aid granted to enterprises in the Friuli-Venezia Giulia region: OJ L 262, 19.9.1991

*Adopted on 4 May.* The Commission has authorized grants to SMEs located in mountain areas for investment projects and the purchase of con-

sultancy services since this aid is consistent with its decision concerning the aid schemes in operation in Friuli-Venezia Giulia. It has also approved new rules for granting aid to SMEs in the craft, distributive and tourism sectors. These various types of aid are consistent with the aid arrangements and intensity levels set out in the Community guidelines on aid for SMEs.

### Research and development

**Reference:** Community framework on State aid for research and development: OJ C 83, 11.4.1986; Bull. 3-1986, points 1.1.1 to 1.1.6.

#### Germany

1.2.38. Commission decision on an aid programme entitled 'Informatik 1994-99'.

*Adopted on 4 May.* The aim of the authorized scheme is to finance fundamental research, basic industrial research and applied research and development in the information technology field. A total budget of DM 499 million (approximately ECU 257 million) is to be allocated to the scheme, the aid recipients being firms and research institutes. The scheme complies with the aid intensity levels and application criteria laid down in the Community framework on State aid for research and development.

#### *Decision to initiate proceedings under Article 93(2) of the EC Treaty*

#### Belgium

1.2.39. Commission decision on aid for the synthetic fibre producer BVBA DS Profil of Dendermonde (Flanders).

**Reference:** Community system of control of aid to the synthetic fibres industry: OJ C 346, 30.12.1992; Bull. 12-1992, points 1.3.73 and 1.3.74

*Adopted on 4 May.* Acting under the Belgian Economic Reorientation Law of 4 August 1978 providing for aid for SMEs, the Belgian authorities are planning to grant aid to BVBA DS Profil in support of an investment of ECU 2.8 million in a new process for the extrusion of polyester fibre and its subsequent treatment.

The Code on aid to the synthetic fibres industry requires prior notification of any plan to award

aid for synthetic fibre production even where, as in this case, the proposed aid would be granted under a scheme already approved by the Commission. The Belgian authorities argue that the part of the investment not directly related to synthetic fibre production is outside the scope of the Code. However, the Commission does not accept this and maintains that any aid in support of part or all of this investment must be considered as supporting the production of synthetic fibres. As the investment has resulted in a slight increase in capacity rather than, as the Code requires, in a significant reduction, the Commission has taken the view that the proposed aid would not be consistent with the Code. It has therefore decided to initiate proceedings under Article 93(2) of the EC Treaty with a view to examining the planned aid with the Belgian authorities and all other interested parties.

#### *Positive final decision*

#### United Kingdom

1.2.40. Commission decision on aid for the textile company Hualon Corporation in Northern Ireland.

#### **References:**

Community system of control of aid to the synthetic fibres industry: OJ C 346, 30.12.1992; Bull. 12-1992, points 1.3.73 and 1.3.74

Initiation of proceedings: Bull. 7/8-1993, point 1.2.72

*Adopted on 4 May.* The proposed investment, costing UKL 157 million (approximately ECU 207 million), is to be made near Belfast in Northern Ireland over a seven-year period. It involves the construction of buildings and the installation of equipment for manufacturing polyester and polyamide fabrics and for spinning cotton. The plant is expected to have an annual output of 23 500 tonnes of fabric, representing between 140 million and 200 million metres. A total of 1 800 jobs should be created, plus some 500 jobs indirectly. In adopting a system geared essentially to low cost/high volume production, Hualon will be competing directly with low-priced cotton and nylon and polyester imports.

Having examined the implications of this aid for intra-Community competition, the Commission has decided to authorize it on the grounds that



this investment project will be located in a highly disadvantaged region of the Community that is suffering acute employment and political problems. It has taken the view that the positive impact in terms of regional development and combating unemployment counterbalances the effects of such aid on competition within the Community textile industry. It should be noted in this regard that the production aided by this project will in fact substitute for import penetration by low-priced textiles, a phenomenon which is likely to intensify in the wake of the progressive liberalization of international trade and the increasing specialization of European producers in high value-added products. Such a project could present an alternative to the current tendency for some types of production to move to low-wage third countries.

### *Partly negative final decision*

#### **France**

1.2.41. Commission decision on aid for Allied Signal Fibers Europe SA in Meurthe-et-Moselle.

#### **References:**

Community system of control of aid to the synthetic fibres industry (1987-89): OJ C 183, 11.7.1987

Judgment of the Court of Justice of 24 March 1993 in Case C-313/90 *Comité international de la rayonne et des fibres synthétiques (CIRFS) v Commission*: OJ C 105, 16.4.1993; Bull. 4-1993, point 1.6.12

Initiation of proceedings: Bull. 6-1993, point 1.2.77

*Adopted on 4 May.* Allied Signal, located in Meurthe-et-Moselle in the European development pole, had received aid of FF 160 million under the regional planning grant scheme and FF 40 million to finance the cleaning-up and depollution of the investment site. Complying with the Court of Justice's judgment annulling the Commission's decision not to initiate proceedings under Article 93(2) of the EC Treaty, the Commission has examined the compatibility of this aid with the Code on aid to the synthetic fibres industry (1987-89), which was in force at the time of the annulled decision.

In its decision terminating the proceedings, the Commission has taken the view, firstly, that the financing of the site-cleaning operation (FF 40

million) did not constitute State aid within the meaning of Article 92(1) of the EC Treaty and, secondly, that that part of the aided investment project involving polymerization and related chemical activities for the production of high viscosity chips was outside the scope of the 1987-89 Code. As that aid had been granted in compliance with the regional aid scheme authorized by the Commission (regional planning grant scheme), it was compatible with the Common Market. With aid being authorized up to a 30% intensity level in the European development pole, a grant of FF 133 718 000 could be made for that investment.

However, the remaining aid of FF 26 282 000, which was intended to support synthetic fibre production, was not consistent with the 1987-89 Code and was therefore incompatible with the common market. The Commission has therefore decided that the amount of FF 25 661 000, which had not yet been disbursed, could not be paid to the company and has called on the French Government to recover from the company the sum of FF 621 000, plus interest, which had already been disbursed.

## **Industrial policy**

### **Individual industries**

#### *Steel*

1.2.42. Parliament resolution on the state of the steel industry.

*Adopted on 5 May.* Parliament notes that an initial step towards reducing capacity has already been taken and calls on the Commission to continue its accompanying measures so that the social dimension of the restructuring of the steel industry is taken into account.

#### *Motor industry*

1.2.43. Council resolution on the automobile industry.

**Council agreement:** Bull. 4-1994, point 1.2.65

*Formally adopted on 16 May.*

OJ C 149, 31.5.1994

## *Paper industry*

*1.2.44.* Parliament resolution on arrangements for importing newsprint into the European Union.

*Adopted on 6 May.* Parliament considers that the removal in stages of the tariff protection which the newsprint industry enjoys will help to boost the competitiveness of the written media compared with the audiovisual media. It is convinced that, as a result of investment in recent years, the paper industry will be able to take on international competition and that conditions must be guaranteed in the industry which take account of both large and small and medium-sized enterprises in order to prevent the emergence of monopolies. It also calls for paper collection and recycling to be stepped up. Finally, it requests the Commission to present a report to it on the prospects for the paper industry in the European Union.

## Enterprise policy

### Small and medium-sized businesses

**Reference:** Commission White Paper on growth, competitiveness and employment: the challenges and ways forward into the 21st century — COM (93) 700, Bull. 12-1993, point 1.2.44 and Supplement 6/93 — Bull.

*1.2.45.* Commission communication on the implementation of an integrated programme in support of SMEs and the craft sector.

**References:**

Council Decision 93/379/EEC on a multiannual programme of Community measures to intensify the priority areas and to ensure the continuity and consolidation of enterprise policy, in particular SMEs, in the Community — OJ L 161, 2.7.1993; Bull. 6-1993, point 1.2.83

Commission communication on the future of Community initiatives under the Structural Funds — COM(94) 46; Bull. 3-1994, point 1.2.113

Council Decision 94/217/EC on the provision of Community interest subsidies on loans for small and medium-sized enterprises extended by the European Investment Bank under its temporary lending facility — OJ L 107, 28.4.1994; Bull. 4-1994, point 1.2.9

Decision 1110/94/EC of the European Parliament and of the Council concerning the fourth framework programme of European Community activities in the field of research, technological development and demonstration (1994 to 1998) — OJ L 126, 18.5.1994; Bull. 4-1994, point 1.2.69

*Approved by the Commission on 25 May.* With this programme the Commission aims to put into concrete form the objectives outlined in the White Paper on growth, competitiveness and employment both in the short term (identifying and alleviating constraints of a tax, social-security, administrative or financial nature) and the medium term (supporting the development of businesses and the creation of jobs).

The programme gathers together the various existing initiatives and proposes new ones to be implemented by a partnership between all parties concerned with the development of SMEs.

The first category includes the multiannual programme in support of enterprises, the Community initiative to assist SMEs and the ADAPT Community initiative designed to foster adaptation to industrial change, plus, with regard to the problems of financing SMEs, the decision to introduce low-interest loans from the European Investment Bank and, with regard to the participation of SMEs in research programmes, the adoption of the fourth framework Programme for technological research and development.

The new initiatives are of two types: concerted action and contributions by the European Union.

The aim of concerted action is to encourage mutual consultation between Member States and, where necessary, coordination between them on (a) improving the environment for businesses by simplifying administrative procedures so as to relieve the burden on them and liberate their potential for job creation and (b) stimulating support initiatives for businesses at a national or regional level by creating one or more panels where Member States can present and compare what they consider to be their 'best practice' as regards SME support measures in the key phases of creation, growth and transfer.

The contributions of the European Union to the development of enterprises concern both their

legal and fiscal environment and certain more direct support measures.

The Commission proposes to improve (a) the environment for businesses by adjusting and strengthening its internal procedures for assessing the effects and impact of its legislative proposals with particular reference to SMEs, (b) the conditions for the transfer of businesses by launching a large-scale consultation process covering a number of issues with the aim of providing businesses with a more favourable legal and fiscal environment for their transfer, (c) the fiscal environment for SMEs by adopting a communication (→ point 1.2.46) aimed at reducing obstacles to the development of SMEs and thereby improving their job-creation potential, and (d) payment periods between businesses by addressing to the Member States a recommendation for improving the current legal framework, which is not considered to be an adequate deterrent to bad payers.

The Commission also proposes to promote an environment favourable to the creation of new jobs in local services, by identifying models for service activities (e.g. service vouchers).

Support measures for businesses are intended to meet, in particular, the three major objectives set out in the White Paper on growth, competitiveness and employment: improving access to financing and credit, supporting cooperation between firms through initiatives extending further than the first phase of seeking partners, and improving management quality.

COM(94) 207

**1.2.46.** Communication from the Commission to the Council and the European Parliament on improving the fiscal environment of small and medium-sized enterprises.

*Adopted by the Commission on 25 May.* This communication, likewise arising from the White Paper on growth, competitiveness and employment, aims to stimulate a large-scale consultation process on how to improve the fiscal environment for small and medium-sized enterprises (SMEs). Having identified three types of problem with tax implications facing SMEs (their ability to attract adequate financial resources, their ability to cope with administrative complexity and the continuity of the business when its ownership changes), the Commission outlines four major policy objectives:

- to improve the tax treatment of self-financing for unincorporated businesses;
- to remove tax obstacles to the use of venture capital;
- to reduce the administrative complexity facing firms with cross-border activities by taxing permanent establishments, i.e. foreign branches set up by a firm, in their country of residence;
- to alleviate the problems arising when a firm changes hands by limiting the tax burden and, where international transfers are concerned, preventing double taxation.

COM(94) 206

**1.2.47.** Commission recommendation on the method of taxing SMEs.

In parallel with the communication, the Commission adopted a recommendation to the Member States on improving the self-financing capacity of unincorporated businesses by reducing tax on reinvested profits. A number of measures are suggested for achieving this fiscal neutrality: either to give the entrepreneur the option of being taxed at the corporation tax rate, or to limit the tax levied on reinvested profits to a rate comparable to that of corporation tax. Member States have a year in which to act on this recommendation.

**1.2.48.** Parliament resolution on environmental training in industry, including SMEs (→ point 1.2.139).

**1.2.49.** Parliament resolution on the situation of women in small and medium-sized enterprises (SMEs) (→ point 1.2.135).

## **Cooperative, mutual and non-profit sector**

**1.2.50.** Parliament resolution on the alternative, social economy.

**Reference:** Commission White Paper on growth, competitiveness and employment: the challenges and ways forward into the 21st Century — COM (93) 700, Bull. 12-1993, point 1.2.44 and Supplement 6/93 — Bull.

*Adopted by Parliament on 6 May.* Parliament takes the view that the alternative and social economy projects are playing a vital, pioneering

role and notes with interest the increasing public support for socially supportive financial instruments (community kitties, ethical local saving, venture capital, mutual societies and guarantee funds) and the creation of lasting jobs in socially and ecologically useful manufacturing and service activities. It calls on the Commission, in the course of the further deliberations on the proposals made in the White Paper on growth, competitiveness and employment, to arrange for short-term analyses of the impact of the alternative, social economy on unemployment in particular.

## Public undertakings

*1.2.51.* Parliament resolution on public undertakings, privatization and public services in the European Community.

*Adopted by Parliament on 6 May.* Parliament recognizes the importance of the principles of private investment, financial transparency, compulsory contractual procedures and privatization, but considers that they are sometimes implemented too rigidly. It considers that all possible forms of collaboration between the public and private sectors should be promoted and calls on the Commission to propose the adoption of a European public service charter identifying the common principles with which public services in Europe must comply and guaranteeing qualitative and quantitative standards for every service.

## Research and technology

### General

*1.2.52.* Parliament resolution on coordinating the research and technological development policies of the European Community and the Member States.

*Adopted on 6 May.* Parliament stressed the importance of coordinating the national research and development policies with one another and

with Community R&D policy in order to establish new synergies and prevent duplication of effort. It appealed to the national scientific organizations and research centres to step up their cooperation, and took the view that the Community's specific R&TD programmes should assign priority to projects designed to increase such cooperation. It proposed that a series of measures should be carried out to examine the existing situation in the Union with regard to the coordination of R&TD policies.

## Framework programme 1994-98

### *Specific programmes*

**Commission proposals:** COM(94) 68; Bull. 3-1994, point 1.2.69

*1.2.53.* Parliament adopted opinions on 12 specific research, technological development and demonstration programmes designed to implement the 1994-98 R&TD framework programme. In general, it endorsed the programmes subject to a number of amendments concerning the work programmes to be drawn up, access to information, and the priority to be given to the involvement of SMEs in the research programmes (--) points 1.2.54 to 1.2.65).

*1.2.54.* Proposal for a Council Decision on a specific research and technological development and demonstration programme in the field of telematics applications of common interest (1994-98).

*Endorsed on 5 May,* subject to a number of amendments concerning the establishment of a telematics network linking the Commission's Directorates-General, the development of mobile communications in the health-care field, the telecommunications needs of major libraries, and encouragement for research work the results of which can quickly be translated into industrial or commercial applications.

*1.2.55.* Proposal for a Council Decision adopting a specific research, technological development and demonstration programme in the field of advanced communications technologies and services (1994-98).

*Endorsed on 5 May.* Favourable.

*1.2.56.* Proposal for a Council Decision adopting a specific research and technological devel-

opment programme in the field of information technologies (1994-98).

*Endorsed on 5 May*, subject to a number of amendments concerning the priority to be given to projects reflecting industrial or social priorities and projects geared to the development of sustainable mobility and ensuring user-friendly interfaces with regard to software, hardware and multimedia systems.

1.2.57. Proposal for a Council Decision adopting a specific research and technological development programme in the field of industrial and materials technologies (1994-98).

*Endorsed on 5 May*.

1.2.58. Proposal for a Council Decision adopting a specific research and technological development programme in the field of standardization, measurement and testing (1994-98).

*Endorsed on 5 May*, subject to a number of amendments concerning the drawing up of a common code to clarify the relationship between the Commission and the standardization bodies, and the promotion of measures designed to improve consumer protection.

1.2.59. Proposal for a Council Decision adopting a specific research and technological development programme in the field of marine science and technology (1994-98).

*Endorsed on 5 May*.

1.2.60. Proposal for a Council Decision adopting a specific research, technological development and demonstration programme in the field of agriculture and fisheries (including agro-industry, food technologies, forestry, aquaculture and rural development) (1994-98).

*Endorsed on 5 May* subject to a number of amendments concerning the priority to be given to reusing effluent, improving the quality of products on sale to consumers, preserving the genetic heritage and biodiversity, and managing water.

1.2.61. Proposal for a Council Decision adopting a specific research, technological development and demonstration programme in the field of non-nuclear energy (1994-98).

*Endorsed on 5 May*, subject to a number of amendments concerning the priority to be given

to cooperation with the developing countries, the Central and East European countries and the countries of the former Soviet Union, research into batteries and less polluting means of transport, the use of biomass and the storage of wind energy.

1.2.62. Proposal for a Council Decision adopting a specific programme in the field of targeted socioeconomic research (1994-98).

**Reference:** Commission White Paper on growth, competitiveness and employment: the challenges and ways forward into the 21st century: COM (93) 700, Bull. 12-1993, point 1.2.44, Supplement 6/93 — Bull.

*Endorsed on 5 May*, subject to a number of amendments concerning multidisciplinary studies in connection with the information society, as mentioned in the White Paper on growth, competitiveness and employment.

1.2.63. Proposal for a Council Decision adopting a specific research, technological development and demonstration programme in the field of cooperation with third countries and international organizations (1994-98).

*Endorsed on 5 May*.

1.2.64. Proposal for a Council Decision adopting a specific research and technological development programme in the field of training and mobility of researchers (1994-98).

*Endorsed on 5 May*, subject to a number of amendments concerning the participation of researchers from third countries, the status of research fellows, and encouragement for the participation of women researchers.

1.2.65. Proposal for a Council Decision adopting a specific research and development programme to be carried for the European Community by means of direct action (JRC) and by means of activities within the framework of a competitive approach and intended for scientific and technical support to Community policies (1995-98).

*Endorsed on 5 May*, subject to a number of amendments concerning the stepping-up of research into renewable energy sources, the development of procedures for harmonizing information on air quality, and the setting of a target to reduce by at least 50% the number of vertebrates used in laboratory experiments.

1.2.66. Proposal for a Council Decision concerning the rules for the participation of undertakings, research centres and universities in the specific research and training programmes of the European Atomic Energy Community.

**Commission proposal:** OJ C 81, 18.3.1994; COM(94) 12; Bull. 1/2-1994, point 1.2.80

*Endorsed on 5 May*, subject to certain technical amendments.

1.2.67. Proposal for a Council Decision concerning the rules for the participation of undertakings, research centres and universities in the specific research, technological development and demonstration programmes of the European Community.

**Commission proposal:** OJ C 81, 18.3.1994; COM(94) 12; Bull. 1/2-1994, point 1.2.80

*Endorsed (first reading) on 5 May*, subject to certain technical amendments.

1.2.68. Proposal for a Council Decision concerning the rules for the dissemination of the research results from the specific research, technological development and demonstration programmes of the European Community.

**Commission proposal:** OJ C 81, 18.3.1994; COM(94) 12; Bull. 1/2-1994, point 1.2.80

*Endorsed (first reading) on 5 May*, subject to certain technical amendments.

## Trans-European networks

### General

1.2.69. Proposal for a Council Regulation laying down general rules for the granting of Community aid in the field of trans-European networks.

**Commission proposal:** OJ C 89, 26.3.1994; COM(94) 62; Bull. 3-1994, point 1.2.79

**Economic and Social Committee opinion:** Bull. 4-1994, point 1.2.73

*Endorsed by the Committee of the Regions on 19 May.* The Committee considered that the

competent regional and local authorities should be involved in the decisions to be taken by the Commission, in project evaluation and monitoring, and in the work of the monitoring committee.

### Energy networks

1.2.70. Commission communication to Parliament and the Council on Community guidelines on trans-European energy networks, proposal for a Parliament and Council Decision laying down a series of guidelines on trans-European energy networks, and proposal for a Council Decision laying down a series of measures aimed at creating a more favourable context for the development of trans-European networks in the energy sector.

**Commission proposals:** OJ C 72, 10.3.1994; COM(93) 685; Bull. 1/2-1994, point 1.2.88

**Economic and Social Committee opinion:** Bull. 4-1994, point 1.2.74

*Endorsed by the Committee of the Regions on 17 May.* The Committee took the view that the regions concerned should be consulted when it came to assessing whether an energy network complies with the objectives and priorities set at Community level, and that alternative decentralized sources of supply, e.g. sustainable energy sources, should be considered. The Committee also considered that the proposed simplification and acceleration of project authorization procedures should not be detrimental to the interests of the regions concerned, and stressed the importance of good coordination between Member States. The Committee also recommended that the Commission should grant more aid than in the past to trans-European energy networks in island, land-locked or peripheral regions.

### Telematics and telecommunications networks

#### *Inter-administration telematics networks*

1.2.71. Proposal for a Parliament and Council Decision on inter-administration telematics networks for statistics relating to the trading of goods between Member States (Comedi: Commerce electronic data interchange).

**Commission proposal:** OJ C 87, 27.3.1993; COM(93) 73; Bull. EC 3-1993, point 1.2.62

**Economic and Social Committee opinion:** OJ C 249, 13.9.1993; Bull. EC 6-1993, point 1.2.102

**Parliament opinion:** OJ C 315, 22.11.1993; Bull. EC 10-1993, point 1.2.78

**Proposal subject to the co-decision procedure since 1 November 1993**

**Council agreement:** Bull. 12-1993, point 1.2.117

*Parliament opinion on the legal basis given on 5 May.* Having been consulted by the Council on the appropriateness of Article 235 of the EC Treaty as the legal basis, Parliament considered that the Commission proposal should be based on Article 129d, third paragraph, of the EC Treaty.

1.2.72. Commission communication to Parliament and the Council on trans-European data communications networks between administrations, proposal for a Council Decision on a series of guidelines for trans-European data communication networks between administrations, and proposal for a Council Decision adopting a multiannual Community programme to support the implementation of trans-European networks for the interchange of data between administrations (IDA).

**Commission proposal:** OJ C 105 16.4.1993; COM(93) 69; Bull. 3-1993, point 1.2.61

**Economic and Social Committee opinion:** OJ C 249, 13.9.1993; Bull. 6-1993, point 1.2.101

*Endorsed by the Committee of the Regions on 17 May,* subject to the replacement of Article 235 of the EC Treaty, the current legal basis for the proposal, by Articles 129b, c and d of the EC Treaty, which in its opinion specifically refer to the matter concerned and respect the principle of subsidiarity. As to the substance, the Committee considered that each trans-European data communication project should be analysed individually in terms of its need and appropriateness, in order to promote the interconnection and interoperability of networks at Community level. It also recommended that the IDA programme should be accompanied by a policy of greater access to information for the private sector and individuals, subject however to the need to protect public interests.

1.2.73. Council resolution on information exchange between administrations.

*Agreed on 30 May.* The Council considered that there is a need to coordinate activities relating to

the introduction and operation of communication and information exchange systems between administrations in a common framework complying with the relevant international or European standards, and that operational systems corresponding to identified needs should be introduced for the administrations involved in the operation of the European Community. The Council called upon the Commission and the Member States to take measures to ensure efficient coordination covering all stages in the development of communication and information exchange systems, from feasibility studies to the operational stage. It also called upon the Commission to monitor the implementation of these measures, paying particular attention to the verification and evaluation of the return on the resources committed.

### *Integrated services digital network (ISDN)*

1.2.74. Commission communication to Parliament and the Council on the development of ISDN as a trans-European network, proposal for a Council Decision on a series of guidelines for the development of ISDN as a trans-European network, and proposal for a Council Decision adopting a multiannual Community programme for the development of ISDN as a trans-European network.

**Commission proposals:** OJ C 259, 23.9.1993; COM(93) 347; Bull. 9-1993, point 1.2.66

**Economic and Social Committee opinion:** OJ C 52, 19.2.1994; Bull. 12-1993, point 1.2.118

**Parliament opinion (first reading):** OJ C 128, 9.5.1994; Bull. 4-1994, points 1.2.77 and 1.2.78

*Endorsed by the Committee of the Regions on 17 May.* The Committee emphasized the importance to the peripheral regions and the regions whose development is lagging behind of access to EURO-ISDN, which is a telecommunications infrastructure designed to be an inexpensive way of meeting information exchange needs from any point in the Community. It also considered it appropriate to make the public authorities and service providers aware of this system by means of appropriate programming of investments in this network and related systems, and to ensure the profitability of the investments at regional level. It also suggested that EURO-ISDN should be made available to all citizens.

1.2.75. Council conclusions on the fourth annual progress report on ISDN.

**Reference:** Council resolution concerning the development of ISDN: OJ C 158, 25.6.1992; Bull. 6-1992, point 1.3.69

*Adopted on 30 May.* The Council recognized the importance of EURO-ISDN for Community enterprises, especially the small and medium-sized ones, and for the advanced information networks in the Community. It encouraged public network operators to continue with its coordinated introduction in the Community and to cooperate to ensure the interoperability of generic services and introduce a harmonized bearer service taking into account market demand.

## Energy

### Community energy strategy

*1.2.76.* Council conclusions on energy and economic and social cohesion.

**Reference:** Commission communication on energy and economic and social cohesion in the Community: COM(93) 645; Bull. 1/2-1994, point 1.2.89

*Adopted on 25 May.* Given the influence energy decisions have on the fundamental parameters of economic and social cohesion, the Council underlined the importance of the overall approach advocated by the Commission and the accelerated development of trans-European energy networks. In particular, it called upon the Commission to ensure that the objective of strengthening economic and social cohesion is taken into account in the framing of new energy policy guidelines, and measures and programmes in the energy sector, and to submit to it within a period of two years a report on the contribution of the energy sector to economic and social cohesion. The Council also recommended that Member States take account of energy aspects in their development plans and programmes. In this connection, it proposed supporting measures such as extending and improving natural gas and electricity networks, promoting energy efficiency, reducing environmental impact, and making

optimum use of indigenous energy potential. Lastly, the Council recommended support measures for regional and local energy bodies, training programmes and the exploitation of local energy resources.

### Internal energy market

#### *Oil and gas exploration and production*

*1.2.77.* Parliament and Council Directive on the conditions for granting and using authorizations for oil and gas prospecting, exploration and production.

**Commission approval:** Bull. 3-1992, point 1.2.84

**Commission proposal:** OJ C 139, 2.6.1992; COM(92) 110; Bull. 5-1992, point 1.1.84

**Parliament opinion (first reading):** OJ C 337, 21.12.1992; Bull. 11-1992, point 1.3.113

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. 11-1992, point 1.3.113

**Amended Commission proposal:** OJ C 23, 27.1.1993; COM(92) 587; Bull. 12-1992, point 1.3.140

**Proposal subject to the co-decision procedure since 1 November 1993**

**Council common position:** OJ C 101, 9.4.1994; Bull. 12-1993, point 1.2.122

**Parliament amendment (second reading):** OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.81

**Commission opinion:** COM(94) 132; Bull. 4-1994, point 1.2.82

*Approved by the Council on 25 May.*

*Signed on 30 May.* The aim of the Directive is to ensure, in the context of the completion of the internal market, non-discriminatory access to the activities in question and their pursuit under conditions which encourage greater competitiveness in this sector. It is based on the principle that Member States retain the sovereign right to designate those areas in their territory where oil and gas prospecting, exploration and production activities can be pursued, and provides in particular that Member States shall ensure that there is no discrimination between entities as regards access to and the pursuit of such activities.

Another provision is that Member States may, on grounds of national security, refuse to allow access to these activities and their pursuit to entities effectively controlled by third countries or third-country nationals.



## Individual sectors

### *Nuclear energy*

1.2.78. Council conclusions on nuclear safety in the context of the electricity sector in Central and Eastern Europe and in the Commonwealth of Independent States (→ point 1.2.130).

## Relations with third country energy producers or importers

### *European Energy Charter*

1.2.79. Council conclusions on the European Energy Charter.

**Reference:** Plenary meeting of the International Conference on the European Energy Charter: Bull. 3-1994, point 1.2.83

*Council agreement on 17 May.*

*Formally adopted on 25 May.* The Council reaffirmed its conviction that the early conclusion of the European Energy Charter Treaty is important for the economic development of the European continent and for global political stability. It considered that the final compromise text drafted by Mr Rutten, the Chairman of the Conference on the Charter, constitutes a sound basis for the conclusion of the negotiations. However, it suggested certain improvements, in particular concerning trade, investments and the Charter's consistency with the relevant provisions of other Treaties concluded or to be concluded by the Community.

## Transport

### General

#### *Summer time*

1.2.80. Parliament and Council Directive on summer time arrangements.

**Commission proposal:** OJ C 278, 16.10.1993; COM(93) 439; Bull. 9-1993, point 1.2.72

**Proposal subject to the co-decision procedure since 1 November 1993**

**Economic and Social Committee opinion:** OJ C 34, 2.2.1994; Bull. 11-1993, point 1.2.88

**Parliament opinion (first reading):** OJ C 20, 24.1.1994; Bull. 12-1993, point 1.2.128

**Amended Commission proposal:** OJ C 88, 25.3.1994; COM(94) 54; Bull. 1/2-1994, point 1.2.92

**Council common position:** Bull. 3-1994, point 1.2.84

**Parliament approval (second reading):** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.86

*Approved by the Council on 25 May.*

*Signed on 30 May.* Under this Directive, the summer time period in 1995, 1996 and 1997 will begin on the last Sunday in March at 1.00 a.m. Greenwich Mean Time, and will end at 1.00 a.m. Greenwich Mean Time on the last Sunday in September in 10 Member States and on the fourth Sunday in October in Ireland and the United Kingdom in 1995 and on the last Sunday in October in all Member States in 1996 and 1997.

## Inland transport

### *Rail transport*

1.2.81. Proposals for Council Directives on the licensing of railway undertakings and on the allocation of railway infrastructure capacity and the charging of infrastructure fees.

**Commission proposals:** OJ C 24, 28.1.1994; COM(93) 678; Bull. 12-1993, point 1.2.130

*Endorsed by Parliament (first reading) on 3 May,* subject to amendments aimed at reducing the amount of information to be provided by railway undertakings applying for licences, and the procedures for allocating railway infrastructure capacity.

### *Road transport*

1.2.82. Proposal for a Council Directive on uniform procedures for checks on the transport of dangerous goods by road.

**Commission proposal:** OJ C 26, 29.1.1994; COM(93) 665; Bull. 12-1993, point 1.2.131

**Economic and Social Committee opinion:** Bull. 4-1994, point 1.2.89

*Endorsed by Parliament (first reading) on 3 May*, subject to various amendments concerning the need to inform the Commission of the enforcement of checks, the setting of the deadline for the incorporation of the Directive into national law at 1 January 1996, and technical and drafting amendments.

*1.2.83.* Proposal for a Council Directive on the approximation of the laws of the Member States with regard to the transport of dangerous goods by road.

**Commission proposal:** OJ C 17, 20.1.1994; COM(93) 548; Bull. 11-1993, point 1.2.92  
**Economic and Social Committee opinion:** Bull. 4-1994, point 1.2.90

*Endorsed by Parliament (first reading) on 3 May*, subject to certain technical and drafting amendments.

## Sea transport

*1.2.84.* Proposal for a Council Regulation on the implementation of IMO resolution A 747 (18) on the application of tonnage measurement of ballast spaces in segregated ballast oil-tankers.

**Commission proposal:** OJ C 5, 7.1.1994; COM (93) 468; Bull. 12-1993, point 1.2.138

*Endorsed by Parliament (first reading) on 3 May*, subject to amendments aimed at preventing a reduction in competition as a result of the application of the IMO resolution, and in particular the charging of dues on the tonnage of segregated ballast oil-tankers. Parliament also proposed a system for the calculation of dues whereby a percentage rebate may be granted provided that the difference between the fees for segregated ballast oil-tankers and those for non-segregated ballast oil-tankers is not less than 20%

## Air transport

*1.2.85.* Proposal for a Council Directive establishing the fundamental principles governing the investigation of civil aviation accidents and incidents.

**Commission proposal:** OJ C 257, 22.9.1993; COM(93) 406; Bull. 9-1993, point 1.2.78

**Economic and Social Committee opinion:** OJ C 34, 2.2.1994; Bull. 11-1993, point 1.2.97

**Parliament opinion (first reading):** OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.1994

**Amended Commission proposal:** OJ C 109, 19.4.1994; COM(94) 102; Bull. 3-1994, point 1.2.94

*Council common position (EC) No 18/94 adopted on 16 May.* The proposal is designed to bring Community legislation up to date in the light of the experience built up in implementing the current directive and the development of the single market in civil aviation. It applies to investigations into civil aviation accidents and incidents occurring in the Community, taking into account the Member States' international obligations and to investigations into serious accidents involving aircraft registered in a Member State occurring outside the Community, when such investigations are not carried out by another State.

OJ C 172, 24.6.1994

# Telecommunications, information services and industry

## Telecommunications

### General matters

*1.2.86.* Parliament resolution on the Community and space

**Reference:** Commission communication on the European Community and space — challenges, opportunities and new actions - COM(92) 360; Bull. 9-1992, point 1.2.57

*Adopted by Parliament on 6 May.* In view of the economic and technological importance of a competitive space industry, Parliament calls on the Commission, in defining a space industry policy, to submit proposals for the promotion of applications and markets for European space

technologies. It invites the Commission to put in place mechanisms to ensure that telecommunications-related aspects of space policy are integrated into telecommunications policy and to establish a common negotiating position with the relevant international organizations on satellite navigation. Parliament further stresses the importance of coordination with the European Space Agency and other relevant European or national organizations.

## Legislation

1.2.87. Parliament resolution on the communication from the Commission accompanied by the proposal for a Council resolution on universal service principles in the telecommunications sector.

### References:

Commission communication — COM(93) 543; Bull. 11-1993, point 1.2.100

Council resolution — OJ C 48, 16.2.1994; Bull. 1/2-1994, point 1.2.100

*Adopted by Parliament on 6 May.* Parliament emphasizes the importance of universal service principles in order to ensure complementarity between economic and social goals within the European Union and balance between liberalization and the need to maintain basic, affordable services for all consumers. It considers that the principles of universal service provision need to be restated in each sector on the basis of transparency, equality of access, adjustment, continuity, user participation and monitoring. Lastly, Parliament asks for clarification of the financing of the universal service and the role of the national regulatory authorities and operators.

1.2.88. Proposal for a European Parliament and Council Directive on the application of open network provision (ONP) to voice telephony.

**Commission proposal:** OJ C 263, 12.10.1992; COM(92) 247; Bull. 7/8-1992, point 1.3.86

**Economic and Social Committee opinion:** OJ C 19, 25.1.1993; Bull. 11-1992, point 1.3.92

**Parliament opinion (first reading):** OJ C 115, 26.4.1993; Bull. 3-1993, point 1.2.75

**Amended Commission proposal:** OJ C 147, 27.5.1993; COM(93) 182; Bull. 5-1993, point 1.2.77

**Council agreement on a common position:** Bull. 5-1993, point 1.2.77

**Council common position:** Bull. 6-1993, point 1.2.124

**Proposal subject to the codecision procedure since 1 November 1993**

**Parliament amendment (second reading):** OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.2.102

**Commission opinion:** COM(94) 48; Bull. 3-1994, point 1.2.102

**Conciliation Committee meeting:** Bull. 3-1994, point 1.2.102

*Council agreement confirming its common position on 30 May.* The Council agreed, by a qualified majority, to confirm its initial common position without adopting any of the amendments made by the European Parliament at second reading, some of which had been incorporated by the Commission into its amended proposal.

## Economic and social cohesion

### Cohesion Fund

#### *Planning and orientation*

1.2.89. Council Regulation (EC) No 1164/94 establishing a Cohesion Fund.

**Commission proposal:** OJ C 39, 9.2.1994; COM (93) 699; Bull. 12-1993, point 1.2.145

**Economic and Social Committee opinion:** OJ C 133, 16.5.1994; Bull. 1/2-1994, point 1.2.103

**Opinion of the Committee of the Regions:** Bull. 4-1994, point 1.2.100

**Council agreement:** Bull. 4-1994, point 1.2.100

*Endorsed by Parliament on 5 May.*

*Formally adopted by the Council on 16 May.*

OJ L 130, 25.5.1994

## Financing

1.2.90. Commission decisions: See Table 1.

Table 1 — Aid from cohesion financial instrument

Country/General purpose	(million ECU)	
	Total assistance	
<i>Spain</i>		
Environment	18.84	
Transport	5.55	
<i>Greece</i>		
Environment	11.93	
Transport	12.40	
<i>Ireland</i>		
Transport	1.34	
<i>Portugal</i>		
Transport	64.85	

## Structural action, regional policies

### Planning and orientation

#### Community structural assistance in Objective 1 regions

**Reference:** Council Regulation (EEC) No 4253/88 laying down provisions for implementing Regulation (EEC) No 2052/88 as regards co-ordination of the activities of the different Structural Funds between themselves and with the operations of the European Investment Bank and the other existing financial instruments (OJ L 374, 31.12.1988; Bull. 12-1988, point 2.1.200), as last amended by Regulation (EEC) No 2082/93: OJ L 193, 31.7.1993; Bull. 7/8-1993, point 1.2.116

#### Netherlands

1.2.91. Draft Commission Decision approving the single programming document (SPD) covering all Community structural assistance for 1994-99 to the region of Flevoland, which is eligible under Objective 1 (development and

adjustment of regions whose development is lagging behind).

Approved by the Commission on 25 May. On the basis of a regional development plan presented by the Netherlands authorities within the partnership framework and pursuant to the new Regulations of July 1993 on the Structural Funds, the Commission approved the single programming document (SPD) for Flevoland for the period 1994 to 1999. The document covers the main areas of development selected and the forms of assistance opted for and the amounts granted from the various Structural Funds. The SPD will be finally adopted once the opinions of the relevant advisory committees have been received.

The Community assistance earmarked for this region totals ECU 150 million, made up of ECU 90 million from the ERDF, ECU 40 million from the ESF, ECU 21.5 million from the EAGGF and ECU 8.5 million from the FIGF.

The general objective of the socioeconomic policy planned is the optimal utilization of development potential without undermining the quality of the natural environment. This general objective will be pursued through a number of operational priorities: improved prospects for employment and living conditions for the labour force in the region; stimulating the competitiveness of local firms; strengthening economic and social cohesion within the region; improving the fit of supply to demand on the labour market and protecting the environment in order to attract more investors.

In these circumstances, economic growth to create jobs will be sought through:

- the development of firms, particularly small firms, through measures to support technological innovation and create an environment which favours such firms and cooperation;
- the development of tourism, with particular emphasis on coastal areas (e.g. Lelystad), lake shores (e.g. Zeewolde), canals (e.g. Ketelmeer) and polders;
- the development of agriculture and the agro-industrial and rural development sectors;
- the development of the fisheries sector, including the adjustment and modernization of the fleet and improvements to the processing and promotion of fisheries products.

Alongside these sectoral priorities, the SPD also includes assistance for two horizontal priorities: the development of human resources and the improvement of the physical environment, mainly through better communications.

### *Belgium*

*1.2.92.* Draft Commission Decision approving the single programming document (SPD) for Community structural funding in Hainault, Belgium, a region eligible for assistance under Objective 1 (development and adjustment of regions whose development is lagging behind).

*Approved by the Commission on 11 May.* On the basis of a regional development plan presented by the Belgian authorities, in partnership with them and pursuant to the new rules governing the Structural Funds, the Commission approved the single programming document (SPD) concerning the province of Hainault for the period 1994 to 1999. The document includes the development plan itself, the forms of assistance and the amounts to be granted from the various Structural Funds. The Commission will adopt the final decision once the various advisory committees have delivered their opinions.

The Community's financial contribution is to be ECU 730 million for the period 1994 to 1999, broken down as follows: ERDF: ECU 515.92 million; ESF: ECU 166.70 million; EAGGF: ECU 47.01 million; FIFG: ECU 0.37 million. European Investment Bank loans over the period could amount to about ECU 235 million. The principal measures envisaged for Hainault are modernization of the business base; improvement of the environment and accessibility and better training and job opportunities for the unemployed.

The SDP identifies four priorities: stimulating business recovery; environmental improvement and rural development; transport infrastructure and equal opportunities.

### **Community initiatives**

*1.2.93.* Commission communication on the future of Community initiatives under the Structural Funds, accompanied by draft communications to the Member States laying down guidelines for the operational programmes or

global grants which Member States are invited to establish in the framework of the Community initiatives Konver, SMEs, REGIS II, Rechar II, RETEX, Resider II, Interreg II, Leader II, PESCA, ADAPT, and employment and development of human resources.

**Commission communication:** COM(94) 46, Bull. 1/2-1994, point 1.2.105; Bull. 3-1994, point 1.2.113

*Parliament opinion delivered on 3 and 5 May.* Alongside the resolutions adopted concerning the draft URBAN initiative (→ point 1.2.94) and the draft initiative relating to the modernization of the textile and clothing industry in Portugal (→ point 1.2.95), Parliament, in these 11 resolutions, commented on the draft Community initiatives covered by the Commission communication of 16 March.

□ **Konver:** Parliament called in particular for an increase of ECU 150 million in the budget for the initiative, which it also said should cover the period 1994 to 1999, urged that the definition of eligible areas take account of additional criteria such as the level of part-time or temporary unemployment and the area's degree of dependence on defence activity. It took the view that priority should be given to the diversification of promotion activities, the conversion of disused military buildings, the use of possibilities offered by the transfer of technologies, environmental improvements and programmes targeting women;

□ **SMEs (adaptation of small and medium-sized enterprises to the single market):** Parliament emphasized the limited and temporary nature of the initiative which must in particular be able to respond to the concerns of small firms and be open to producer cooperatives. It recommended that the Commission take care in selecting the intermediary bodies and that wherever possible the system of global grants and aids administered by such bodies be applied. Parliament also called on the EIB to play a part in the initiative through loans and to make its lending facilities known to SMEs;

□ **REGIS II:** Parliament urged that this initiative be coordinated with other initiatives and with other Community programmes financed from the Structural Funds. It also stressed the importance of measures for the diversification of activities, urged that cross-border cooperation with third countries be promoted and opposed any

change in the list of eligible regions in the event of enlargement of the Community unless additional budgetary resources were provided;

□ **Rechar II:** Parliament recalled that the additionality criterion should be verified at local or regional level and urged the Commission and Member States to demonstrate that the principle was observed. It proposed that the budget allocation be increased by ECU 100 million and came out in favour of some flexibility in the definition of eligible areas;

□ **RETEX:** Parliament proposed that the initiative be amended in the light of new factors such as the special problems of the new *Länder*, the implications of the GATT agreement for textile-producing regions and the economic changes affecting the entire textile industry. It estimated that the allocation needed to be increased by ECU 150 million and was in favour of a certain degree of flexibility in the definition of eligible areas;

□ **Resider II:** stressing the importance of the additionality criterion, Parliament recommended the adoption of appropriate measures for reconversion and the allocation of 10% of the appropriations under the initiative to steel-producing regions not covered by Objectives 1 (promotion of development and adjustment of regions whose development is lagging behind), Objective 2 (conversion of regions seriously affected by industrial decline) or 5b (development of rural areas);

□ **Interreg II:** noting the inclusion in this initiative of projects still under way or planned under the Regen initiative, Parliament called for the two areas to which Interreg II applies to be administered in a scrupulously transparent fashion. It was also surprised at the cut in the budget for the initiative from 21% to 17% of the total amount for the initiatives, while the number of potentially eligible regions had increased substantially;

□ **Leader II:** Parliament called for at least a doubling of the Union's financial contribution, currently estimated at ECU 1 400 million for the period 1994-99, greater participation by producers' cooperatives and extension of the scope of the programme to regions at altitudes of over 900 metres. It also proposed the setting-up of an arbitration authority to enable local action groups to have rejected aid applications reconsidered;

□ **PESCA:** in view of the low level of appropriations allocated to this initiative, Parliament

considered that priority should be given to measures designed to minimize the social impact of the process of adjusting the fleet. It felt that, given the restructuring of the sector, particular attention should be paid to diversifying activities and encouraging the relocation of surplus labour;

□ **ADAPT:** Parliament called for priority to be given to programmes targeting women under this initiative and urged that greater attention be paid to their promotion prospects in companies, particularly through women's organizations. It also proposed that 10% of the resources be kept in reserve and allocated at a later date in the light of the projects submitted;

□ **employment and development of human resources:** Parliament took the view that women's access to employment should be promoted in the interests of equal opportunities on the employment market. It also felt that information campaigns should be organized on the aid available and that a specific proportion of the resources should be allocated to disabled persons;

*Approved by the Committee of the Regions on 17 May.* The Committee advocated better coordination between the initiatives themselves and between them and the Community support frameworks, together with the establishment of a specific initiative for industrial change. It also asked the Member States to take account of the interests of regional and local authorities and urged the Commission to undertake impact assessments at regular intervals. While noting the inadequacy of some of the budget appropriations, it felt that any dilution of resources by excessively flexible application of the eligibility criteria should be avoided.

**1.2.94.** Draft Commission notice to the Member States laying down guidelines for operational programmes which Member States are invited to establish in the framework of the **URBAN** Community initiative.

**Reference:** Parliament resolution on the problems of and the prospects for conurbations: OJ C 20, 24.1.1994; Bull. 12-1993, point 1.2.162

**Draft Commission communication:** COM(94) 61; Bull. 3-1994, point 1.2.111

*Endorsed by Parliament on 3 May.* Parliament welcomed the establishment of a Community initiative to combat urban problems. It felt that the scope of the initiative should be widened to

take into account the serious urban problems in areas eligible under Objective 2 (conversion of regions affected by industrial decline) and in industrial areas not covered by Objective 1 (development and adjustment of regions whose development is lagging behind). Having regard to the social and economic aspects of the problem of urban areas in difficulty, it none the less felt it appropriate that there should be complementarity between projects financed by this initiative and operational programmes funded as part of CSFs and other relevant Community programmes. It also urged the Commission to take full account of the specific needs of women and the family, particularly with regard to safety and the provision of certain types of infrastructure. Parliament also took the view that a system of partnership should be developed whereby the citizens affected could be consulted.

*Approved by the Committee of the Regions on 17 May.* The Committee took the view that the competent authorities at local level should play a key role in the management of the Community initiative and hoped that the Community contribution would be substantially increased, particularly in the case of non-Objective 1 areas.

**1.2.95.** Draft Commission notice to Member States setting guidelines for an initiative on modernization of the Portuguese textile and clothing industry.

**Draft Commission notice:** COM(94) 82; Bull. 3-1994, point 1.2.112

*Endorsed by Parliament on 3 May.* While acknowledging the need for modernization of the Portuguese textile industry, Parliament expressed grave misgivings about a Community initiative being devoted to a single industrial sector in one Member State. It considered that the Portuguese textile industry could obtain the same benefit from a programme similar to the PEDIP programme specifically for the textile industry. Parliament also urged the Commission to ensure, in cooperation with the Member States, that citizens of the Union were adequately informed of the possibilities of Community co-funding provided by the initiative.

*Approved by the Committee of the Regions on 17 May.* The Committee of the Regions fully approved the proposal and called on the Commission to urge the Portuguese Government to involve the two sides of industry and local authorities in the initiative.

## **Agricultural structures**

**1.2.96.** Proposal for a Council Regulation amending Regulations (EEC) Nos 2328/91 and 866/90 with a view to speeding up the adaptation of production, processing and marketing structures in connection with reform of the common agricultural policy.

**Commission proposal:** COM(94) 166; Bull. 4-1994, point 1.2.102

*Endorsed by Parliament on 6 May* subject to a number of amendments concerning the conditions governing the grant and use of investment aid relating to agricultural structures. Parliament laid particular emphasis on the condition that there should be no increase in production capacity in sectors with surpluses.

## **Financial instrument for fisheries guidance**

**1.2.97.** Commission Decision 94/342/EC concerning information and publicity measures to be carried out by the Member States concerning assistance from the Structural Funds and the financial instrument for fisheries guidance (FIFG).

### **References:**

Commission notice concerning information and publicity relating to assistance from the ERDF: OJ C 6, 10.1.1991; Bull. 12-1990, point 1.3.113

Parliament resolution on the draft Commission Decision concerning information and publicity measures to be carried out by the Member States concerning assistance from the Structural Funds and the Financial Instrument for Fisheries Guidance: OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.109

*Adopted by the Commission on 31 May.* The Commission lays down new provisions giving formal legal status to earlier provisions concerning information and publicity concerning schemes part-financed by the ERDF, extending these provisions to the other Structural Funds and the FIFG, reinforcing them in the light of experience gained and integrating publicity measures into the operational activities of the Structural Funds.

OJ L 152, 18.6.1994.

## **Measures for very remote regions**

**1.2.98.** 1992/93 on progress made in implementing the programme of options specific to the remote and insular nature of the French overseas departments (Poseidom).

**References:**

Council Decisions 89/687/EEC and 89/688/EEC establishing a programme of options specific to the remote and insular nature of the French overseas departments (Poseidom) and concerning the dock dues in the French overseas departments: OJ L 399, 30.12.1989; Bull. 12-1989, point 2.1.142

Council Regulation (EEC) No 3763/91 introducing specific measures in respect of certain agricultural products for the benefit of the French overseas departments: OJ L 356, 24.12.1991; Bull. 12-1991, point 1.2.224

*Adopted by the Commission on 30 May.* The report, drawn up pursuant to the Poseidom programme and to Regulation (EEC) No 3763/91, covers 1992, the year in which most of the measures eligible under Poseidom became operational, and 1993, the first full year of implementation of the measures. The Commission surveys the economic and social situation in the overseas departments and developments since 1989, takes stock of the measures adopted under the various Community policies and instruments and indicates the guidelines to be followed with regard to the adaptation of the agricultural aspects, consolidation of the fisheries aspects of the programme and mobilization of Community policies and instruments for job creation in the overseas departments.

## Agriculture

### General matters

*1.2.99.* Commission report on the agricultural situation in the Community in 1993.

**Previous report:** Bull. 1/2-1993, point 1.2.165

**Reference:** Final Act embodying the results of the Uruguay Round of Multilateral Trade Negotiations: Bull. 4-1994, point 1.3.61

*Adopted on 19 May.* The 19th annual report looks at the situation and trend for Community agriculture in 1993. It presents the main decisions taken, covers the trend of the main markets and of agricultural incomes and also focuses on rural development, financing of the CAP and

trade relations with other countries, in particular the outcome of the agricultural side of the Uruguay Round multilateral trade negotiations. The tables in the statistical annex update the figures given in previous reports.

COM(94) 172

### Market organization

#### *Fruit and vegetables*

*1.2.100.* Council Regulation (EC) No 1165/94 laying down special provisions for imports of apples and pears.

**Reference:** Community-Chile Agreement on imports of apples and pears: point 1.2.101 below

**Regulation amended:** Council Regulation (EEC) No 1035/72 (OJ L 118, 20.5.1972), last amended by Regulation (EC) No 3669/93: OJ L 338, 31.12.1993; Bull. 12-1993, point 1.2.149

**Commission proposal:** COM(94) 133; Bull. 4-1994, point 1.2.114

*Amended proposal adopted by the Commission on 17 May.*

COM(94) 197

*Adopted on 17 May.* Implements the Agreement concluded with Chile on imports of apples and pears from Chile into the Community.

OJ L 130, 25.5.1994

*1.2.101.* Agreement in the form of an exchange of letters between the Community and Chile on imports of apples and pears.

*Decision 94/294/EC on conclusion of the Agreement adopted by the Council, acting on a Commission proposal, on 17 May.*

OJ L 130, 25.5.1994

*Signed in Brussels on 20 May.* The Community is relaxing the provisions applying to Chilean apples and pears and Chile will withdraw its GATT complaint about these provisions.

*1.2.102.* Council Regulation (EC) No 1234/94 setting the basic and buying-in prices for cauliflower, peaches, nectarines, lemons, tomatoes and apricots for June 1994.

*Proposal adopted by the Commission on 18 May.*

OJ C 162, 14.6.1994; COM(94) 189



*Adopted on 30 May.* Prevents a legal vacuum pending setting of the 1994/95 agricultural prices.

OJ L 136, 31.5.1994

## Wine

*1.2.103.* Proposal for a Council Regulation on reform of the common organization of the wine market.

**Reference:** Commission communication on the development and future of wine sector policy: COM(93) 380; Bull. 7/8-1993, point 1.2.156

### Regulations to be amended:

Council Regulation (EEC) No 822/87 on common organization of the market in wine (OJ L 84, 27.3.1987; Bull. 3-1987, point 2.1.167), last amended by Regulation (EEC) No 1566/93: OJ L 154, 25.6.1993; Bull. 6-1993, point 1.2.186

Council Regulation (EEC) No 823/87 laying down special provisions relating to quality wines produced in specified regions (OJ L 84, 27.3.1987; Bull. 3-1987, point 2.1.168), last amended by Regulation (EEC) No 3896/91: OJ L 368, 31.12.1991; Bull. 12-1991, point 1.2.237

Council Regulation (EEC) No 2048/89 laying down general rules on controls in the wine sector: OJ L 202, 14.7.1989

### Regulations to be repealed:

Council Regulation (EEC) No 2392/86 establishing a Community vineyard register (OJ L 208, 31.7.1986; Bull. 7/8-1986, point 2.1.148), last amended by Regulation (EEC) No 3577/90: OJ L 353, 17.12.1990; Bull. 12-1990, point 1.2.1

Council Regulation (EEC) No 1442/88 on the granting in the 1988/89 to 1995/96 wine years of permanent abandonment premiums for areas under vines (OJ L 132, 28.5.1988; Bull. 5-1988, point 2.1.117), last amended by Regulation (EEC) No 1990/93: OJ L 182, 24.7.1993; Bull. 7/8-1993, point 1.2.15

*Adopted by the Commission on 11 May.* This proposal follows the communication on the development and future of wine sector policy adopted by the Commission in July 1993 and the wide discussion to which it gave rise, and is primarily based on the approach taken therein.

The overriding aim is to achieve market balance in the medium term by restricting winegrowing potential and improving product quality. This would be achieved by

□ setting production targets. A Community reference production of 154 million hectolitres, the

target production figure for satisfactory balance on the market, would be split into national reference productions for each Member State compatible with the overall aim. Member States would be able to set regional reference quantities and only those regions for which a quantity had been set would be eligible for financial assistance;

□ regional viticultural adjustment programmes of up to four components: (a) action to reduce yields, notably green cropping; (b) permanent abandonment of areas under vines, accompanied by action to maintain the environment; (c) action to maintain viticulture on land susceptible to deterioration and/or adjust production in line with demand, e.g. by varietal replacement; (d) technical training, dissemination of research findings and commercial exploitation;

□ harsh penalization of failure to meet production adjustment targets: suspension of Community payments for regional programmes and compulsory distillation of surpluses at very low prices. Special distillation operations less disadvantageous to growers would be possible from 1998/99 to deal with contingent surpluses in regions properly executing an adjustment programme;

□ effective Community surveillance of fulfilment of commitments, involving establishment of a simplified vineyard register;

□ adjustment of the rules on oenological practices and processes, notably restriction of sugaring and withdrawal of aid for use of concentrated and rectified concentrated must;

□ other action including promotion of vine products, recognition of certain activities of inter-branch organizations (possibility of extending rules to non-members), introduction of common yield rules for registered designations and adjustment of the present abandonment scheme, which will remain applicable in regions not covered by adjustment programmes.

COM(94) 117

*1.2.104.* Council Regulations (EC) Nos 1276/94 and 1277/94 amending Regulations (EEC) No 2390/89 laying down general importation rules for wines, grape juice and grape must and No 1873/84 authorizing the offer and disposal for direct human consumption of certain imported wines that may have undergone oenological processes not permitted under Regulation (EEC) No 822/87.

**Regulations amended:**

Council Regulation (EEC) No 1873/84 (OJ L 176, 3.7.1984), last amended by Regulation (EEC) No 1212/93: OJ L 123, 19.5.1993; Bull. 5-1993, point 1.2.20

Council Regulation (EEC) No 2390/89 (OJ L 232, 9.8.1989; Bull. 7/8-1989, point 2.1.150), last amended by Regulation (EEC) No 1211/93: OJ L 123, 19.5.1993; Bull. 5-1993, point 1.2.120

**Commission proposal:** COM(94) 152; Bull. 4-1994, point 1.2.118

*Adopted on 30 May.* Extend to 31 December 1994 the derogations under Regulations (EEC) Nos 2390/89 and 1873/84 covering wine originating in the United States.

OJ L 140, 3.6.1994

**Hops**

*1.2.105.* Proposal for a Council Regulation setting aid to hop producers in respect of the 1993 hop harvest.

**Basic Regulation:** Council Regulation (EEC) No 1696/71 on common organization of the market in hops (OJ L 175, 4.8.1971), last amended by Regulation (EEC) No 3124/92: OJ L 313, 30.10.1992; Bull. 10-1992, point 1.3.142

*Adopted by the Commission on 27 May.* Sets the 1993 aid at ECU 378 per hectare for aromatic varieties, ECU 435 for bitter varieties and ECU 307 for other varieties. These amounts are all higher than for the 1992 harvest.

OJ C 271, 24.6.1994; COM(94) 201

**Sheepmeat and goatmeat**

*1.2.106.* Council Regulations (EC) No 1278/94 amending Regulations (EEC) No 338/91 determining the Community standard quality for fresh and chilled sheep carcasses and (EEC) No 2137/92 on the Community scale for classification of sheep carcasses and the Community standard quality for fresh and chilled sheep carcasses.

**Regulations amended:**

Council Regulation (EEC) No 338/91 (OJ L 41, 14.2.1991; Bull. 1/2-1991, point 1.2.190), prolonged by Regulation (EEC) No 2137/92

Council Regulation (EEC) No 2137/92 (OJ L 214, 30.7.1992; Bull. 7/8-1992, point 1.3.211

**Commission proposal:** COM(94) 108; Bull. 4-1994, point 1.2.122

*Adopted on 30 May.* Makes a technical adjustment needed to retain the present Community

standard quality definition for sheep carcasses until 1997.

OJ L 140, 3.6.1994

**State aid**

*Decision in part to initiate procedure and in part to raise no objection*

**Germany**

*1.2.107.* Commission decision on aid on potatoes for human consumption.

*Adopted on 25 May.* The Commission initiated the procedure indicated in Article 93(3) of the Treaty in regard to aid for processing potatoes. This appears to be a production subsidy liable to distort competition between the processors receiving it and other processors and to affect trade between Member States.

No objection was raised to aid for storage, market preparation and packing of potatoes. This is the counterpart of aid granted at Community level under certain market organizations.

**External side**

*1.2.108.* Parliament resolution on trade in agricultural products with Central and Eastern Europe.

*Adopted on 6 May.* Parliament, pointing out that the countries of Central and Eastern Europe are unable to make full use of their present European Union agricultural quotas owing notably to inability to reach the quality standards demanded by the Community market, saw no need to increase these quotas. The countries in question should be encouraged, in preparation for accession in the future, to adjust their agricultural policies to that of the Union, adopt stricter veterinary and plant health standards and do more to protect the environment. Given the potential for growth of these countries' production early joint consideration should be given as to how best to establish sustainable market balance and prevent the appearance of surpluses. Trade in agricultural products within Central and Eastern Europe itself should be encouraged.

# Fisheries

## Orientation of common fisheries policy

*1.2.109.* Council Regulation (EC) No 1275/94 on adjustments to the arrangements in the fisheries chapters of the Act of Accession of Spain and Portugal.

**Commission proposal:** OJ C 321, 27.11.1993; COM(93) 493; Bull. 10-1993, point 1.2.152

**Economic and Social Committee opinion:** OJ C 34, 2.2.1994; Bull. 11-1993, point 1.2.170

**Parliament opinion:** OJ C 20, 24.1.1994; Bull. 12-1993, point 1.2.234

**Amended Commission proposal:** OJ C 92, 29.3.1994; COM(94) 35; Bull. 3-1994, point 1.2.140

**Agreed by the Council:** Bull. 4-1994, point 1.2.126

*Formally adopted on 30 May.*

OJ L 140, 3.6.1994

*1.2.110.* Proposal for a Council Regulation setting management objectives and strategies for certain fisheries and groups of fisheries for the period 1994 to 1997.

**Commission proposal:** OJ C 17, 20.1.1994; COM(93) 663; Bull. 12-1993, point 1.2.231

*Endorsed by Parliament on 6 May* subject to amendments. For industrial fisheries in the North Sea and the Skagerrak and Kattegat the percentage of by-catches of protected species should be reduced to 5%. Research programmes to determine stock size and mortality rate were needed in certain cases. Fishermen should be associated with decisions taken and monitoring and follow-up action in connection therewith.

*1.2.111.* Parliament resolution on fisheries research.

**Reference:** Commission communication on the position and prospects for European fisheries research: COM(93) 95; Bull. 3-1993, point 1.2.135

*Adopted on 6 May.* Parliament, noting that the bulk of fisheries research is at present the responsibility of the Member States, called on them to improve their cooperation. A distinction should be made in research in the Community

between routine work such as stock assessment and database operation and fundamental innovative research and they should be separately financed. All research funding provisions should be clarified and an evaluation prepared of research activities carried out under the fishery agreements with other countries.

*1.2.112.* Parliament resolution on the interaction between seals and fisheries.

*Adopted on 6 May.* Parliament, pointing out that seal population management should be scientifically based, called for research on the interaction between marine mammals and fisheries and asked the Commission to draw up a complete list of available studies on this and assess to what extent seal populations throughout the Union continue to merit protected species status.

## Resource conservation and management

### *Internal side*

### TACs and quotas

*1.2.113.* Council Regulation allocating, for 1994, certain additional catch quotas between Member States for vessels fishing in Norwegian waters north of 62 North and in Icelandic waters.

**Commission proposal:** COM(93) 690; Bull. 12-1993, point 1.2.237

**Agreed by the Council:** Bull. 4-1994, point 1.2.132

*Formally adopted on 6 May.*

### Technical measures

*1.2.114.* Proposal for a Council Regulation amending Regulation (EEC) No 2930/86 defining characteristics for fishing vessels.

**Regulation to be amended:** Council Regulation (EEC) No 2930/86: OJ L 274, 24.9.1986; Bull. 9-1986, point 2.1.133

*Adopted by the Commission on 20 May.* Provides for use of a simplified tonnage measurement method for vessels less than 24 metres long.

OJ C 160, 11.6.1994; COM(94) 182

## External side

### Argentina

1.2.115. Fisheries Agreement between the Community and Argentina.

**Initialled:** Bull. 11-1992, point 1.3.222

**Commission proposal on conclusion:** OJ C 64, 6.3.1992; COM(93) 12; Bull. 1/2-1993, point 1.2.198

**Parliament opinion:** OJ C 194, 19.7.1993; Bull. 6-1993, point 1.2.212

**Council Regulation on conclusion:** OJ L 318, 20.12.1993; Bull. 9-1993, point 1.2.135

*Signed in Brussels on 24 May.* This first fisheries agreement with a Latin American country, opening up important opportunities for fishing by Community vessels, embraces creation of joint enterprises and scientific and technical cooperation. The tariff reductions granted will promote supply of the Community market with Argentine fishery products. It is concluded for five years with automatic renewal for two-year periods unless notice of termination is given.

### Greenland

1.2.116. Draft amendment to the 1985 Fisheries Agreement between the Community and the Government of Denmark and the local Government of Greenland.

**Reference:** Fisheries Agreement between the Community and Denmark and Greenland: OJ L 29, 1.2.1985; Bull. 1-1985, point 2.1.59

*Recommendation for a Decision adopted by the Commission on 6 May.* Authorizes the Commission to open negotiations with the local Government of Greenland for amendment of the 1985 Agreement, due to expire on 31 January 1995.

### Mauritius

1.2.117. Draft Protocol setting fishing rights and financial compensation for the period 1 December 1993 to 30 November 1996 under the Agreement between the Community and Mauritius on fishing off Mauritius; draft agreement in the form of an exchange of letters on provisional application of this Protocol.

**Commission proposal:** COM(94) 32; Bull. 1/2-1994, point 1.2.149

*Proposal for a Regulation on conclusion of the Protocol endorsed by Parliament on 6 May* subject to two amendments requiring the Commission to present reports on implementation of the Agreement.

*Council Decision 94/289/EC on conclusion of the agreement in the form of an exchange of letters on provisional application of the Protocol adopted on 16 May.*

OJ L 124, 18.5.1994

## Market organization

1.2.118. Council Regulation setting the terms under which fishing vessels flying a third country flag may directly land and market their catches at Community ports.

**Commission proposal:** OJ C 219, 13.8.1993; COM(93) 343; Bull. 7/8-1993, point 1.2.190

**Economic and Social Committee opinion:** OJ C 352, 30.12.1993; Bull. 10-1993, point 1.2.164

**Parliament opinion:** OJ C 329, 6.12.1993; Bull. 11-1993, point 1.2.187

**Amended Commission proposal:** OJ C 63, 1.3.1994; COM(94) 19; Bull. 1/2-1994, point 1.2.150

**Agreed by the Council:** Bull. 4-1994, point 1.2.138

*Formally adopted on 6 May.*

1.2.119. Parliament resolution on a quality policy for fishery products.

**Reference:** Commission communication: Bull. 1/2-1992, point 1.3.237

*Adopted on 6 May.* Parliament, welcoming the Commission's communication, drew attention to the importance in a quality policy of protecting the marine environment. Health rules should be fully enforced and a comprehensive research programme organized into the increase in fish parasitosis and of toxins in shellfish. The Commission should encourage the emergence of interprofessional structures within the sector to define quality improvement and management objectives and methods and devise regional, national and even Community labels. Any regulatory definition of quality not exclusively based on the conclusions reached by professionals must be rejected.

## Environment

### General

*1.2.120.* Parliament resolution on environmental technologies: opportunities for growth and employment.

*Adopted on 6 May.* Parliament stressed the potential for growth in the market in environmental technologies, advocated actively promoting this sector, given the competition from the United States and Japan, and called for dialogue between the European Union, the Member States, scientists, economists, the two sides of industry and environmental and consumers' organizations with a view to initiating a 'green technology offensive for Europe'. In particular, it recommended stepping up research into environmental technologies, especially integrated ones, and called for an environmental tax reform.

### Industry and environment

#### *Environmental control of products, industrial plants and biotechnology.*

*1.2.121.* Parliament resolution on combating the harmful effects of non-ionizing radiation.

*Adopted on 5 May.* Parliament drew attention to the potential risks of non-ionizing electromagnetic fields for human health. It called for research into this matter to be stepped up and for standards to be introduced in order to limit the exposure of workers and the general public to such fields. It recommended in particular that any proposal to set up new high-voltage electricity transmission lines should be subjected to an environmental impact assessment, that the standards applicable to display screens should be tightened up, and that the labelling of electrical household appliances should contain information for consumers about the fields generated by such appliances.

*1.2.122.* Parliament resolution on environmental training in industry, including SMEs (→ point 1.2.139).

#### *Emissions from industrial plants and products*

*1.2.123.* Draft Protocol to the Convention on long-range transboundary air pollution on further reduction of sulphur emissions.

**Reference:** Geneva Convention on long-range transboundary air pollution: OJ L 171, 27.6.1981; Bull. 6-1981, point 2.1.72

**Commission recommendation:** Bull. 12-1992, point 1.3.196

**Negotiating directives:** Bull. 11-1993, point 1.2.132

*Proposal for a Decision on the signing of the Protocol adopted by the Commission on 17 May.*

COM(94) 177

#### *Waste management*

*1.2.124.* Proposal for a Parliament and Council Directive on packaging and packaging waste

**Commission proposal:** OJ C 263, 12.10.1992; COM(92) 278; Bull. 7/8-1992, point 1.3.144

**Economic and Social Committee opinion:** OJ C 129, 10.5.1993; Bull. 3-1993, point 1.2.98

**Parliament opinion (first reading):** OJ C 194, 19.7.1993; Bull. 6-1993, point 1.2.159

**Amended Commission proposal:** OJ C 285, 21.10.1993; COM(93) 416; Bull. 9-1993, point 1.2.106

**Proposal subject to the co-decision procedure since 1 November 1993**

**Council agreement on a common position:** Bull. 12-1993, point 1.2.178

**Council common position:** OJ C 137, 19.5.1994; Bull. 3-1994, point 1.2.149

*Amendments adopted by Parliament (second reading) on 4 May.* The amendments concern the adoption by the Council of economic instruments, a five-yearly review of the objectives of the Directive, and more stringent provisions concerning data.

*Opinion amending the proposal adopted by the Commission on 25 May.* The Commission took over all of Parliament's amendments.

COM(94) 204

## Civil protection

1.2.125. World Conference on the reduction of natural disasters (→ point 1.3.101).

## Environmental quality and natural resources

### *Protection of water, coastal zones, environment and tourism*

1.2.126. Council resolution on a Community strategy for integrated coastal-zone management.

**Council agreement:** Bull. 3-1994, point 1.2.152

*Formally adopted by the Council on 6 May.*

OJ C 135, 18.5.1994

1.2.127. Draft Convention on cooperation for the protection and sustainable use of the Danube.

*Proposal for a Decision on the signing of the Convention adopted by the Commission on 30 May.* Purpose: to provide a framework for cooperation between the countries of the Danube Basin in order to prevent and control pollution of this river and ensure sustainable use of its water resources.

COM(94) 199

### *Protection of nature, flora and fauna*

1.2.128. Proposal for a Council Directive amending Annex II to Directive 79/409/EEC on the conservation of wild birds.

**Commission proposal:** OJ C 255, 2.10.1992; COM(91) 42; Bull. 3-1991, point 1.2.168

**Economic and Social Committee opinion:** OJ C 191, 22.7.1991; Bull. 5-1991, point 1.2.154

**Parliament opinion:** OJ C 150, 15.6.1992; Bull. 5-1992, point 1.1.133

**Amended Commission proposal:** OJ C 260, 9.10.1992; COM(92) 398; Bull. 9-1992, point 1.2.104

**Council common position:** Bull. 1/2-1994, point 1.2.169

*Endorsed by Parliament (second reading) on 4 May.*

### *Urban environment, air quality, transport and noise*

1.2.129. Proposal for a Parliament and Council Directive on the control of volatile organic compound emissions resulting from the storage of

petrol and its distribution from terminals to service stations.

**Commission proposal:** OJ C 227, 3.9.1992; COM(92) 277; Bull. 7/8-1992, point 1.3.157

**Economic and Social Committee opinion:** OJ C 73, 15.3.1993; Bull. 1/2-1993, point 1.2.160

**Parliament opinion (first reading):** OJ C 194, 19.7.1993; Bull. 6-1993, point 1.2.170

**Council agreement on a common position:** Bull. 6-1993, point 1.2.170

**Amended Commission proposal:** OJ C 270, 6.10.1993; COM(93) 422; Bull. 9-1993, point 1.2.109

**Council common position:** Bull. 10-1993, point 1.2.129

**Proposal subject to the co-decision procedure since 1 November 1993**

**Parliament amendments (second reading)** OJ C 91, 28.3.1994; Bull. 3-1994, point 1.2.154

*Opinion amending the proposal adopted by the Commission on 25 May.* The Commission agreed to a technical amendment.

COM(94) 154

## Nuclear safety

1.2.130. Council conclusions on nuclear safety in the context of the electricity sector in Central Europe and in the Commonwealth of Independent States (CIS).

### **References:**

Council Regulation (EEC) No 3906/89 (PHARE programme): OJ L 375, 23.12.1989; Bull. 12-1989, point 2.2.25, as last amended by Council Regulation (EEC) No 1764/93: OJ L 162, 3.7.1993; Bull. 6-1993, point 1.3.13

Council Regulation (EEC) No 2053/93 (TACIS programme): OJ L 187, 29.7.1993; Bull. 7/8-1993, point 1.3.15

Commission communication on nuclear safety in the context of the electricity sector in Central and Eastern Europe and the CIS: COM(93) 635; Bull. 12-1993, point 1.2.186

Agreement between the Community and European Bank for Reconstruction and Development on the Community's contribution to the nuclear safety account: Bull. 3-1994, point 1.2.158

Council conclusions on the European Energy Charter — point 1.2.79 of this Bulletin

*Adopted on 25 May.* The Council urged the Commission and the Member States to prevail upon the governments of the Central and East European countries and the CIS to close down

as soon as possible their least safe nuclear reactors, to ask them to raise the safety standards for new power stations and those kept in service to the standards in force in the European Union, to encourage the establishment of independent nuclear safety authorities, and to promote adequate safeguards and controls for nuclear materials and installations. It emphasized the need for the competent authorities and nuclear operators to accept their legal liability in the event of an accident.

The Council also supported the development in the countries concerned of alternative sources of power to replace the least safe nuclear power plants, and advocated a strategy based on energy saving, the diversification and security of energy supply sources, and regional cooperation. It emphasized the need to create a favourable environment for investment and industrial cooperation in the energy field in the countries in question, while ensuring an appropriate level of safety and environmental protection, and supported the use of the Euratom loan facility and the facilities of the international financial institutions in order to improve nuclear safety and meet the energy supply needs of the countries concerned. It reaffirmed its support for the European Energy Charter and the early conclusion and implementation of the Charter Treaty. It recommended that the European Union should continue to play a major role in the international efforts to help the Central and East European countries and the CIS to improve nuclear safety, and in particular supported the maintenance of the Commission's role in coordinating G-24 assistance, and invited the Commission to pursue and continue improving the implementation of the PHARE and TACIS programmes, to submit a report evaluating the activities funded through the EBRD's nuclear safety account, and to put forward, if necessary, proposals for further measures on the basis of this report.

## Social policy

### General

*1.2.131.* Parliament resolution on the Green Paper entitled 'European social policy — options for the union'.

### References:

Proposal for a Council Decision establishing a medium-term action programme to combat exclusion and promote solidarity: COM(93) 435; Bull. 9-1993, point 1.2.99; Bull. 1/2-1994, point 1.2.179

Commission Green Paper on European Social Policy: COM(93) 551; Bull. 11-1993, point 1.2.119

*Adopted by Parliament on 3 May.* While welcoming the publication of the Commission's Green Paper on social policy and the debate engendered by it, Parliament hoped that such a debate would not have the effect of delaying fresh legislative proposals and initiatives. It called on the Commission to present, in the autumn of 1994, a new social action programme addressing the following priorities: employment, workers' rights, strengthening the role of the social partners, social protection, combating exclusion, equal treatment. Parliament also urged that steps be taken to ensure implementation of the new medium-term action programme to combat exclusion.

### Implementation of the Protocol on social policy

*1.2.132.* Parliament resolution on the application of the Agreement on social policy.

**Reference:** Parliament resolution on the new social dimension of the Treaty on European Union: OJ C 77, 14.3.1994; Bull. 1/2-1994, point 1.2.174

*Adopted by Parliament on 3 May.* Parliament called for revision of the list of organizations to be consulted in connection with the implementation of the Protocol on social policy, and for strict time limits to be laid down in respect of the consultation procedure. Parliament repeated its call for an interinstitutional agreement covering implementation of the provisions of the Protocol.

*1.2.133.* Proposal for a Council Directive on the establishment of European committees or procedures in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees.

**Commission proposal:** OJ C 135, 18.5.1994; COM(94) 134; Bull. 4-1994, point 1.2.154

*Endorsed by Parliament (first reading) on 4 May*, subject to amendments aimed mainly at reducing from 1 000 to 500 employees the threshold defining a 'Community-scale undertaking', removing the requirement for the European committee to have a maximum of 30 members, and providing for election of the special negotiating body by secret ballot.

## Health and safety at work

*1.2.134.* Parliament resolution on the general framework for action by the Commission in the field of safety, hygiene and health protection at work.

### References:

Third action programme on safety, hygiene and health at work: OJ C 28, 3.2.1988; Bull. 9-1987, point 2.1.91

Commission communication on a general framework for action in the field of safety, hygiene and health protection at work (1994-2000): COM(93) 560; Bull. 11-1993, point 1.2.124

*Adopted by Parliament on 6 May.* Parliament called on the Commission to present a fourth action programme in the field of safety and health at work; it proposed that the programme should run until the year 2000 and should comprise new legislative instruments, measures to ensure the correct implementation of existing directives, provision of information, training and education, research and cooperation with third countries, and the creation of a Safety Action for Europe programme with its own budget heading.

## Equal opportunities

*1.2.135.* Parliament resolution on the situation of women in small and medium-sized enterprises (SMEs).

**Reference:** Council Directive 86/613/EEC on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood: OJ L 359, 19.12.1986; Bull. 12-1986, point 2.1.152

*Adopted by Parliament on 6 May.* Parliament drew attention to the specific problems faced by

women in SMEs. Stressing the need for financial aid to be given to women wishing to set up their own businesses, Parliament pointed to the discrimination practised by credit institutions. It also stressed the importance of the role of the spouse in many SMEs and called for the revision of Directive 86/613/EEC.

*1.2.136.* Parliament resolution on scientific research and development staff in Europe.

*Adopted by Parliament on 6 May.* Noting that women are under-represented in the scientific and technological fields, Parliament called on the Commission to take this imbalance into account in the implementation of research programmes and to put forward a programme of positive measures. It also suggested that studies be carried out into the reasons for such under-representation.

## Education, vocational training and youth

### Cooperation in the field of education

*1.2.137.* Proposal for a Parliament and Council Decision establishing the Community action programme 'Socrates'.

**Commission proposal:** OJ C 66, 3.3.1994; COM(93) 708; Bull. 1/2-1994, point 1.2.184

**Parliament opinion (first reading):** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.165

**Economic and Social Committee opinion:** Bull. 4-1994, point 1.2.165

*Amended proposal adopted by the Commission on 16 May.* The amended Commission proposal incorporates Parliament amendments adding clarification and detail to the initial proposal, and reinforcing it, in particular where the target groups of the programme are concerned.

OJ C 164, 16.6.1994; COM(94) 180

*Endorsed by the Committee of the Regions on 17 May.* The Committee nevertheless drew attention to various aspects concerned with decentralized implementation of the programme, equality



of opportunity as regards access to the programme, the need to take account of local interests, dissemination of innovative educational materials and methods, and mobility of students and teachers.

## Vocational training

*1.2.138.* Proposal for a Council Decision establishing an action programme for the implementation of a European Community vocational training policy 'Leonardo da Vinci'.

### References:

Proposal for a Parliament and Council Decision establishing the Community action programme 'Socrates': point 1.2.137 of this Bulletin

Proposal for a Parliament and Council Decision adopting the 'Youth for Europe III' programme: point 1.2.141 of this Bulletin

Parliament and Council Decision concerning the fourth framework programme of European Community activities in the field of research, technological development and demonstration (1994-98): Bull. 4-1994, point 1.2.69

**Commission proposal:** OJ C 67, 4.3.1994; COM (93) 686; Bull. 12-1993, point 1.2.113

**Economic and Social Committee opinion:** OJ C 148, 30.5.1994; Bull. 3-1994, point 1.2.169

*Endorsed by Parliament (first reading) on 3 May*, subject to amendments highlighting the need for equality of opportunity as regards access to vocational training, and for consistency between this programme and the fourth research and development programme, the 'Socrates' and 'Youth for Europe' programmes, and other initiatives targeting young people or disadvantaged groups. Parliament also stressed the need to introduce specific training measures for women and for young people who leave the educational system without adequate training, and emphasized the importance of foreign language learning. Moreover, Parliament was in favour of involving the social partners more closely in regular evaluation of the programme and opening the programme to the associate countries of Central and Eastern Europe.

*Amended proposal adopted by the Commission on 25 May.* The initial Commission proposal is clarified and supplemented by various Parliament amendments concerned mainly with equality of opportunity as regards access to the pro-

gramme, training for young people and women, foreign language learning and fostering of exchanges, and representation of the social partners.

OJ C 176, 29.6.1994; COM(94) 215

*1.2.139.* Parliament resolution on environmental training in industry, including SMEs.

*Adopted by Parliament on 3 May.* Noting that the implementation of environmental and working environment legislation tends to be hampered by lack of relevant knowledge and skills among the workforce, Parliament considered it necessary to establish a new legal and financial framework to enable the different sectors of industry to meet their training needs, with particular reference to SMEs. It advocated also the setting-up of regional training facilities, the introduction of in-house training and extension of the responsibilities of the European Centre for the Development of Vocational Training (Cedefop) and the Dublin Foundation, and called on the Commission to draw up a proposal along these lines.

*1.2.140.* Council Regulation (EC) No 1131/94 amending Regulation (EEC) No 337/75 establishing a European Centre for the Development of Vocational Training (Cedefop).

**Commission proposal:** OJ C 74, 12.3.1994; COM(94) 20; Bull. 1/2-1994, point 1.2.186

**Parliament opinion:** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.166

**Economic and Social Committee opinion:** Bull. 4-1994, point 1.2.166

*Adopted by the Council on 16 May.* The Council decided that the seat of the European Centre for the Development of Vocational Training was to be transferred to Thessaloniki; the aspects of the proposal which concerned the staff of the Centre were to be acted upon at a later stage.

OJ L 127, 19.5.1994

## Youth

*1.2.141.* Proposal for a Parliament and Council Decision adopting the 'Youth for Europe III' programme designed to promote the development of exchanges among young people and of youth activities in the Community.

**Commission proposal:** COM(93) 523; Bull. 11-1993, point 1.2.81

**Economic and Social Committee opinion:** OJ C 148, 30.5.1994; Bull. 3-1994, point 1.2.170  
**Parliament opinion (first reading):** OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.167

*Amended proposal adopted by the Commission on 16 May.* The Commission proposal incorporates a group of amendments providing further useful information and clarification of the initial proposal, and a second group of amendments aimed at strengthening cooperation between Member States, the Community and youth organizations.

OJ C 170, 23.6.1994; COM(94) 186

*Endorsed by the Committee of the Regions on 18 May.* The Committee nevertheless felt that the funding was inadequate and stressed the importance of combining initiatives at national, regional and local levels.

## Cooperation with non-member countries on education, training and youth

*1.2.142.* Proposal for a Council Regulation amending Regulation (EEC) No 1360/90 establishing a European Training Foundation.

**Commission proposal:** OJ C 82, 19.3.1994; COM(94) 21; Bull. 1/2-1994, point 1.2.187

*Endorsed by Parliament on 6 May,* subject to two amendments highlighting the need to ensure staff flexibility and the Foundation's capacity to perform specific tasks within the time limits laid down.

## Public health and solidarity

### Public health

#### AIDS

*1.2.143.* Proposal for a Council and Parliament Decision concerning the extension to the end of 1994 of the 1991-93 plan of action in the framework of the 'Europe against AIDS' programme.

**Commission proposal:** COM(93) 453; Bull. 9-1993, point 1.2.140

**Proposal subject to the co-decision procedure since 1 November 1993**

**Parliament opinion (first reading):** OJ C 20, 24.1.1994; Bull. 12-1993, point 1.2.258

**Economic and Social Committee opinion:** OJ C 133, 16.5.1994; Bull. 1/2-1994, point 1.2.188

*Endorsed by the Committee of the Regions on 17 May.* The Committee stressed the importance of promoting the close coordination of initiatives by Member States and encouraging cooperation between research centres to generate synergy. It recommended support for pilot projects in the prison environment and for preventive action in tourist areas. Screening for the AIDS virus should be voluntary, free and confidential, and measures should be taken to encourage blood donorship so that the Community can become self-sufficient. The Committee emphasized the potential role of local and regional authorities and non-governmental organizations in the fight against AIDS and regretted the modest size of the budget (ECU 9 million) allocated to the 'Europe against AIDS' programme.

### Drugs

*1.2.144.* Parliament resolution on sport and doping.

#### References:

Council resolution on a code of conduct against doping in sport: OJ C 44, 19.2.1992; Bull. 1/2-1992, point 1.3.256

Proposal for a Council Regulation amending Regulation (EEC) No 302/93 on the establishment of the European Monitoring Centre for Drugs and Drug Addiction: OJ C 225, 20.8.1993; COM(93) 219; Bull. 7/8-1993, point 1.2.191

*Adopted on 6 May.* On the grounds that the European Union must pursue a more active policy to combat doping, Parliament called for the establishment within the new European Monitoring Centre for Drugs and Drug Addiction of a department dealing specifically with doping in sport, the setting-up of a network of European laboratories and the harmonization of legislation on the possession and use of stimulants in sport.

It urged sports federations and Member States to be rigorous in the pursuit of their policy on preventing and combating doping and to introduce appropriate sanctions. It called on the Commission to draw up an information programme

based on the February 1992 code of conduct to alert young people in particular to the dangers of doping in sport and urged the media to participate in this campaign, for example by encouraging fair play.

### *International cooperation*

**1.2.145.** Parliament resolution on its submission to the World Health Organization's European Conference on Environment and Health.

**Reference:** Parliament resolution on public health policy after Maastricht: OJ C 329, 6.12.1993; Bull. 11-1993, point 1.2.192

*Adopted on 6 May.* In the light of the effects which certain environmental damage can have on human health and with an eye to the WHO Conference on this theme, Parliament called for more detailed and coordinated epidemiological research, for more emphasis on assessment of all the known health risks by research on mutagenic and carcinogenic substances, for more detailed predictive toxicological research into new chemical substances and for application of the principle of proportionality in the implementation of environmental and health policy objectives.

It also called for closer examination of the links between deaths from cancer and living and working conditions in the various regions of Europe, with special reference to the differences in male and female mortality.

## **Solidarity**

### *Measures to help disaster victims*

**1.2.146.** Commission decision to grant emergency aid to the victims of flooding in Germany.

**Reference:** Parliament resolution on the flood damage in Saxony-Anhalt and Thuringia: OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.172

*Adopted on 3 May.* Aid totalling ECU 350 000 was granted to the victims of flooding in the German *Länder* of Thuringia and Saxony-Anhalt.

## **Consumers**

### **Protection of consumers' health and safety**

**1.2.147.** Proposal for a Parliament and Council Decision introducing a Community system of information on home and leisure accidents (Ehlass).

**Commission proposal:** OJ C 104, 12.4.1994; COM(94) 17; Bull. 1/2-1994, point 1.2.195  
**Economic and Social Committee opinion:** Bull. 4-1994, point 1.2.174

*Endorsed by Parliament (first reading) on 5 May,* subject to two amendments aimed at keeping Community financial support at a constant level.

*Amended proposal adopted by the Commission on 11 May.* The amended proposal takes account of Parliament's amendments.

OJ C 157, 8.6.1994; COM(94) 192

*Common position agreed by the Council on 17 May.* The purpose of this system, introduced for the period 1994-97, is to collect data on home and leisure accidents with a view to promoting accident prevention, improving the safety of consumer products and informing and educating consumers so that they make better use of products, at both national and Community level. The basic information is to be obtained from the casualty departments of hospitals selected by the Member States, except for Germany, Spain and Luxembourg, where the collection of data is to be carried out by means of household surveys. Provision is made for Community financing, up to a ceiling, at a standard rate representing 80% of the actual costs per year. The estimated amount of funding needed to implement the system is ECU 2.5 million per year.

**1.2.148.** Parliament resolution on fire safety in hotels.

*Adopted by Parliament on 4 May.* Parliament called on the Commission to submit a proposal for a directive on fire safety in hotels.

### **Protection of consumers' economic and legal interests**

**1.2.149.** Proposal for a Parliament and Council Directive on the protection of purchasers in contracts relating to the purchase of a right to utilize

one or more immovable properties on a time-share basis.

**Commission proposal:** OJ C 222, 29.8.1992; COM(92) 220; Bull. 5-1992, point 1.1.189

**Economic and Social Committee opinion:** OJ C 108, 19.4.1993; Bull. 1/2-1993, point 1.2.119

**Parliament opinion (first reading):** OJ C 255, 20.9.1993; Bull. 7/8-1993, point 1.2.113

**Amended Commission proposal:** OJ C 299, 5.11.1993; COM(93) 487; Bull. 10-1993, point 1.2.95

**Proposal subject to the co-decision procedure since 1 November 1993**

**Council agreement on a common position:** Bull. 11-1993, point 1.2.106

**Council common position:** Bull. 3-1994, point 1.2.173

*Parliament opinion (second reading) delivered on 4 May.* Parliament put forward four amendments aimed at reducing from three to two years the period within which Member States are to implement the provisions of the Directive, and giving the consumer more time to provide notification of intention to withdraw from the contract.

*1.2.150.* Commission Green Paper on guarantees for consumer goods and after-sales services.

**Reference:** Commission Green Paper: COM(93) 509; Bull. 11-1993, point 1.2.107

*Resolution adopted by Parliament on 6 May.* Parliament considered that a certain harmonization of laws on retail sales and obligations in the European Union was desirable. It called on the Commission to submit a proposal for a directive on legal guarantees laying down minimum standards or requirements in this respect, along with a proposal on commercial guarantees and after-sales services, in order to create a general legal framework of basic principles for these fields.

*1.2.151.* Commission Green Paper on access of consumers to justice and the settlement of consumer disputes in the single market.

**Reference:** Commission Green Paper: COM(93) 576; Bull. 11-1993, point 1.2.105

*Opinion adopted by the Committee of the Regions on 17 May.* The Committee wholeheartedly endorsed the Commission's objectives and shared its view of the measures to be taken to achieve them. The Committee nevertheless asked the Commission to take account of the diversity of tradition in the different Member

States in its future proposals on consumer protection.

*1.2.152.* Conclusions of the Council regarding the Commission Green Papers on access of consumers to justice and the settlement of consumer disputes in the single market and on guarantees for consumer goods and after-sales services.

**References:**

Commission Green Paper on access of consumers to justice and the settlement of consumer disputes in the single market: COM(93) 576; Bull. 11-1993, point 1.2.105

Commission Green Paper on guarantees for consumer goods and after-sales services: COM (93) 509; Bull. 11-1993, point 1.2.107

*Adopted by the Council on 17 May.* As regards access of consumers to justice, the Council welcomed the introduction in the Member States of swift and simplified procedures designed to put an end to certain unlawful commercial practices, but noted that in some cases these procedures could not be entirely effective in preventing unlawful transfrontier practices; the Council stressed that it may be necessary to develop initiatives at Community level in order to resolve this problem.

As regards guarantees for consumer goods, the Council noted that certain matters had not been addressed in the Green Paper, in particular the question of payable 'guarantees' which are sometimes added to or replace the original guarantee and the question of after-sales services, of which the only aspect dealt with was the availability of spare parts.

## Culture

*1.2.153.* Exhibition on the protection of Europe's architectural heritage.

**Reference:** Support for projects for the restoration of historic gardens: Bull. 6-1993, point 1.2.233

*Organized in Lisbon from 30 April to 13 May.* This photography exhibition, which opened in Lisbon and will move on to Barcelona, Paris, Florence, Bucharest, Warsaw and Brussels, is designed to raise public awareness of the cul-

tural, social and economic importance of preserving and restoring Europe's architectural heritage and shows the progress made in this field in recent years. Sixty-six pilot projects were selected by the Commission under its 1993 annual programme, which focused on historic gardens. Of these, 61 were in the European Union and five in Central and Eastern Europe. Between them they received a total of ECU 3.37 million. The exhibition also presents three major ongoing projects: the restoration and reconstruction of the historic centre of Lisbon, the Chiado (ECU 250 000 per year), the conservation of the Parthenon and the Acropolis in Athens (ECU 400 000 per year) and the restoration of the monasteries on Mount Athos in northern Greece (ECU 300 000 per year).

## Sport

*1.2.154.* Parliament resolution on the European Community and sport.

*Adopted on 6 May.* In view of the new powers in the cultural and social sphere conferred on the European Union by the Maastricht Treaty, Parliament takes the view that subsidies for top-class sports should make way for a genuine Union policy on sport. It emphasized the need to end all discrimination and ensure equality of opportunity and urged the Commission, the Member States, the two sides of industry and sports associations to draw up a social charter for sportsmen and women with a view to avoiding exploitation, promoting fair competition and helping to combat violence and racism in sport.

On the question of safety, Parliament stressed the need for the Commission to set European safety standards and for the sports authorities and Member States to enforce the safety regulations that already apply.

It also called for measures to encourage active participation in sport by the elderly, the disabled and women, and reiterated the essential contribution to public health made by school sport. Parliament also urged the Commission to draw up a specific programme to promote regional and traditional sports and called, more generally, for sport to be recognized as a means of reducing inequality.

# Information, communication and audiovisual media

## Information and communication

*1.2.155.* The regions and the Union: information booklets.

*A series of 125 booklets on Europe published by the Commission.* The object of the exercise is to inform ordinary Europeans about what the Union is doing in practical terms for their region. With over a million copies produced in 14 languages, the booklets give a regional slant to a mass of information hitherto available only at national or Community level.

## Audiovisual policy

*1.2.156.* Parliament resolution on the Commission communication on the application of Articles 4 and 5 of Directive 89/552/EEC (Television without frontiers).

### References:

Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in the Member States concerning the pursuit of television broadcasting activities: OJ L 298, 17.10.1989; Bull. 10-1989, point 2.1.18

Commission communication: COM(94) 57; Bull. 3-1994, point 1.2.178

*Adopted on 6 May.* Parliament maintains that a European legislative framework is essential if media pluralism and the diversity of cultural works are to be protected and enhanced. It called on the Commission to look into the possibility of implementing a flexible system of incentives for European productions, insisted on compliance with the provisions of Directive 89/552/EEC on advertising and sponsorship, and raised the problem of violence in the electronic media.

*1.2.157.* Proposal for a Council Decision amending Decision 90/685/EEC concerning the implementation of an action programme to promote the development of the European audiovisual industry (MEDIA).

Commission proposal: OJ C 322, 30.11.1993; COM(93) 462; Bull. 10-1993, point 1.2.175

**Economic and Social Committee opinion:** Bull. 3-1994, point 1.2.179

*Endorsed by Parliament on 6 May*, subject to a number of amendments relating in particular to the nature of cooperation with the competent international organizations.

*1.2.158.* Council resolution on the framework for Community policy on digital video broadcasting.

**References:**

Commission communication to the Council and Parliament entitled 'Digital video broadcasting — a framework for Community policy': COM(93) 557; Bull. 11-1993, point 1.2.201

Proposals for Council Decisions adopting specific research, technological development and demonstration programmes (1994-98): COM(94) 68; Bull. 3-1994, point 1.2.69

*Agreed on 30 May.* The Council welcomed the Commission communication on digital video broadcasting. Although it agrees that digital

technology offers significant potential benefits for the future electronic information highways, it feels that they will not be fully achieved in practice unless market implementation is allowed to progress smoothly and gradually and is preceded by the adoption of common standards. It also feels that conditional access is important for pay-television providers and consumers and for programme rights-holders and that Union policy in this area should be based on ensuring fair and open competition, on protecting consumer interests and on minimizing the possibility of piracy. To achieve the desired market evolution the Council advocates a consensus process involving all the economic agents concerned but does not rule out the option of introducing regulatory measures, if required. It welcomed the Commission's intention to include action to ensure the availability of all the necessary elements of technology, to encourage the process of standardization and to maintain a political dialogue with third parties, including the United States and Japan.

### 3. The role of the Union in the world

#### Common foreign and security policy

##### Joint action by the European Union

###### *Stability pact*

###### References:

Council Regulation (EEC) No 3906/89 on economic aid for certain countries of Central and Eastern Europe (PHARE programme) (OJ L 375, 23.12.1989; Bull. 12-1989, point 2.2.25), as last amended by Regulation (EEC) No 1764/93: OJ L 162, 3.7.1993; Bull. 6-1993, point 1.3.13

Council Regulation (EEC, Euratom) No 2053/93 concerning the provision of technical assistance to economic reform and recovery in the Independent States of the former Soviet Union and Mongolia (TACIS programme): OJ L 187, 29.7.1993; Bull. 7/8-1993, point 1.3.15

Council Decision 93/728/CFSP concerning joint action on the inaugural conference for a pact on stability in Europe: OJ L 339, 31.12.1993; Bull. 12-1993, point 1.4.9

Parliament recommendation on joint action on the stability pact: OJ C 128, 9.5.1994; Bull. 4-1994, point 1.3.3

###### 1.3.1. Council conclusions.

*Adopted on 17 May.* The Council approved the points of agreement on financing 'round tables' with participant non-member countries hosted by Union institutions. It also called on the Commission to direct its activities towards achieving the objectives of the joint action by taking appropriate economic measures when implementing Community programmes.

###### 1.3.2. Inaugural conference

*Meeting held in Paris on 26 and 27 May.* The inaugural conference for a pact on stability in Europe, called by the European Union and chaired by the President of the Council and Greek Deputy Foreign Minister, Mr Theodoros Pangalos, was attended by Mr Van den Broek,

for the Commission, and delegates from the 52 nations which have signed the Helsinki accords on the Conference on Security and Cooperation in Europe (CSCE) as well as representatives of the CSCE, the Council of Europe, the North Atlantic Treaty Organization (NATO), the United Nations (UN) and the Western European Union (WEU).

The stability pact is aimed at fostering good neighbourly relations in Central and Eastern Europe and encouraging countries which have not already done so to conclude cooperation and 'good neighbour' agreements and arrangements covering minorities and border issues, through a process of bilateral negotiation and regional 'round tables'. The stability pact will initially focus on nine Central and East European countries which are moving closer to the European Union with a view to accession: Poland, Hungary, the Czech Republic, Slovakia, Bulgaria, Romania, Estonia, Latvia and Lithuania.

In his conference address, Mr Van den Broek noted that the initiative for the stability pact was one of the European Union's first joint actions under the common foreign and security policy. He also pointed out that the PHARE and TACIS programmes could be used to develop regional cooperation and 'good neighbour' links between the countries concerned.

The Paris conference unanimously adopted conclusions setting out its aims and principles and operational arrangements for the stability pact (→ point 2.2.1), and a document on the organization of the regional round tables. Two round tables will be created, one for the Baltic region, the other for Central and Eastern Europe. The participants will be free to determine their composition and agenda. The issues raised are expected to include national minorities, regional cross-border cooperation, cultural cooperation and language training, regional economic cooperation, judicial cooperation, administrative training and environmental problems. The round tables may be chaired by the European Union and may take place either in the countries of the

region in turn or in the Member States of the European Union, or in Vienna at the CSCE headquarters. The European Union declared its readiness to play an active role in bilateral or regional talks and to make available appropriate aid to the countries concerned, under the existing Europe Agreements and under other agreements and programmes, to enable the stability pact to achieve its objectives. The European Union will convene regional round table meetings as soon as possible, and countries which wish to negotiate can invite neighbouring or other countries and relevant international organizations and institutions.

The inaugural conference is intended to lead, via a process of consultation and negotiations, to the adoption of a pact on stability in Europe at a final conference. All the cooperation and 'good neighbour' agreements and arrangements reached will be included in the stability pact, which may also include agreements and treaties currently in force, and will therefore benefit from the political support of the participating countries. The stability pact will be entrusted to the CSCE, which will be asked to evaluate and monitor implementation of the agreements and arrangements and the commitments made in them.

### *Bosnia-Herzegovina*

*1.3.3.* Council Decision 94/308/CFSP adapting and extending the application of Decision 93/603/CFSP concerning the joint action decided on by the Council on the basis of Article J.3 of the Treaty on European Union on support for the conveying of humanitarian aid in Bosnia and Herzegovina.

**Decision extended:** Council Decision 93/603/CFSP (OJ L 286, 20.11.1993; Bull. 11-1993, point 1.4.1), as supplemented by Council Decision 93/729/CFSP (OJ L 339, 31.12.1993; Bull. 12-1993, point 1.4.5) and extended by Council Decision 94/158/CFSP: OJ L 70, 12.3.1994; Bull. 3-1994, point 1.3.7

*Adopted on 16 May.* In view of developments in Bosnia and Herzegovina, the Council amended its Decision of November 1993 on joint action to support humanitarian aid convoys so as to allocate ECU 32 million, from the budget of ECU 48.3 million agreed in December 1993, to finance the administration of Mostar. The Coun-

cil decided that the administrator would assess requirements and the means necessary to finance them and, in the light of this information, the Presidency, assisted by an advisory working party composed of representatives of the Member States and in association with the Commission, would issue guidelines and determine what measures were needed to meet the requirements, and decide to release the necessary sums in instalments. The administrator would carry out the measures and report regularly to the Presidency. The Member States' shares of the ECU 24.15 million to be contributed by them in accordance with the Decision, of which ECU 17 million would be devoted to the administration of Mostar, would be determined by means of the GNP scale. The Decision extended the application of Decision 93/603/CFSP, as amended, until 31 December 1994.

OJ L 134, 30.5.1994

*1.3.4.* Attendance by the Community troika at a ministerial meeting on Bosnia-Herzegovina

*Meeting held in Geneva on 13 May.* The Community troika — the Foreign Ministers of Greece, Belgium and Germany, Mr Karolos Papoulias, Mr Willy Claes and Mr Klaus Kinkel — and Mr Van den Broek, for the Commission, attended a high-level meeting on Bosnia called by the US Secretary of State, Mr Warren Christopher, and also attended by the Foreign Ministers of the United Kingdom, France and Russia (Mr Douglas Hurd, Mr Alain Juppé, and Mr Andrei Kozyrev). The meeting was aimed at renewing negotiations on a new peace initiative. The participants restated their determination to settle the conflict peacefully through negotiation rather than by military force. They reaffirmed their support for the preservation of Bosnia-Herzegovina as a single State within internationally recognized borders and called on the parties to the conflict to reach agreement on an immediate ceasefire and a territorial settlement. They also urged them to restart peace talks without delay.

### **Common positions adopted by the European Union**

#### *Haiti*

*1.3.5.* Council Decision 94/315/CFSP concerning the common position defined on the basis of Article J.2 of the Treaty on European Union



regarding the reduction of economic relations with Haiti, accompanied by Council Recommendation 94/313/EC concerning a discontinuation of certain economic and financial relations with Haiti.

**References:**

Council Regulation (EEC) No 3028/93 repealing the suspension of the embargo concerning certain trade between the EEC and Haiti and amending Regulation (EEC) No 1608/93 introducing this embargo: OJ L 270, 30.10.1993; Bull. 10-1993, point 1.3.52

Council Regulation (EC) No 1263/94 introducing a discontinuation of certain economic and financial relations with Haiti; Decision 94/314/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, introducing a discontinuation of certain economic and financial relations with Haiti; Regulation (EC) No 1264/94 prohibiting the satisfying of claims by the Haitian authorities with regard to contracts and transactions the performance of which was affected by the measures imposed by or pursuant to United Nations Security Council Resolutions 917 (1994), 841 (1993), 873 (1993) and 875 (1993): point 1.3.60 of this Bulletin

*Adopted on 30 May.* The Council decided to reduce the European Union's economic ties with Haiti in accordance with Resolution 917 adopted by the UN Security Council on 6 May 1994, by obliging Member States to adopt laws, regulations and administrative measures without delay to freeze the funds and financial resources referred to in UN Resolution 917, which stepped up the existing economic and financial embargo against Haiti. Member States and the Commission were also recommended to inform each other of measures taken to implement this commitment and of any problems which might arise.

OJ L 139, 2.6.1994

## European Union statements and press statements on behalf of the presidency

1.3.6. The European Union statements and presidency press statements published in May are set out below.

### South Africa

**References:**

Commission communication and Council conclusions on measures to be presented to the new

government of South Africa: Bull. 4-1994, point 1.3.38

Statement on South Africa by Mr Delors, on behalf of the Commission: point 1.3.52 of this Bulletin

1.3.7. The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 6 May:

'The European Union warmly welcomes the holding of the first democratic elections in South Africa and congratulates all the people of South Africa and its leaders on this historic occasion.

The European Union is ready to support the efforts of the new government to accomplish the goal of leading the country to a democratic and non-racial society in which the respect of human rights, the respect of the rights of minorities, the rule of law, promotion of social justice and the elimination of all forms of discrimination will prevail.

Furthermore, the European Union recalls its ministerial decision of 19 April 1994, in which it pledged a package of immediate measures for the new South Africa. These measures will focus on a dialogue centred on important sectors of the new South Africa, such as trade, economic cooperation and development cooperation, in order to support addressing the immediate needs and aspirations of the South Africans. These measures will be coupled with the beginning of a political dialogue, in order to enhance and consolidate the democratic institutions upon which the new South African society will build its future.

The European Union rejoices for the new era in which South Africa has officially entered. The European Union is confident that this era will be characterized by adherence to commitments made during the negotiating process and urges the South Africans to continue to find solutions through dialogue and peaceful means.

The European Union expresses the hope that the new South African Government will do its utmost to address the legitimate aspirations of all South Africans, who have dreamt and fought for this day, and whom it now represents.'

1.3.8. The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 27 May:

'The European Union, wishing to assist the new South African Government, taking into account the decision of the United Nations Security Council of 25 May 1994, concerning the lifting of UN sanctions against South Africa, and following the decision by the General Affairs Council of 18-19 April 1994, has decided to lift all remaining restrictive measures against South Africa which are still in place.'

## Crimea

*1.3.9.* The following presidency press statement on behalf of the European Union concerning the situation in Crimea was published in Brussels and Athens on 25 May:

'The EU expresses its grave concern at the recent developments in the Crimean region of Ukraine. Noting that the situation in the Crimea has deteriorated over the past week and taking into consideration the decision of the Crimean Parliament of May 20, it urges the continuation of efforts to find negotiated and legitimate solutions to the issue, without resort to confrontation or unilateral actions.

The EU reaffirms its full support for the territorial integrity of a sovereign Ukraine in accordance with the Charter of the United Nations and with the principles of the CSCE Final Act and warns against actions which risk creating instability in the area.

The EU reiterates that an escalation of the conflict would have severe consequences for stability in Eastern Europe.'

## Estonia

*1.3.10.* The following presidency press statement on behalf of the European Union concerning implementation of the Estonian law on aliens was published in Brussels and Athens on 3 May:

'The European Union has expressed concern to the Estonian Government regarding the implementation by the Estonian authorities of some aspects of the aliens law which came into force on 12 July 1993.

The European Union considers that all State organs, including the Parliament, have a particular role in stabilizing the situation of the non-citizens and in contributing towards their future integration into Estonian society.'

## Guatemala

*1.3.11.* The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 11 May:

'The European Union congratulates the Government of Guatemala and the URNG for signing the Agreement of Mexico on Human Rights, which opened new prospects for a firm and lasting peace within the year. The European Union wishes to express its deep concern at, and strong condemnation of, the assassination of the President of the Constitutional Court, which could endanger the institutional framework of the country.

It is particularly important that the recent increased level of violence in Guatemala should not threaten the prospects for an early peace agreement.

The European Union urges the Government of Guatemala to make determined efforts to thoroughly investigate this crime and bring to justice the perpetrators as soon as possible.

The European Union, expressing its strong support for President Ramiro de León Carpio's continuous efforts in promoting peace, respect for human rights and democratic reform, appeals to the Legislative Assembly, the Supreme Court of Justice, the political parties and public and private sectors of the society of Guatemala to avoid creating obstacles to the President's determined will to reform the democratic institutions.'

## Haiti

*1.3.12.* The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 27 May:

'The European Union condemns the provisional investiture of Emile Jonassaint, President of the Supreme Court of Haiti, as President of the Republic by a faction in the Haitian Senate.

The European Union regards this appointment as unconstitutional and reaffirms its full support for the efforts of both the United Nations Organization, in particular through Security Council Resolution 917, and the Organization of American States to restore democracy and respect for human rights in Haiti and bring about the return of the legitimately elected President, Mr Jean-Bertrand Aristide.

Since the investiture of Mr Jonassaint is a blatant defiance of the international community, thus confirming the rightness of the further embargo measures recently approved by the UN Security Council, the European Union joins the Security Council in stressing that persons participating in illegal governments since the coup in 1991 are subject to the measures provided for in Resolution 917 (1994).'

## Israel

*1.3.13.* The following presidency press statement on behalf of the European Union concerning the Gaza-Jericho agreement was published in Brussels and Athens on 4 May:

### References:

Council Decision 94/276/CFSP on a joint action in support of the Middle East peace process: OJ L 119, 7.5.1994; Bull. 4-1994, point 1.3.2  
Israeli-Palestinian agreement: point 1.3.46 of this Bulletin

'The European Union warmly welcomes the agreement between Israel and the PLO on Gaza-Jericho signed in Cairo on 4 May 1994. It pays tribute to the determination of both sides not to allow extremist elements to pose obstacles to peace, and notes with appreciation the role played by the co-sponsors, the host country and others in encouraging the continuation of bilateral contacts and negotiations.

It also calls for the full and early implementation of the declaration of principles, towards which the agreement on Gaza-Jericho is an important step. In the light of this agreement, the Union urges all parties to play a full and positive role in both the bilateral and multilateral tracks of the peace process.

The European Union has reaffirmed its continuing commitment to the peace process with its adoption of a joint action on 19 April. This will mobilize the political, economic and financial resources of the Union in support of a just, lasting and comprehensive peace. Outstanding among them is the fact that two members of the EU are already taking part in the temporary international presence in Hebron, the confirmation of the Union's willingness to participate, at the request of the parties concerned, in a temporary international presence and the observation and monitoring of elections.'

## Latvia

*1.3.14.* The following presidency press statement on behalf of the European Union concerning the signing of the Latvia-Russia agreements on the withdrawal of Russian troops from Latvia was published in Brussels and Athens on 10 May:

**Reference:** Inaugural conference on the stability pact in Europe: point 1.3.2 of this Bulletin

'The European Union welcomes the signing of the Latvian-Russian agreements which guarantee the complete withdrawal of Russian troops from Latvia no later than 31 August 1994 and which stipulate that the Skrunda radar is not a military base but an installation under civilian authority.

The Union wishes to emphasize that these agreements do not limit Latvia's sovereignty and will not delay the development of closer ties between Latvia and the European institutions, for which the Union has often demonstrated its support.

The signing of these agreements represents an important event in the history of independent Latvia and removes a major obstacle in the development of bilateral relations with Russia, based on good neighbourly relations and mutual respect. Followed by early ratification on both sides, the signature will form a tangible contribution to overall stability in the Baltic

region and thus form part of the perspective created by the European Union initiative on a stability pact in Europe.'

## Malawi

*1.3.15.* The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 27 May:

'The European Union congratulates the people of Malawi, their leaders and members of all political parties, on the successful transition to a democratic system of government, and in that context welcomes the holding of the presidential and parliamentary elections on May 17, together with the broad participation of the people of Malawi in the elections, which demonstrates their commitment to peaceful change.

The European Union appreciates too the peaceful and orderly way in which the elections were held under the supervision of the Electoral Commission and acknowledges their results as the free expression of the people's will.

The European Union appeals to all parties to work together, in their respective roles, in a spirit of cooperation, tolerance, mutual trust and nation building, and expresses satisfaction with the coming into force on May 18 of a new Constitution, firmly entrenching protection of human rights, a pluralistic system of government and the independence of the judiciary.

The European Union recalls that it has consistently encouraged and supported the promotion of human rights and the advancement of accountable democratic and transparent government in Malawi, and reiterates its determination to support, in close cooperation with other bilateral and multilateral donors, Malawi's efforts to tackle its problem of poverty and to achieve economic stability and social progress.

The European Union is ready to assist the democratically elected government in assuring the protection of human rights, strengthening the new democratic institutions and fostering the political culture of pluralism and tolerance.'

## Rwanda

**Reference:** Presidency statement on Rwanda: Bull. 4-1994, point 1.3.13

*1.3.16.* The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 5 May:

'The European Union, recalling its declaration of 18 April 1994 on Rwanda, appeals urgently to all parties to the conflict to bring an early end to the continuing violence in Rwanda.

The European Union expresses its full support for Security Council Resolution 912 (1994) as well as for the statement of the President of the Security Council of 30 April 1994 and calls on all parties to abide by them and to cooperate in their implementation.

The European Union expresses its appreciation and support for the efforts of the OAU and to President Mwinyi of Tanzania for his initiative in convening on 3 May 1994 a new round of talks of a regional conference, to which both the authorities of Rwanda and the RPF have been invited.

The European Union urges the two sides to agree on the need to respect the Arusha agreement, which offers the best available basis for national reconciliation.

For its part, the European Union is ready to assist in humanitarian aid as soon as a degree of normality has been restored and the parties involved have demonstrated their willingness to respect the Arusha agreement.'

**1.3.17.** The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 16 May:

'The European Union, recalling its declaration of 18 April 1994 on Rwanda, again appeals urgently to all parties to the conflict to bring an end to the genocide now taking place in the country.

The European Union expresses its full support for the United Nations' humanitarian efforts and in this context welcomes the resolution that is currently before the Security Council. The European Union looks forward to an urgent decision on measures which can be implemented soon.

The European Union welcomes the initiative of the United Nations High Commissioner on Human Rights to conduct a mission to both Rwanda and Burundi and supports the call for a special meeting of the UN Commission on Human Rights.

The European Union expresses its appreciation and support for the efforts of the OAU and to President Mwinyi of Tanzania for their initiatives in convening a regional conference, to which both the authorities of Rwanda and the RPF will be invited.

The European Union urges the two sides to agree on the need to respect the Arusha agreement, which, through the way of negotiation, offers the best available basis for national reconciliation. In this context the European Union supports the call for an early imposition of an arms embargo on Rwanda, and calls on all concerned to refrain from any action that is liable to exacerbate the situation.

The European Union is eager to increase its humanitarian aid whenever and where such aid can be brought to the populations that have suffered so cru-

elly from the violence. In this respect it will continue its immediate assistance to refugees in the neighbouring countries and will endeavour to equally assist the stricken populations within Rwanda, whenever conditions allow this.

The European Union has decided on 6 May 1994 to dispatch a troika mission, on a Development Ministers level, to visit as soon as possible the countries neighbouring Rwanda, with a view to evaluating the humanitarian situation *vis-à-vis* the influx of the refugees.'

## **Tadjikistan**

**1.3.18.** The following presidency press statement on behalf of the European Union was published in Brussels and Athens on 17 May:

'The European Union welcomes the efforts of the UN Special Envoy Ambassador Piriz-Ballon and the efforts of the CSCE and the Russian Federation in bringing about a political dialogue on national reconciliation in Tadjikistan. The European Union welcomes the decision to extend the mandate of the UN Special Envoy to the end of June 1994 as well as the establishment of a permanent CSCE mission in Dushanbe.

In this context, the European Union calls on all parties concerned to assist the UNHCR in completing successfully the repatriation of refugees from neighbouring countries and to enable the CSCE to play its role in advising on the new Constitution.

The European Union urges the Tadjik Government and all political forces which can be considered as representing the various groups of the population of Tadjikistan to cooperate fully with the UN and CSCE representatives with a view of reaching a new political arrangement on which a broad and durable national reconciliation can be based.'

## **Yemen**

**1.3.19.** The following presidency press statement on behalf of the European Union concerning the political crisis in Yemen was published in Brussels and Athens on 6 May:

'The European Union is deeply concerned about the violence which has erupted in Sana'a and Yemen in general. Recalling its declaration on reconciliation, the European Union launches an urgent appeal to all interested parties and calls on all of them to achieve an early end to hostilities according to the spirit of the Agreement of reconciliation and reform of last February.

The European Union remains convinced of the importance of unity, democracy and respect for human rights in Yemen.'

## Enlargement

### EFTA countries

1.3.20. Applications for accession to the European Union by the Republic of Austria, the Kingdom of Sweden, the Republic of Finland and the Kingdom of Norway.

**Austrian application:** Bull. 7/8-1989, point 2.2.14

**Commission opinion on Austria's application:** Bull. 7/8-1991, point 1.3.2; Supplement 4/92 — Bull.

**Swedish application:** Bull. 7/8-1991, point 1.3.3

**Commission opinion on Sweden's application:** Bull. 7/8-1992, point 1.4.1; Supplement 5/92 — Bull.

**Finnish application:** Bull. 3-1992, point 1.3.1

**Commission opinion on Finland's application:** Bull. 11-1992, point 1.4.1; Supplement 6/92 - Bull.

**Norwegian application:** Bull. 11-1992, point 1.4.3

**Commission opinion on Norway's application:** COM(93) 142; Bull. 3-1993, point 1.3.1; Supplement 2/93 — Bull.

**Completion of negotiations for the accession of Austria, Finland, Sweden and Norway to the European Union:** Bull. 3-1994, point 1.3.26

**Commission opinion on the applications for accession to the European Union by Austria, Sweden, Finland and Norway:** COM(94) 148; Bull. 4-1994, point 1.3.16

Assent to each application given by Parliament on 4 May.

The Council adopted a decision on the admission of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union on 16 May.

1.3.21. Parliament resolutions on the applications by Austria, Finland, Norway and Sweden to become members of the European Union.

**Reference:** Council Decision on qualified-majority decision-making by the Council: OJ C 105, 13.4.1994; Bull. 3- 1994, point 1.3.27

*Adopted on 5 May.* In these four resolutions, Parliament welcomed the conclusion of the accession negotiations with EFTA's four applicant countries and their willingness to accept

fully the *acquis communautaire* and the rights and obligations attaching to the European Union and its institutional framework, including those relating to the common foreign and security policy and economic and monetary union. It also noted that the accession of these four countries would offer new opportunities to the Union and help to advance its operations in certain fields such as environmental protection. It was satisfied with the compromises reached, particularly as regards agricultural and regional policy (establishment of a new objective) but was puzzled about some of the concessions granted, especially those relating to trade. It also noted that the accession of the four countries was expected to contribute to the stability of the European continent, and believed that enlargement towards the eligible countries of the south would further enhance the geo-political balance of the European Union.

Parliament, however, pointed out that it had supported the countries' accession to the European Union out of a sense of general political responsibility, despite the evident shortcomings in the institutional development of the European Union and the deficiencies in the procedure for informing the European Parliament about the accession treaties. It also stressed the urgent need for the European Council in Corfu to give a formal public undertaking on Parliament's full participation in the reforms planned for 1996.

## European Economic Area (EEA), European Free Trade Association (EFTA)

### European Economic Area

1.3.22. *EEA Council.*

#### References:

Agreement establishing the EEA: Bull. 1/2-1994, point 1.3.27

First meeting of the EEA Consultative Committee: Bull. 1/2-1994, point 1.3.28

First meeting of the EEA Joint Parliamentary Committee: Bull. 1/2-1994, point 1.3.29

Applications for accession to the European Union by Austria, Sweden, Finland and Norway: point 1.3.20 of this Bulletin

*First meeting held in Brussels on 17 May.* The meeting was chaired by Mr Theodoros Pangalos, Greek Minister for European Affairs and President of the Council, since the European Union has the chair of the EEA for the first six months of this year; the EFTA delegation was headed by Mr Pertti Salolainen, Finnish Minister for Foreign Trade. The Commission was represented by Mr Van den Broek. The EEA Council, which is responsible in particular for providing the political impetus in the implementation of the agreement and for laying down the general guidelines for the EEA Joint Committee, adopted the following conclusions on the overall functioning and development of the EEA Agreement:

‘The EEA Council:

- reaffirmed its commitment to the principles outlined in the Agreement and in particular the creation of a dynamic and homogeneous European Economic Area;
- underlined the important role which the EEA Agreement is playing in the process of European integration;
- noted with satisfaction that the Agreement is functioning effectively under the management of the EEA Joint Committee and took note of the Interim Report which that Committee had submitted;
- noted with satisfaction that the Joint Parliamentary Committee and the Consultative Committee of the EEA have also begun their activities in a spirit of constructive cooperation and that the European Investment Bank has already taken the necessary measures to implement the financial mechanism as soon as all other necessary institutional procedures are finalized;
- welcomed in particular the Decision of the EEA Joint Committee to integrate the ‘interim *acquis*’ published by the Community between 31 July 1991 and 31 December 1993 and therefore not included in the Agreement signed in Oporto on 2 May 1992;
- noted the assent given to this Decision by the European Parliament at its plenary session on 5 May 1994 and expressed the hope that the ratification would be completed in time for the aforementioned decision to enter into force throughout the EEA from 1 July 1994;
- strongly supported the EEA Joint Committee in its efforts to continue developing further the Agreement, in parallel with the internal market rules of the EU.

As regards Liechtenstein, the EEA Council:

- recalled with appreciation the political will of the people and Government of Liechtenstein to participate in the European Economic Area;

- confirmed the will of all parties to do their utmost to ensure that Liechtenstein can become a member of the EEA before the end of the year; to this end, requested the EEA Joint Committee to accelerate the work on the preparation of decisions necessary to allow the entry into force of the EEA Agreement for Liechtenstein as laid down in Article 1(2) of the Protocol adjusting the EEA Agreement;
- expressed its intention to take a decision on this question as soon as possible.

With regard to the important developments taking place outside the EEA context, or in connection with the Agreement, the EEA Council:

- noted the Assent given by the European Parliament, at its Plenary Session on 4 May 1994, to the applications for membership of the European Union by Austria, Finland, Norway and Sweden;
- expressed its appreciation of the intensive and increasing financial and economic coordination of efforts between EFTA Member States and the European Union and confirmed that the widest possible cooperation among the parties is necessary to put the European economy back on an employment-generating growth path;
- welcomed the decision taken by the Board of Governors of the European Investment Bank to provide ECU 500 million per annum to finance, during an initial period of two years, projects in the EFTA countries notably in the following sectors: trans-European networks in the fields of transport, telecommunications and energy;
- expressed its firm commitment to the continued full and effective application of the EEA Agreement and will, at its next meeting, discuss the functioning and development of the EEA in the light of the enlargement of the European Union.

In conclusion, the EEA Council confirmed its positive assessment of the functioning of the EEA in its first months and affirmed that the EEA has made and continues to make a significant contribution to the process of European integration.’

*1.3.23. Draft Decision of the EEA Joint Committee amending Protocol 47 and certain Annexes to the EEA Agreement.*

**Commission proposal:** Bull. 1/2-1994, point 1.3.30

**Agreed by the Council:** Bull. 3-1994, point 1.3.31

**Formally agreed by the Council with a view to a Decision by the EEA Joint Committee:** Bull. 3-1994, point 1.3.31

**Decision of the EEA Joint Committee on 21 March:** Bull. 3-1994, point 1.3.31

*Assent given by Parliament to the Decision by the EEA Joint Committee on 5 May.*

## EFTA countries

### Switzerland

#### References:

Commission communication on future relations with Switzerland: COM(93) 486; Bull. 10-1993, point 1.3.11

Council conclusions on future relations with Switzerland: Bull. 11-1993, point 1.3.4

Draft agreement between the Community and Switzerland in the field of road and air transport: Bull. 9-1993, point 1.2.80

Draft agreement between the Community and Switzerland on the free movement of persons: Bull. 12-1993, point 1.2.32

1.3.24. Commission communication to the Council on the development of relations with Switzerland in the aftermath of the referendum on Alpine transit.

*Adopted by the Commission on 3 May.* This follows on from the outcome of the Swiss referendum held on 20 February on the basis of which road haulage traffic in transit will be banned from 2004. The Commission took the view that the decision should not prevent negotiating directives from being drafted and adopted in accordance with the set timetable, subject to further clarifications in the transport sector. It considered that the Council conclusions of November 1993 remained valid and that work on the priority areas identified by the Council should continue.

1.3.25. Council conclusions on relations with Switzerland.

*Adopted by the Council (general affairs) on 16 May.*

'The Council discussed the Commission communication on the development of relations with Switzerland in the aftermath of the referendum on Alpine transit, broadly agreeing with the analysis and conclusions therein.

The Council expressed its concern over the direct implications for the transport sector and the more general repercussions which could arise from the outcome of that referendum. In that connection, it agreed with the conclusions of the Transport Council of 18 April 1994 on the need for greater information in this area, in particular on the intentions of the Swiss authorities as regards the provisions for implementing the referendum.

The Council also felt that its conclusions of 8 November 1993 were still the appropriate general basis for

future relations between the European Community and Switzerland. In this context, the Council drew particular attention to the following:

□ the Community's aim should be to reach a balance of mutual advantages within each sectoral agreement and between the different agreements;

□ it intends to ensure, where necessary, a suitable parallelism between the various sectoral agreements concerned.

With this in mind, the Council therefore considered it advisable that:

□ internal discussions continue with a view to the preparation and adoption as soon as possible of negotiating directives in the areas which the Council considered to be matters of priority in November 1993 (free movement of persons, research, market access for agricultural products) and in the spheres of technical barriers to trade and access to public contracts, with the aim of holding sectoral negotiations with Switzerland at the appropriate time;

□ the Commission continue and speed up the process of clarification with the Swiss authorities so that the Transport Council could be provided as soon as possible with sufficient information on the implementation of the new Article of the Swiss Constitution, enabling it to evaluate the repercussions of the Alpine initiative and to adopt negotiating directives also in the transport sphere.'

## Central and Eastern Europe and the independent States of the former Soviet Union

### Central and Eastern Europe

#### *Assistance for Central and Eastern Europe*

#### PHARE programme

**Reference:** Council Regulation (EEC) No 3906/89 on economic aid for certain countries of Central and Eastern Europe (PHARE programme) (OJ L 375, 23.12.1989; Bull. 12-1989, point 2.2.25), as last amended by Regulation (EEC) No 1764/93: OJ L 162, 3.7.1993; Bull. 6-1993, point 1.3.13

1.3.26. Parliament resolution on the conclusions of the fact-finding mission by the Committee on Budgetary Control to the Czech Republic on the financial management of the PHARE programme.

*Adopted on 3 May.* Parliament welcomed the Commission's emphasis on investment-producing projects and its decision to increase substantially the financial decision-making powers of its delegations but regretted the fact that resources had not been split between the Czech and Slovak Republics.

It called on the Commission to step up its efforts to heighten awareness among firms and public

authorities in the recipient countries of the opportunities open to them under the programme and to consult and involve all parties concerned, including NGOs and the social partners, in the PHARE programming and project implementation process. It also suggested that the Commission should encourage PHARE countries to exploit the development opportunities available through international cooperation by increasing the proportion of funds allocated to regional programmes.

1.3.27. Commission financing decisions under the PHARE programme (see Table 2).

Table 2 — Assistance for Central and Eastern Europe under the PHARE programme

		<i>(million ECU)</i>
Country	Purpose	Amount
All	ACE (cooperation in the field of economic science)	10
	Multidisciplinary technical assistance programme	15
	Sigma (support for the development of administration and management)	8

### Opening-up of Community programmes to the associated countries of Central and Eastern Europe

1.3.28. Commission communication to the Council on the opening-up of Community programmes to the associated countries of Central and Eastern Europe.

**Reference:** Conclusions of the Copenhagen European Council: Bull. 6-1993, point I.13

*Adopted on 11 May.* Anxious to involve the associated countries as quickly and closely as possible in its programmes, monitoring units, networks and other activities, thereby contributing to their integration in the European Union, the Commission requested the Council to authorize it to negotiate additional protocols to the Europe Agreements. The aim is for the countries concerned to participate in programmes of interest to them in the following areas: research and technological development, information services, environment, education, training and youth, social policy and health, consumer protection, small and medium-sized businesses, tourism, culture, the audiovisual sector, civil

protection, trade facilitation, energy, transport and the prevention of drug abuse and addiction.

### *Bilateral relations*

#### **Albania**

1.3.29. Proposal for a Council Decision providing further macro-financial assistance for Albania.

**Commission proposal:** OJ C 112, 22.4.1994; COM(94) 112; Bull. 3-1994, point 1.3.35

*Endorsed by Parliament on 6 May.*

#### **Bulgaria**

1.3.30. Proposal for a Council Decision amending Council Decision 92/511/EEC of 19 October 1992 to increase the amount of medium-term financial assistance for Bulgaria.

**Council agreement:** Bull. 3-1994, point 1.3.36  
**Commission approval:** Bull. 3-1994, point 1.3.36



**Formal adoption:** OJ C 134, 17.5.1994; COM (94) 118; Bull. 4-1994, point 1.3.22

*Endorsed by Parliament on 6 May*, subject to amendments setting up a Guarantee Fund designed to protect the Union budget against the risk of default by the recipient. It should have a target size of not less than 10% of total guaranteed liabilities and be constituted by means of payments from the reserve entered in the budget.

*Council agreement to grant financing of ECU 110 million given on 16 May.* The Council confirmed its agreement to the immediate payment of an initial loan of ECU 110 million to support the balance of payments but it reserved its position on the additional sum of ECU 40 million.

*1.3.31.* Draft exchange of letters designed to amend the interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and the Republic of Bulgaria, of the other part, and the Europe Agreement between the European Communities and their Member States, of the one part, and the Republic of Bulgaria, of the other part.

**Agreements to be amended:**

Interim Agreement on trade and trade-related matters between the EEC and the ECSC, of the one part, and Bulgaria, of the other part (OJ L 323, 23.12.1993; Bull. 12-1993, point 1.3.15), as amended by Council Decisions 94/48 and 94/54: OJ L 25, 29.1.1994; Bull. 12-1993, point 1.3.18

Draft Europe (association) Agreement between the European Communities and their Member States and Bulgaria: Bull. 10-1993, point 1.3.12

*The Commission adopted a recommendation for a Council Decision authorizing it to negotiate the exchange of letters and a draft Council Decision approving the exchange of letters on 31 May.* The aim is to allow Bulgaria to carry over certain 1993 tariff quotas and ceilings, which are unused because of the late entry into force of the interim Agreement, initially scheduled for 1 June 1993.

**Poland**

*1.3.32.* Mr Delors visited Poland from 19 to 21 May.

**References:**

Europe (association) Agreement between the European Communities and their Member States

and Poland: OJ L 348, 31.12.1993; Bull. 12-1993, point 1.3.20

Poland's application for accession to the European Union: Bull. 4-1994, point 1.3.19

Mr Delors met Mr Lech Walesa, the Polish President, Mr Waldemar Pawlak, the Prime Minister, Mr Andrzej Olechowski, Foreign Minister, the leaders of the Sejm and the Senate and many other ministers and leading figures. Discussions focused on agriculture, security in Central and Eastern Europe, infrastructure and the information society. The meetings also provided an opportunity to review the operation of the Europe Agreement, which is the launch pad to prepare Poland economically, financially and socially for accession to the European Union.

**Romania**

*1.3.33.* Proposal for a Council Decision providing further macro-financial assistance for Romania.

**Commission approval:** Bull. 3-1994, point 1.3.36

**Formal adoption:** OJ C 134, 17.5.1994; COM (94) 118; Bull. 4-1994, point 1.3.25

*Endorsed by Parliament on 6 May*, subject to amendments setting up a Guarantee Fund designed to protect the Union budget against the risk of default by the recipient. It should have a target size of not less than 10% of total guaranteed liabilities and be constituted by means of payments from the reserve entered in the budget.

*Agreed by the Council on 16 May.* The Council gave its agreement to an initial seven-year loan of ECU 90 million to support the balance of payments, but deferred its decision on the additional amount of ECU 35 million.

*1.3.34.* Draft exchange of letters designed to amend the interim Agreement on trade and trade-related matters between the European Economic Community and the European Coal and Steel Community, of the one part, and Romania, of the other part, and the Europe Agreement between the European Communities and their Member States, of the one part, and Romania, of the other part.

**Agreements to be amended:**

Interim Agreement on trade and trade-related matters between the EEC and the ECSC, of the one part, and Romania, of the other part (OJ L

81, 2.4.1993; Bull. 3-1993, point 1.3.10), as amended by Council Decisions 94/49 and 94/55: OJ L 25, 29.1.1994; Bull. 12-1993, point 1.3.18

Draft Europe (association) Agreement between the European Communities and their Member States and Romania: Bull. 10-1993, point 1.3.16

*The Commission adopted a recommendation for a Council Decision authorizing it to negotiate the exchange of letters and a draft Decision approving the exchange of letters on 31 May. The aim is to allow Romania, as an exceptional measure, to transfer certain 1993 agricultural quotas granted under the Interim Agreement which are unused because of the delay in application of agricultural concessions.*

## Independent States of the former Soviet Union

### *Bilateral relations*

#### **Kazakhstan**

1.3.35. Draft partnership and cooperation agreement between the European Community and Kazakhstan.

**Commission recommendation:** Bull. 7/8-1992, point 1.4.3

**Negotiating directives:** Bull. 10-1992, point 1.4.19

*Agreement initialled in Brussels on 20 May.*

#### **Kyrgyzstan**

1.3.36. Draft partnership and cooperation agreement between the European Community and Kyrgyzstan.

**Commission recommendation:** Bull. 7/8-1992, point 1.4.3

**Negotiating directives:** Bull. 10-1992, point 1.4.19

*Agreement initialled in Brussels on 31 May.*

#### **Moldova**

1.3.37. Proposal for a Council Decision providing macro-financial assistance for Moldova.

**Commission proposal:** OJ C 111, 21.4.1994; COM(94) 110; Bull. 3-1994, point 1.3.48

*Endorsed by Parliament on 6 May, subject to amendments setting up a Guarantee Fund designed to protect the Union budget against the risk of default by the recipient. It should have a target size of not less than 10% of total guaranteed liabilities and be constituted by means of payments from the reserve entered in the budget.*

*Council agreement given on 16 May. In view of Moldova's special political and economic situation, the Council decided to provide it with exceptional macro-financial assistance in the form of a 10-year loan of a maximum amount of ECU 45 million to support the balance of payments.*

#### **Russia**

1.3.38. Sir Leon Brittan visited Moscow on 1 and 2 May.

**Reference:** Draft partnership and cooperation agreement between the European Community and Russia: Bull. 4-1994, point 1.3.27

Sir Leon Brittan met Mr Alexander Shokin, the Deputy Prime Minister. In their talks on the outstanding points of the cooperation and partnership agreement, substantial headway was made towards the continuation of negotiations.

#### **Ukraine**

1.3.39. Sir Leon Brittan visited Kiev from 4 to 6 May.

**Reference:** Commission communication to the Council on the options for stepping up cooperation and assistance for Ukraine: Bull. 4-1994, point 1.3.28

During this visit, which took place shortly after the Commission's presentation of measures to step up the European Union's cooperation with and assistance to Ukraine, Sir Leon Brittan met Mr Leonid Kravchuk, the Ukrainian President and several members of the Government. He underlined the European Union's concern at the fact that the Chernobyl nuclear power station had not yet been decommissioned and the importance which it attached to supporting a far-reaching and sustainable reform of the Ukrainian economy.

# Mediterranean and Middle East

## General

**1.3.40.** Parliament resolution on setting up a Mediterranean Assembly — Community policy in the Mediterranean region.

*Adopted on 6 May.* Parliament proposed the setting up of a Mediterranean Assembly bringing together representatives of the parliaments of the European Union and of the countries of the Southern and Eastern Mediterranean. It would serve to develop political, economic and cultural dialogue between the European Union and the Mediterranean region and identify the conditions which needed to be met to establish a partnership requiring rapid development of democracy and respect for human rights.

## Maghreb

### Algeria

**Reference:** Council Decision 91/510/EEC providing a medium-term loan to Algeria: OJ L 272, 28.9.1991; Bull. 9-1991, point 1.3.26

**1.3.41.** Visit to the Commission by the Finance Minister, Mr Ahmed Benbitour, on 10 and 11 May.

At his meeting with Mr Delors, Mr Christophersen and Mr Marín, Mr Benbitour presented Algeria's request to the European Union for financial assistance totalling ECU 500 million to help it implement its economic recovery plan. Mr Delors and Mr Christophersen assured him that the second instalment of the medium-term balance-of-payments loan, ECU 150 million, would shortly be released. They also stated that the grant of additional funds was envisaged for a broader social programme which was needed to help create jobs and provide housing.

**1.3.42.** Visit by the troika to Algeria on 30 May. The troika, comprising Mr Georgios Papandreou, Greek State Secretary for Foreign Affairs, Mr Willy Claes, Belgian Minister for

Foreign Affairs and Mr Dieter Kastrup, German State Secretary for Foreign Affairs, accompanied by Mr Hans van den Broek, met the Algerian President, Mr Liamine Zeroual, the Prime Minister, Mr Mokdad Sifi, Mr Mohamed Salah Dembri, Minister for Foreign Affairs, Mr Mourad Benachenhou, Minister for Industrial Restructuring and Participation, Mr Redha Hamiani, Minister for Small and Medium-Sized Enterprises, and Mr A. Attaf, State Secretary for Cooperation and Maghreb Affairs. The purpose of the visit was to discuss the release of the second ECU 150 million instalment of the medium-term balance-of-payments loan and the International Monetary Fund's approval of the Algerian economic reform programme before negotiations began with the Club of Paris on the rescheduling of Algeria's external debt. The European Union's political and economic commitment to Algeria was underlined.

## Mashreq

### Egypt

**1.3.43.** EC-Egypt Cooperation Council

#### References:

EEC-Egypt Cooperation Agreement (OJ L 266, 27.9.1978), as last amended by Regulation (EEC) No 3069/90: OJ L 295, 26.10.1990

Council Decision 92/207/EEC on the conclusion of the fourth financial protocol with Egypt: OJ L 94, 8.4.1992; Bull. 3-1992, point 1.3.20

New draft Agreement with Morocco: Bull. 12-1993, point 1.3.33

New draft Agreement with Tunisia: Bull. 12-1993, point 1.3.38

Council Decision 94/276/CFSP on a joint action in support of the Middle East peace process: OJ L 119, 7.5.1994; Bull. 4-1994, point 1.3.2

**Previous meeting:** Bull. 7/8-1992, point 1.4.30

*Ninth meeting held in Brussels on 16 May.* The meeting was chaired by the Egyptian Minister for Foreign Affairs, Mr Amre Moussa and the Community delegation was led by Mr Theodoros Pangalos, Greek Minister for Foreign Affairs and President of the Council. The Commission was represented by Mr Marín and the European Investment Bank by Mr J. Müller-Borle. Discussions covered the Middle East peace process, the economic situation in Egypt and present and future economic cooperation between the Community and Egypt.

The European Union paid tribute to the role played by Egypt over many years as a factor of moderation and stability in the Middle East peace process. The two sides emphasized their common interest in regional cooperation and development which would intensify as progress was made in the peace process and in the bilateral and multilateral negotiations and they underlined the overwhelming need for security and peace throughout the Mediterranean region.

On the economic side, the Union's representatives endorsed Egypt's public enterprise reform and privatization programme and voiced their support for Egypt's efforts to liberalize its trade and reduce its tariffs spread. They were also prepared to help Egypt increase the level of its exports to Community markets. Mr Marín reaffirmed the Commission's willingness to provide Egypt with food aid whenever necessary to alleviate the negative impact of economic reforms on the most vulnerable sections of the Egyptian population.

In response to the Commission's offer, Egypt expressed its eagerness to embark upon exploratory talks with the Union on a new partnership agreement encompassing all areas of cooperation as quickly as possible. In Mr Marín's view, the same type of partnership as that offered by the Union to the Maghreb countries could be extended to Egypt.

## Middle East

### 1.3.44. Ministerial meeting and Joint GCC-European Union Cooperation Council.

#### References:

Cooperation Agreement between the European Economic Community and the countries parties to the Charter of the Cooperation Council for the Arab States of the Gulf: OJ L 54, 25.2.1989

Final Act of the Uruguay Round multilateral trade negotiations: COM(94) 143; Bull. 4-1994, point 1.3.61

Israel-Palestine Agreement: Point 1.3.46 of this Bulletin

**Previous meeting:** Bull. 5-1993, point 1.3.22

*Fifth meeting held in Riyadh on 8 May.* The meeting was attended by ministers representing the Gulf States and the European Union. The GCC delegation was led by Prince Saud Al Fai-

sal, Saudi Arabian Minister for Foreign Affairs, and the European Union delegation by Mr Karolos Papoulias, Greek Minister for Foreign Affairs and President of the Council. The Commission was represented by Mr Marín.

The Joint Council reviewed developments in commercial and economic cooperation between the European Union and the GCC. The linkages between the environment, energy and economic growth were noted as well as the need for appropriate policies to deal with these issues without arresting economic growth or harming international trade flows. Transparency on world energy markets was essential. Importance in transparency in world energy markets was underlined. The two sides welcomed the signing of the Final Act of the Uruguay Round multilateral trade negotiations in Marrakesh and GCC Ministers reported on the steps taken by GCC countries to become full members of the GATT or to apply for membership. EU ministers welcomed these developments. Both sides also welcomed the proposals for a three-year programme of cooperation agreed between the Standardization and Metrology Organization of the GCC countries, the European Commission and the European standards organizations and endorsed the Joint Cooperation Committee's proposal to consider the possibility of increasing EU investment and setting up joint ventures in the Gulf. They reiterated their commitment to the speedy conclusion of the ongoing free trade negotiations.

The ministers looked at a whole range of international issues. While noting that there were many different systems of values of which full account should be taken, the GCC Ministers joined the EU Ministers in reiterating their continuing commitment to the promotion of human rights. They discussed the situation in Iraq and reaffirmed that prompt and full implementation of all relevant Security Council resolutions remained a prerequisite for the establishment of peace and stability in the Gulf region. They emphasized the need for cooperation and peaceful coexistence among all States in the Gulf region. Although they acknowledged the right of countries to acquire the means to defend themselves, they expressed concern about armament policies which were not justified by the requirements of legitimate defence. They reaffirmed their commitment to the non-proliferation of weapons of mass destruction and noted with sat-

isfaction that the Convention on Non-Proliferation of Chemical Weapons had been signed by a large number of countries both in Europe and in the Middle East. Both sides once again expressed their opposition to any form of terrorism. On the Middle East peace process, they welcomed the Agreement signed in Cairo on 4 May and reiterated their support for the UN Security Council resolution which called for the establishment of a temporary international presence in the Occupied Territories. The ministers appealed for the question of the safety of Palestinians to be addressed urgently and restated their view that the Israeli settlements in the Occupied Territories were illegal under international law and were an obstacle to peace. The EU representatives expressed the view that lifting the Arab boycott against Israel would also contribute to furthering the peace process. The situation in Lebanon, Yemen and Bosnia-Herzegovina, relations between the European Union and the Maghreb and the question of the three islands occupied by Iran over which the United Arab Emirates had a claim were also discussed.

## Financial and technical cooperation

### *Occupied Territories*

1.3.45. Proposals for Council Regulations on financial and technical cooperation with the Occupied Territories and amending Council Regulation (EEC) No 1763/92 concerning financial cooperation in respect of all Mediterranean non-member countries.

**Commission proposal:** OJ C 24, 28.1.1994; COM(93) 719; Bull. 1/2-1994, point 1.3.63

**Parliament opinion (first reading):** OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.3.63

**Council common position:** Bull. 3-1994, point 1.3.61

*Endorsed by Parliament (second reading) on 4 May, subject to two procedural amendments.*

## Support for the peace process

### **References:**

Agreement between Israel and the PLO: Bull 9-1993, point 1.3.19

Council Decision 94/276/CFSP on a joint action to support the Middle East peace process: OJ L 119, 7.5.1994; Bull. 4-1994, point 1.3.2

### 1.3.46. Israel-Palestine Agreement

**Reference:** Presidency press statement on behalf of the European Union concerning the Gaza-Jericho Agreement: Point 1.3.13 of this Bulletin

*Signed in Cairo on 4 May.* The Agreement was signed by Mr Yitzhak Rabin, Israeli Prime Minister, Mr Yasser Arafat, Chairman of the Palestine Liberation Organization (PLO), Mr Warren Christopher, American Secretary of State, Mr Andrei Kozerev, Russian Minister for Foreign Affairs, and Mr Hosni Mubarak, President of the Egyptian Republic. The signing ceremony was attended by Mr Marín who informed Mr Arafat that the Commission would be contributing ECU 10 million to help finance the Palestinian police force.

### 1.3.47. Financing decision

*Approved by the Commission on 3 May.* ECU 10 million is to be contributed towards the cost of setting up a Palestinian police force. Half of this sum will be used to help cover the cost of this operation and the other half to finance the purchase of non-military equipment.

1.3.48. Meeting between Mr Arafat and Mr Marín in Tunis on 13 May.

Mr Arafat and Mr Marín signed two documents. The first relates to the ECU 10 million contribution voted by the Commission to help finance the creation of a Palestinian police force. In the second the Commission provided ECU 1.8 million towards the cost of the electoral process. This will take the form of assistance to the Palestine Commission for Local Government and Elections and will cover most of the cost of this process. It will be used to help the Palestinians organize a donor conference to find funding for the final stages in the preparation of the elections.

1.3.49. Parliament resolution on the Middle East peace process.

*Adopted on 6 May.* Parliament welcomed the agreements recently concluded between Israel and the Palestine Liberation Organization (PLO) and expressed its conviction that dialogue, mutual understanding and cooperation between

the Israeli and Palestinian peoples — under conditions of equal dignity — were indispensable in order to build a lasting peace and coexistence. It considered that regional economic cooperation, particularly on water and energy, was essential and a regional community of nations with a common market and elected central institutions, like the European Community, could contribute to the harmonious development of the countries of the Middle East. Underlining that the two sides wished the European Union to play a major role in the region, Parliament called on the European Union to share its experience with these countries and provide technical and financial aid. It welcomed the Council decision to undertake a joint action in support of the Middle East peace process. In its view, this process would have to provide tangible results swiftly if it were to succeed. It called on the Commission to amplify trade agreements with the Territories with a view to promoting exports of their products and called on the European Union to work with the new authorities in the Territories in establishing their administration and developing an education system and social, cultural and health infrastructure. It underlined that the oil-producing Arab States had a special role to play in the development of the Territories and recommended that a Euro-Arab bank be set up.

Parliament also called on the Arab League to lift the economic and trade boycott of Israel. It considered the region's security required multilateral balanced and internationally monitored disarmament and called on the countries of the region to adopt a plan for multilateral disarmament with the United Nations. It called for all prisoners of war to be set free and believed, that although priority had been given to the attainment of the objectives laid down in the Declaration of principles, respect for human rights was equally important. It condemned all those who, through acts of violence or intolerance, jeopardized implementation of the Declaration.

## United States, Japan and other industrialized countries

### United States

*1.3.50.* 1994 report by the European Commission on United States barriers to trade and investment.

**Reference:** Final Act of the Uruguay Round trade negotiations: COM (94) 143; Bull. 4-1994, point 1.3.61

**Previous report:** Bull. 4-1993, point 1.3.29

*Published by the Commission on 5 May.* This annual report helps monitor obstacles to trade and investment faced by Community businesses on the US market and also highlights the areas in which the United States has to implement the Uruguay Round agreements.

In 1993, transatlantic trade reached a total of ECU 165 billion. Exports from the European Union went up from ECU 73.9 billion in 1992 to ECU 80 billion in 1993. This increase further confirmed the tendency towards more balanced bilateral trade, despite the United States' continuing slight trade surplus of ECU 6.5 billion. Foreign direct investment flows between the two markets were down slightly but nevertheless reached a total of USD 420 billion, with European Union investors maintaining more than half of direct investment stocks in the United States, and US direct investment in the European Union accounting for more than 40% of all US investment abroad.

Despite acknowledging the improvement in trade relations between the United States and the European Union, the Commission thought that persistent and significant obstacles to trade and investment should be identified so that efforts could be made to remove them, and went on to list the principal areas in which access to the US market was, or might be, endangered or barred: unilateralism and the extraterritorial enforcement of US trade legislation; frequent recourse to national security considerations; public procurement and the 'Buy America' legislation; high tariffs and levies and excessive invoicing requirements; tax legislation. The Commission also identified a multiplicity of standards at federal, local and municipal level; discrimination with regard to intellectual property and the conditions for granting national treatment to foreign-controlled economic operators; unreasonable antidumping and countervailing duties; and direct or indirect support measures for the shipbuilding and aircraft industries.

Despite the easing of tension in the agricultural, fisheries, services, telecommunications and broadcasting sectors following the signing of the Uruguay Round agreement, the Commission noted that substantial obstacles still had to be

overcome in order to guarantee European industry significant and lasting market access, especially as US commercial policy was still driven by domestic concerns about the competitiveness of American firms.

This publication can be obtained from the Commission's Directorate-General for External Economic Relations (Unit BI of DG I).

## Japan

1.3.51. Mr Tsutomu Hata, Prime Minister of Japan, visited the Commission on 6 May.

**Reference:** EC-Japan joint declaration of 18 July 1991: Bull. 7/8-1991, point 1.3.33

At Mr Hata's meeting with Mr Delors, the two sides raised many issues and stressed, in particular, the importance they both attached to the annual meeting institutionalized by the declaration of July 1991.

In response to concern expressed by the European Union, Mr Hata agreed to the organization of a meeting of experts shortly on the problem of deregulation. He also expressed particular interest in the problems of the Mediterranean and Middle East and emphasized Japan's willingness to play an important role on the world stage.

## Other industrialized countries

### South Africa

#### References:

Commission communication to the Council proposing measures to be presented to the new government of South Africa: COM(94) 123; Bull. 4-1994, point 1.3.38

Declaration by the Union: point 1.3.7 of this Bulletin

1.3.52. Commission declaration on the first democratic elections in South Africa.

In a declaration published on 6 May, on behalf of the Commission, Mr Delors welcomed the political maturity displayed by the people of South Africa during the elections which contributed to the success of the transition process. He

also stated that this new era in the country's history would enable South Africans to play an active role in the economic and social development to which they aspired.

1.3.53. Parliament resolution on the first democratic elections in South Africa.

*Adopted on 5 May.* Parliament saluted this historic victory and congratulated Mr F. W. de Klerk and Mr Nelson Mandela on laying the foundations of a new South Africa. It further undertook to ensure that the European Union's budget contribution to South Africa was increased and a cooperation agreement concluded in order to help consolidate democracy in South Africa.

## Asia

### Cooperation with Asia

1.3.54. Project financing.

**Basic Regulation:** Council Regulation (EEC) No 443/92 on financial and technical assistance to, and economic cooperation with, the developing countries in Asia and Latin America: OJ L 52, 27.2.1992; Bull. 1/2-1992, point 1.4.40

*Commission financing decision to grant ECU 600 000 to Afghanistan for a mine clearance project.*

### Aid for refugees and displaced persons

1.3.55. Commission financing decision to grant ECU 330 000 to Pakistan.

## Latin America

### Cooperation with Latin America

1.3.56. Financing.

**Basic Regulation:** Council Regulation (EEC) No 443/92 on financial and technical assistance to,

and economic cooperation with, the developing countries in Asia and Latin America: OJ L 52, 27.2.1992; Bull. 1/2-1992, point 1.4.40

*Commission financing decision to grant ECU 0.88 million to Colombia, Costa Rica and Paraguay for the 'Latin America against cancer' pilot programme.*

**Aid for refugees and displaced persons**

1.3.57. Commission decisions to finance projects to assist the self-sufficiency of refugees, displaced persons and returnees (see Table 3).

Table 3 — *Financing*

Country/region	<i>(million ECU)</i>	
	Number of programmes	Amount
Central America (international conference for refugees)	1	0.16
El Salvador	1	0.25
	1	0.8
Honduras	1	1
Guatemala	3	2.8
	1	0.83
	1	0.1

**ACP countries and OCTs**

**Relations with ACP countries**

*Institutions*

1.3.58. ACP-EU Council of Ministers.

**References:**

Fourth ACP-EEC Convention: OJ L 229, 17.8.1991; Bull. 9-1991, point 1.3.38

Draft negotiating directives for the partial mid-term review of the fourth Lomé Convention: Bull. 1/2-1994, point 1.3.80

Council conclusions on the measures to be presented to the new government of South Africa: Bull. 4-1994, point 1.3.38

Final Act of the Uruguay Round multilateral trade negotiations: COM(94) 143; Bull. 4-1994, point 1.3.61

**Previous meeting:** Bull. 5-1993, point 1.3.34

*Nineteenth meeting held in Mbabane (Swaziland) from 18 to 20 May.* The meeting was chaired jointly by Mr George Brizan, Grenada's Minister for Agriculture, Trade and Industry, and Mr Theodoros Pangalos, Greece's Minister for Foreign Affairs and President of the Council, in the presence of HRH Mswati III, King of Swaziland, and Mr Marín.

The meeting saw the start of negotiations on the mid-term review of the fourth Lomé Convention. Mr Marín emphasized that the shift in international equilibria and the need to take account of new forms of interdependence between North and South had made such a review necessary. He highlighted its three main themes, namely the importance attached to democracy, human rights and the principles of good governance, the introduction of new procedures for political dialogue and the improvement of certain instruments and procedures to make them more consistent and effective. While he approved these guidelines, Mr Brizan stressed that the emphasis on the development of human rights and democracy should not be used to suspend aid to ACP countries and expressed the wish for open procedures involving consultation of both sides in that area. He further proposed that the instruments of the Convention be amended to take account of problems such as commodity price fluctuations and the resulting increases in the debt burden on the countries involved. Lastly, the ACP States expressed their concern at the effect of the agreement reached at the conclusion of the Uruguay Round multilateral trade negotiations on trade agreements under the Lomé Convention.

Though they welcomed developments in South Africa and hoped that regional cooperation would be enhanced, both sides also voiced their fears at the tragic turn of events in Rwanda and called on the international community, with particular emphasis on the role of African coun-



tries, to step up their endeavours to put an end to the massacres and help the refugees.

## *Bilateral relations*

### **Eritrea**

#### *1.3.59. Visit by Mr Marín on 22 May.*

##### **References:**

Fourth ACP-EEC Convention: OJ L 229, 17.8.1991; Bull. 9-1991, point 1.3.38

Decision No 1/93 of the ACP-EEC Council of Ministers on the application of the fourth Lomé Convention to Eritrea: OJ L 280, 13.11.1993; Bull. 10-1993, point 1.3.48

Mr Marín met Mr Issaias Afewerki, President of Eritrea, for the signing of the country's national indicative programme. The main aim of the programme, which will provide aid of ECU 35 million over two years, is to help rebuild Eritrea's infrastructure.

### **Haiti**

*1.3.60. Regulation (EC) No 1263/94 introducing a discontinuation of certain financial and economic relations with Haiti; Decision 94/314/ECSC of the representatives of the governments of the Member States of the ECSC, meeting within the Council, introducing a discontinuation of certain economic and financial relations with Haiti; Regulation (EC) No 1264/94 prohibiting the satisfying of claims by the Haitian authorities with regard to contracts and transactions the performance of which was affected by the measures imposed by or pursuant to United Nations Security Council Resolutions 917 (1994), 841(1993), 873 (1993) and 875 (1993).*

##### **Regulations repealed:**

Council Regulation (EEC) No 1608/93 introducing an embargo concerning certain trade between the EEC and Haiti: OJ L 255, 22.6.1993; Bull. 6-1993, point 1.3.47

Council Regulation (EEC) No 3028/93 repealing the suspension of the embargo concerning

certain trade between the European Economic Community and Haiti and amending Regulation (EEC) No 1608/93 introducing this embargo: OJ L 270, 30.10.1993; Bull. 10-1993, point 1.3.52

##### **References:**

Council Decision 94/315/CFSP concerning the common position defined on the basis of Article J.2 of the Treaty on European Union regarding the reduction of economic relations with Haiti and recommendation concerning the suspension of certain economic and financial relations with Haiti: point 1.3.5 of this Bulletin

Council Regulation (EEC) No 2340/90 preventing trade by the Community as regards Iraq and Kuwait (OJ L 213, 9.8.1990; Bull. 7/8-1990, point 1.4.21), as last amended by Regulation (EEC) No 3155/90: OJ L 304, 1.11.1990; Bull. 10-1990, point 1.4.15

Decision No 90/914/ECSC of the representatives of the governments of the Member States, meeting within the Council, preventing trade as regards Iraq and Kuwait: OJ L 213, 9.8.1990; Bull. 7/8-1990, point 1.4.22

Council Regulation (EEC) No 990/93 concerning trade between the European Economic Community and the Federal Republic of Yugoslavia (Serbia and Montenegro): OJ L 102, 28.4.1993; Bull. 4-1993, point 1.3.27

Decision No 93/235/ECSC of the representatives of the governments of the Member States, meeting within the Council, concerning trade between the European Coal and Steel Community and the Federal Republic of Yugoslavia (Serbia and Montenegro): OJ L 102, 28.4.1993; Bull. 4-1993, point 1.3.27

Council Regulations (EC) Nos 3274/93 and 3275/93 respectively preventing the supply of certain goods and services to Libya and prohibiting the satisfying of claims with regard to contracts and transactions the performance of which was affected by the United Nations Security Council Resolution 883 (1993) and related resolutions: OJ L 295, 30.11.1993; Bull. 11-1993, point 1.3.24

Proposal for a Council Regulation preventing the supply of certain goods and services to Libya and restricting the use of funds or other financial resources owned or controlled by Libya: COM (94) 91; Bull. 3-1994, point 1.3.60

*Proposal adopted by the Commission on 18 May.*

*Adopted by the Council on 25 May with the aim of implementing United Nations Security Coun-*

cil Resolution 917 adopted on 6 May 1994, which obliges the UN Member States to strengthen the existing financial and economic sanctions against Haiti. The regulations and decision prohibit, *inter alia*, all trade relations, including transit, with Haiti and freeze Haiti's assets and financial resources. They also apply to rights and obligations conferred or imposed by any international agreement entered into prior to the entry into force of the Resolution with any natural or legal person in Haiti. Provision has been made, however, for exceptions with regard to the supply of commodities for humanitarian purposes. The regulation prohibiting the satisfying of claims of the Haitian authorities is identical, *mutatis mutandis*, to the Council Regulation dealing with the same subject in respect of Libya. The provisions on trade relations are largely based on the Community legislation with regard to the embargoes imposed on Iraq, the Federal Republic of Yugoslavia (Serbia and Montenegro) and Libya. The provisions with regard to the financial embargo follow closely the proposal with regard to the extension of the Community legislation concerning the sanctions against Libya.

OJ L 139, 2.6.1994

## Namibia

1.3.61. Mr Sam Nujoma, President of Namibia, and Mr Theo-Ben Gurirab, Foreign Minister, visited the Commission from 17 to 19 May.

Mr Nujoma and Mr Gurirab met Mr Delors, Mr Marín and Mr Van den Broek. Although both sides acknowledged the progress Namibia had achieved in the political, economic and social spheres since independence in 1990, they nevertheless accepted that the country still needed the support of the European Union, which would become an important outlet for Namibian products in future. Mr Nujoma spoke of the importance his country attached to developing cooperation with the European Union. Both sides also

underlined Namibia's strategic position in the region with regard to South Africa and in the Southern African Development Community (SADC).

## Relations with the OCTs

1.3.62. Representatives of the French OCTs visited the Commission on 26 May.

### Reference:

Council Decision 91/482/EEC on the association of the OCTs with the EEC: OJ L 263, 19.9.1991; Bull. 7/8-1991, point 1.3.46

Draft negotiating directives for the partial mid-term review of the fourth Lomé Convention: Bull. 1/2-1994, point 1.3.80

Mr Marín received a delegation of representatives of the French OCTs headed by Mr Dominique Perben, the French Minister for the Overseas Departments and Territories. The visit came as part of the mid-term review of the association of the OCTs with the Community. The various points raised included the amendments to be made to the association in the areas of trade arrangements, the right of establishment and the provision of services, financial and technical cooperation and partnerships. Mr Marín hoped that the review would be completed quickly, in step with the revision of the Lomé Convention with the ACP States, in order to prevent delays in implementing the forthcoming eighth EDF which was due to be approved by the end of February 1995. He stated that the special characteristics of each OCT were a fact of history and that the new Council Decision should therefore create a sufficiently flexible framework.

## Financial and technical cooperation

1.3.63. Project financing.

Commission decisions allocating a total of ECU 56 004 000 under the sixth and seventh EDFs (see Table 4).

Table 4 — *Financing of operations under the sixth and seventh EDFs*

Country	Project	Amount	
		Grant	Special loan
	<i>Rural production</i>		
Senegal	Fisheries	1.990	—
West Africa	Agricultural research	1.930	—
Ethiopia, Kenya, Tanzania and Uganda	Agriculture	1.150	—
	<i>Social development</i>		
Mali	Infrastructure	1.934	—
	<i>Other</i>		
Cameroon	Structural adjustment support	20.200	—
Côte d'Ivoire	Structural adjustment support	28.800	—
	<b>Total</b>	<b>56.004</b>	<b>—</b>

## International organizations and conferences

### General Agreement on Tariffs and Trade

1.3.64. Council conclusions on the post-Uruguay Round negotiations on services.

**Reference:** Final Act of the Uruguay Round multilateral trade negotiations: COM(94) 143; Bull. 4-1994, point 1.3.61

*Adopted by the Council (General Affairs) on 16 May.*

'The Council approved a code of conduct between the Council, the Member States and the Commission concerning the post-Uruguay Round negotiations on services. This code of conduct settles, for the time being, the question of the arrangements whereby the Commission will take part in the negotiations on behalf of the Community and its Member States.'

### Council of Europe

1.3.65. Committee of Ministers.

**Reference:** Summit of Heads of State or Government of the Council of Europe: Bull. 10-1993, point 1.3.87

*Meeting held in Strasbourg on 11 May.* The 93rd meeting of the Council of Europe's Committee of Ministers was chaired by Mr Willy Claes, Belgium's Foreign Minister, and offered the Council of Europe's member countries an opportunity to take stock of the implementation so far of the decisions taken by the Heads of State or Government at their Vienna meeting of October 1993. The ministers were particularly interested in the protection of national minorities and the implementation of the declaration and action plan to combat racism, xenophobia, anti-semitism and intolerance. They also discussed the Council of Europe's growing involvement in the establishment of a more stable democratic Europe.

The meeting was preceded by the ceremonial signing of Protocol No 11 to the European Convention on Human Rights. The setting-up of a single Court is just one of the fundamental reforms introduced by the protocol with a view to enhancing the effectiveness of the protection afforded by the Convention.

## European Bank for Reconstruction and Development

### *Financing*

#### **Former Yugoslav Republic of Macedonia**

1.3.66. The Bank provided a guarantee, with a USD 10 million ceiling, for banks engaging in correspondent banking operations with the Komercijalna Banka. The guarantee is intended to shield Komercijalna Banka's partners from the risk of any illiquidity in foreign exchange.

#### **Czech Republic**

1.3.67. The Bank granted a loan of USD 20 million (convertible into a local bank guarantee) and took a stake of USD 4 million in Kabel Net, a majority-owned subsidiary of United International Holdings, an international multichannel television operator. Kabel Net has negotiated licences with the Czech authorities for several cities, among them Prague and Brno, covering 500 000 households with television sets. The Bank's contribution will finance transmission and distribution facilities.

1.3.68. The Bank took a stake equivalent to ECU 6.7 million (17%) in Karosa, a Czech bus-maker undergoing privatization in which Renault Véhicules Industriels (RVI) is taking a 34% holding. The Bank will have the option of selling its shares to Renault. The Bank will also lend Karosa FF 200 million. The Bank's funding will enable Karosa to modernize a bus factory.

#### **Russia**

1.3.69. A loan of USD 19.6 million was granted to upgrade the operation of six oil wells in the Tomsk region of Siberia. The recipient is a Canadian-Russian joint venture between Fracmaster, a specialist Canadian engineering company, Tomskneft, a national oil company, and Vasyuganef, a local oil company. The loan will be repaid from the foreign currency earned by oil exports.

#### **Slovenia**

1.3.70. The Bank made two loans totalling USD 62 million for the construction and repair of Slovenia's East-West roads and motorways.

The PHARE programme will provide ECU 700 000 to cover consultants' fees for the works and environmental impact studies.

## Common commercial policy

### **General matters**

#### *Operation of the customs union*

1.3.71. Integrated tariff of the European Communities (TARIC) 1994.

*Published on 24 May.* The TARIC is an annual publication of all the Community's trade measures.

OJ C 141, 24.5.1994

1.3.72. Draft Commission Decision on the introduction of transitional measures for products covered by the Treaty establishing the ECSC for Bulgaria, the Czech Republic, Slovakia, Hungary, Poland, Romania, Armenia, Azerbaijan, Belarussia, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Uzbekistan, Russia, Tadjikistan, Turkmenistan, Ukraine, Croatia, Bosnia-Herzegovina, Slovenia and the former Yugoslav Republic of Macedonia, until 31 December 1994 to take account of German unification.

**Reference:** Commission Decision No 3788/90/ECSC on the introduction of transitional tariff measures for Bulgaria, Czechoslovakia, Hungary, Poland, Romania, the Soviet Union and Yugoslavia: OJ L 364, 28.12.1990; Bull. 12-1990, point 1.2.2, last amended by Commission Decision No 1535/93/ECSC: OJ L 151, 23.6.1993; Bull. 6-1993, point 1.3.68

*Adopted by the Commission on 20 May* and designed to extend until the end of 1994 the transitional arrangements for ECSC products in order to take account of traditional trade between the former German Democratic Republic and the countries of Central and Eastern Europe.

*Assent given by the Council on 30 May.*

OJ C 164, 16.6.1994

*Commercial policy instruments***Council anti-dumping measures**

1.3.73. Proposal for a Council Regulation extending the provisional anti-dumping duty on certain magnetic disks (3.5" microdisks) originating in Hong Kong and the Republic of Korea.

**Reference:** Provisional duty: OJ L 68, 11.3.1994; Bull. 3-1994, point 1.3.99

*Adopted by the Commission on 17 May.*

COM(94) 193

1.3.74. Proposal for a Council Regulation imposing a definitive anti-dumping duty on imports of large aluminium electrolyte capacitors originating in the Republic of Korea and Taiwan.

**Reference:** Provisional duty: OJ L 48, 19.2.1994; Bull. 1/2-1994, point 1.3.128

*Adopted by the Commission on 19 May.*

COM(94) 205

1.3.75. Proposal for a Council Regulation terminating the review of anti-dumping measures concerning imports of certain acrylic fibres originating in Mexico and repealing the measures applying to such imports.

**References:**

Definitive duty and undertakings: OJ L 301, 19.10.1989; Bull. 10-1989, point 2.2.2

Initiation of review: OJ C 154, 5.6.1993; Bull. 6-1993, point 1.3.61

*Adopted by the Commission on 5 May.*

COM(94) 178

**Commission anti-dumping measures**

1.3.76. Notice of initiation of an anti-dumping investigation into imports of certain electronic weighing scales originating in Singapore.

*Published on 11 May.*

OJ C 129, 11.5.1994

1.3.77. Notice of initiation of an anti-dumping proceeding concerning imports into the Community of certain grain-oriented electrical sheets originating in Russia.

*Published on 20 May.*

OJ C 138, 20.5.1994

1.3.78. Notice of initiation of an anti-dumping proceeding concerning imports of coumarin originating in the People's Republic of China.

*Published on 20 May.*

OJ C 138, 20.5.1994

1.3.79. Notice of initiation of an anti-dumping proceeding concerning imports into the Community of hematite pig iron originating in the Czech Republic.

*Published on 21 May.*

OJ C 139, 21.5.1994

1.3.80. Commission Regulation No 1076/94 imposing a provisional anti-dumping duty on imports of certain watch movements originating in Malaysia and Thailand.

**Reference:** Notice of initiation of proceeding: OJ C 183, 6.7.1993; Bull. 7/8-1993, point 1.3.80

*Adopted by the Commission on 6 May.*

OJ L 120, 11.5.1994

1.3.81. Notice of intention to carry out a review of imports of video-cassettes originating in the Republic of Korea and Hong Kong.

**References:**

Definitive duty (Republic of Korea and Hong Kong): OJ L 174, 22.6.1989; Bull. 6-1989, point 2.2.3

Undertaking (Hong Kong): OJ L 174, 22.6.1989; Bull. 6-1989, point 2.2.3

*Published on 25 May.*

OJ C 142, 25.5.1994

1.3.82. Notice of the impending expiry of an anti-dumping measure concerning imports of dicumyl peroxide originating in Japan.

**Reference:** Undertaking: OJ L 317, 31.10.1989

*Published on 3 May.*

OJ C 121, 3.5.1994

1.3.83. Notice of the expiry of anti-dumping measures concerning imports of light sodium carbonate originating in Bulgaria, Poland and Romania.

**Reference:** Definitive duty: OJ L 131, 13.5.1989; Bull. 5-1989, point 2.2.2

*Published on 3 May.*

OJ C 121, 3.5.1994

## Individual sectors

### Textiles

#### Multifibre arrangements

1.3.84. Council Decision 94/288/EC concerning the conclusion of the Protocol maintaining in force the Arrangement regarding international trade in textiles (MFA).

**Reference:** Council Decision 86/590/EEC on the conclusion of the Protocol extending the MFA: OJ L 341, 4.12.1986

**Commission proposal:** COM(94) 101; Bull. 3-1994, point 1.3.103

*Adopted by the Council on 16 May.* Approves on behalf of the Community the Protocol maintaining the MFA for 1994.

OJ L 124, 18.5.1994

#### Safeguard measures

**Reference:** Council Regulation (EC) No 3030/93 on common rules for imports of certain textile products from third countries: OJ L 275, 8.11.1993; Bull. 10-1993, point 1.3.82

1.3.85. Commission Regulation (EC) No 1167/94 concerning arrangements for imports into the Community of certain textile products originating in the People's Republic of China.

**References:**

Notice to importers: OJ C 54, 22.2.1994 and C 98, 7.4.1994

Provisional limits: OJ L 59, 3.3.1994 and L 27, 19.5.1994

*Adopted by the Commission on 24 May.* Sets definitive quantitative limits on certain products originating in the People's Republic of China.

OJ L 130, 25.5.1994

1.3.86. Commission Regulation (EC) No 1134/94 establishing a provisional quantitative limit on imports into the Community of certain textile products originating in Pakistan.

**Reference:** Notice to importers: OJ C 98, 7.4.1994

*Adopted by the Commission on 18 May.*

OJ L 127, 19.5.1994

## Development policy

### General

**References:**

Declaration of the Council and of representatives of the governments of the Member States

meeting within the Council on aspects of development cooperation policy in the run-up to 2000: Bull. 11-1992, point 1.4.47

Council conclusions on the coordination of development policies: Bull. 5-1993, point 1.3.39

Council resolution on procedures for coordination between the Community and the Member States: Bull. 12-1993, point 1.3.59

### Coordination of policies

1.3.87. Council conclusions on coordination in international forums.

*Adopted on 6 May.*

'The Council considers that coordination between the Community and the Member States at international conferences and meetings, especially in the United Nations framework, which generally works satisfactorily, should be continued, in particular through regular exchanges of information, contacts between the Member States and the Commission and meetings prior to plenary meetings of the various international bodies.

Bearing in mind the constraints imposed by the representation systems and the working methods within international and regional development banks, the Council recommends informal exchanges of views between the Member States represented on the decision-taking bodies of such institutions. Such exchanges of views could deal with topics on which the Council has adopted common guidelines.'

1.3.88. Council Decision on the list of countries in which Community coordination could be stepped up.

*Adopted on 6 May.* The Council proposed that Community coordination could be stepped up on an experimental basis in the following countries: Bangladesh, Côte d'Ivoire, Costa Rica, Ethiopia, Mozambique, Peru.

### Health

1.3.89. Council resolution on cooperation with the developing countries in the field of health.

**Reference:** Commission communication to the Council and Parliament on the policy of the Community and the Member States on cooperation with the developing countries in the field of health: COM(94) 77; Bull. 3-1994, point 1.3.106

*Adopted on 6 May.* The Council observed that the progress achieved in certain health fields in recent decades had been unevenly distributed

geographically and socially. Having reviewed the health situation in the developing countries, it drew up a list of principles and priorities for the action to be taken and proposed procedures to strengthen consultation and coordination between the Community and the Member States.

The Council considered health an essential factor in making the best use of human resources and therefore one of the first priorities of development aid. Cooperation in this field had to be seen in a long-term perspective, and external aid, which should be directed as a priority to the poorest countries and the least-favoured population groups, had to tie in properly with national health policies laid down by the beneficiary countries themselves. External aid should not be a substitute for national efforts, but should aim to enable the beneficiary countries to implement effective policies, organize and reform health systems and create a favourable environment. The Council stressed that aid should primarily aim to increase investments designed to improve living conditions and hygiene as part of a multisectoral approach to health problems, to develop basic services, and to support institutional reform and the organization of health systems, with the emphasis on decentralization. The Council expressed concern at the inadequacy of the resources allocated to the health sector, and stressed the need for more efficient use of the available resources, notably through the development of cost-effectiveness analysis.

As regards coordination, the Council referred to its resolution of December 1993, which stressed the importance of making better use of existing mechanisms and instruments, and proposed that the Community and the Member States could initially monitor and evaluate coordination in a small number of countries. It also emphasized the importance of the role played by non-governmental organizations.

*1.3.90.* Council resolution on the fight against HIV/AIDS in the developing countries.

#### References:

Council conclusions on combating AIDS in the developing countries: Bull. 5-1987, point 2.2.26

Community programme for the control of AIDS in the ACP countries: Bull. 7/8-1987, point 2.2.51

Council conclusions on the programme to combat AIDS in the developing countries: Bull. 11-1989, point 2.2.47

Commission communication to the Council and Parliament on the AIDS policy of the Community and the Member States in the developing world: COM(93) 479; Bull. 1/2-1994, point 1.3.142

*Adopted on 6 May.* The Council considered it important to heed the lessons learned from the experience gained in implementing the AIDS Control Programme for Developing Countries in identifying the strategic priorities and common guiding principles for the action of the Community and its Member States in this field. It stressed that AIDS had to be combated in accordance with the principles laid down in its resolution on cooperation with the developing countries in the field of health (→ point 1.3.89). It recommended that there should be no discrimination or exclusion *vis-à-vis* persons at risk, infected or sick, and that social, cultural and ethical realities in all beneficiary population groups should be taken into account in framing programmes and implementing international aid, without prejudice to individual religious convictions. The Council also emphasized the importance of preventive measures, involving education, information, and safety measures, particularly in the field of transfusion.

### Population

*1.3.91.* Commission communication to the Council and Parliament entitled: 'The European Community and the challenge of population growth: proposed position of the Community at the World Conference on Population and Development, Cairo, 5 to 13 September 1994'.

#### References:

Declaration of the Council and of representatives of the governments of the Member States meeting within the Council on aspects of development cooperation policy in the run-up to 2000: Bull. 11-1992, point 1.4.47

Commission communication to the Council and Parliament on demography, family planning and cooperation with developing countries: Bull. 11-1992, point 1.4.48

*Adopted on 4 May.* In preparation for the World Conference on Population and Development, the Commission outlined a policy in this field designed to foster an international consensus on the principles, content and financing of the population policies required to reduce demographic growth which in many countries and regions is too high, blocking sustainable human develop-

ment. The paper was drawn up in response to a request made by the Council in November 1992 for the Community and the Member States to develop a coordinated position within the international bodies concerned.

On the basis of an analysis of the relationship between population, on the one hand, and development, environment and migrations, on the other, the Commission set out guidelines for demographic policymaking and identified the respective responsibilities of the countries concerned and outside donors. The Commission highlighted three essential elements of a population policy: social policy, specifically in the domain of maternal and child health and the education of young women to increase demand for family planning; providing information and creating awareness among individuals and couples; and increasing the availability of family planning by providing modern and safe contraceptive devices.

COM(94) 100

*1.3.92.* Parliament resolution on the situation of elderly people in the developing countries.

**Reference:** Draft negotiating directives for the partial mid-term review of the fourth Lomé Convention: Bull. 1/2-1994, point 1.3.80

*Adopted on 6 May.* Referring to the priority given to the campaign against poverty, Parliament called on the Commission to take greater account, in formulating its development policies, of elderly people, who were often in a vulnerable situation. Parliament advocated the creation of a pension scheme, access to social services for the elderly and the creation of suitable jobs for elderly people to improve their income security in the developing countries. Parliament also considered it important to promote the independence of the elderly and their participation in social, public and political life, and stressed the need for medical and home care. Finally, the resolution called for the inclusion of a specific section on the elderly in the Lomé Convention.

## Generalized preferences

*1.3.93.* Council Regulation (EC) No 1291/94 suspending the generalized tariff preferences for certain products originating in the Republic of Korea.

**Regulation amended:** Council Regulation (EEC) No 3832/90 applying generalized tariff preferences for 1991 in respect of textile products originating in developing countries (OJ L 370, 31.12.1990; Bull. 12-1990, point 1.4.54), as last amended by Regulation (EC) No 3668/93: OJ L 338, 31.12.1993; Bull. 12-1993, point 1.3.61

**Commission proposal:** COM(94) 139; Bull. 4-1994, point 1.3.86

*Adopted on 30 May.*

OJ L 141, 4.6.1994

*1.3.94.* Council Regulation (EC) No 1290/94 applying supplementary generalized tariff preferences in respect of certain products originating in countries benefiting from generalized preferences and sold at the Berlin 'Partners in Progress' Fair.

**Reference:** Council Regulation (EEC) No 1225/93 applying supplementary generalized tariff preferences in respect of certain products originating in countries benefiting from generalized preferences and sold at the Berlin 'Partners in Progress' Fair: OJ L 124, 20.5.1993; Bull. 5-1993, point 1.3.42

**Commission proposal:** COM(94) 149; Bull. 4-1994, point 1.3.87

*Adopted on 30 May.*

OJ L 141, 4.6.1994

## Cooperation via non-governmental organizations

*1.3.95.* Projects in developing countries.

**Commission cofinancing:** commitment of ECU 11 675 985 for 51 operations.

*1.3.96.* Campaigns to raise public awareness

**Commission contribution:** ECU 715 879 for eight operations.

## Food aid

### *Food security*

*1.3.97.* Commission communication to the Council on coordination between the Community and the Member States concerning food security policies and practices.



**References:**

Council resolution on food security policy in sub-Saharan Africa: Bull. 11-1988, point 2.2.40

Final Act of the Uruguay Round multilateral trade negotiations: COM(94) 143; Bull. 4-1994, point 1.3.61

*Adopted on 4 May.* The Commission described the status of food security policy in the developing countries, drawing attention to sensitive issues such as the links between food security and food aid, and submitting proposals for the areas best suited to coordination between the Community and the Member States. The document confirmed the validity of the guidelines set out in the Council resolution of 1988, while stressing the need to relaunch food security policies and programmes, particularly in sub-Saharan Africa. While recognizing the need for food

aid operations, the Commission advocated focusing more on long-term food security policies and programmes as part of a broader policy to reduce poverty and boost economic growth, with food security as a key principle underpinning agricultural and rural development programmes to increase supplies. The Commission also argued that the impact of the common agricultural policy on markets and food security in the developing countries should be taken into account, in line with the undertakings entered into in the context of the Uruguay Round.

COM(94) 165

*Standard food aid*

1.3.98. Commission decision to grant ECU 116.1 million in foodstuffs (see Table 5).

Table 5 — *Food aid allocation*

Country/organization	Cereals (tonnes)	Milk powder (tonnes)	Sugar (tonnes)	Vegetable oil (tonnes)	Other products (million ECU)
Ethiopia	80 000	—	—	—	—
Madagascar	10 000	—	—	—	—
Mozambique	480	370	250	185	—
ICRC <sup>1</sup>	65 000	—	—	4 000	3.0
Euronaid <sup>2</sup>	—	—	—	—	2.0
NGO <sup>3</sup>	90 000	6 000	1 800	8 500	6.0
UNRWA <sup>4</sup>	12 750	1 968	2 948	2 042	3.7

<sup>1</sup> International Committee of the Red Cross.

<sup>2</sup> Contribution to the purchase of foodstuffs and seeds for non-governmental organizations.

<sup>3</sup> Non-governmental organizations.

<sup>4</sup> United Nations Relief and Works Agency for Palestinian Refugees in the Near East.

## Support for democratization and human rights

1.3.99. Parliament resolution on the democratization of Africa.

*Adopted on 6 May.* Parliament considered that the people and governments of Africa had to find appropriate ways of establishing legal, democratic institutions based on their history, their cultural identity and open participation by the people in decision-making processes characterized by the principle of the separation of powers. The resolution urged that regional instruments designed to protect human rights should be per-

fectured, and called for the rejection of all forms of entrenched traditionalism, radicalism, fundamentalism and the rise of nationalism, particularly where such principles favoured terrorism. Parliament stressed that in Africa, economic development and political democracy were closely linked, but that political rights could not be violated on the pretext of defending economic or social rights.

The resolution stated that the current international economic system, which marginalized the countries of the South, was not in accordance with the principles of international democracy, and support for democracy in Africa should also

take the form of economic instruments. Parliament called for increases in the funds made available to assist the democratization of Africa and their incorporation into a coordinated multiannual policy that would allocate them to training in human rights, infrastructure for electoral processes, the creation of the institutions that characterize a democratic State subject to the rule of law, legal studies of a constitutional nature, the establishment of an independent judiciary, the demobilization of combatants and the rehabilitation of refugees and displaced persons, the social integration of those who have taken risks in the fight to establish democracy, and the

strengthening or creation of social media. Parliament also called on the European Union to ensure the greatest possible coherence between its own action and that of its Member States. Where cooperation with governments infringing human rights had to be suspended, the Union should seek to limit the people's suffering by increasing humanitarian aid through independent channels, and the resolution called on the Commission to draw up transparent, homogeneous and non-discriminatory criteria for the application of such a doctrine.

*1.3.100.* Financing for operations in support of democratization and human rights (see Table 6).

Table 6 — *Operation in support of democratization and human rights*

<i>(ECU)</i>		
Date	Purpose	Amount
2 May	Twelve operations to promote research, publications and the organization of conferences on human rights	540 000
3 May	Operation to support the democratization of Ethiopia	25 130
	Programme to promote freedom of expression in Egypt, Morocco and Sudan	142 000
16 May	Four operations to promote human rights and democratic principles	190 000

## Humanitarian aid

### Disaster prevention

*1.3.101.* World conference on disaster prevention.

*Meeting held in Yokohama from 23 to 27 May.* The United Nations called this world conference as part of its International Decade for Natural Disaster Reduction. It adopted a declaration proposing a strategy to make the world a safer place, including a series of recommendations for

action at national, regional and international level. The Commission outlined its activities in the sphere of development policy (citing the early warning system in Sudan and the construction of cyclone shelters in Bangladesh), research (e.g. the programme on climatic and natural risks) and civil protection in cooperation with the Member States.

### Emergency aid

*1.3.102.* Commission decisions: see Table 7.

Table 7 — *Emergency aid*

<i>(million ECU)</i>			<i>(million ECU)</i>		
Country	Purpose	Amount	Country	Purpose	Amount
<i>Financing: EDF (ACP countries)</i>			Kyrgyzstan	Floods and avalanches	0.25
Burundi	Burundian returnees and Rwandan refugees	1	Pakistan	Afghan refugees	0.72
Liberia	Medical aid	0.14	Peru	Floods and fighting	0.78
Nigeria	Displaced persons	0.34	Russia	Hot meals for the poor in Moscow	0.96
Rwanda	Fighting	1	Rwanda	Evacuation of people in danger	0.1
Sierra Leone	Displaced persons	1.4	Somalia	Fighting and cholera	0.69
Chad	Drought	0.29		Support for central pharmacy	0.17
<i>Financing: 1994 ECHO budget</i>			Ukraine	Medical aid for children	0.35
Algeria	Tuareg refugees	0.55	Yemen	Fighting	0.5
Bangladesh	Cyclone	0.5	Former Yugoslavia	Fighting	47.34
Bolivia	Floods and landslides	0.25	—	Studies — information — coordination — ECHO publication	0.5
Bulgaria	Assessment of medical needs	0.004			
Burundi, Uganda, Rwanda, Tanzania, Zaire	Rwandan and Burundian refugees	12			

## 4. Financing Community activities

### Budgets

#### General budget

##### *Budgetary procedures*

##### **1995 financial year**

*1.4.1.* Parliament resolution on the estimates of its revenue and expenditure for the 1995 financial year.

*Adopted on 5 May.* The estimates come to ECU 693 321 000. This amount corresponds to the financing of regular activities and also gives the new Parliament the necessary financial leeway to enable it to set its priorities for the next parliamentary term. But it does not take account of enlargement.

#### Financial Regulation

*1.4.2.* Proposal for a Council Regulation amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

**Commission proposal:** OJ C 221, 17.8.1993; COM(93) 328; Bull. 7/8-1993, point 1.5.2

*Endorsed by Parliament on 6 May*, subject to a number of technical amendments.

### Financial operations

#### ECSC

##### *Loans raised*

*1.4.3.* In May the Commission contracted a private placing in marks, lire and sterling on behalf of the ECSC for the equivalent of ECU 29.3 million.

##### *Loans granted*

*1.4.4.* Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans totalling ECU 55 million.

##### **Industrial loans**

*1.4.5.* Industrial loans (Article 54) totalling ECU 8.6 million were made to Italy.

##### **Conversion loans**

*1.4.6.* Conversion loans (Article 56) totalling ECU 46.3 million were made to Germany, Italy and the United Kingdom.

##### **Workers' housing**

*1.4.7.* Loans totalling ECU 0.1 million were granted for steelworkers and mineworkers in Italy.

## 5. Statistical system

### Results

#### *Asylum-seekers in the European Union*

##### Right of asylum

1.5.1. International law on refugees is based on the Geneva Convention of 1951. Its geographical scope, originally restricted to refugees from European countries, was extended by a protocol in 1967 to cover the whole world. However, asylum-seekers who are not granted refugee status are not necessarily sent back to their country of origin. Various classifications have developed over the years: 'de facto refugee', 'refugee on humanitarian grounds', 'person with exceptional leave to remain' and 'displaced person'.

##### Trend in the number of asylum-seekers in the European Union

1.5.2. The Member States with low absolute numbers of requests for asylum (fewer than 10 000 per year) are Greece, Ireland, Italy (despite the relatively large numbers recorded in 1987 and 1991), Luxembourg and Portugal. Most other Member States have seen sharp increases in the number of asylum-seekers since the mid-1980s. The most striking case is Germany, where over 400 000 requests for asylum were recorded in 1992 — over half the number received by the other Member States put together. The United Kingdom and Spain, like Germany, had five to six times as many asylum-seekers in 1992 as in 1985, although the absolute figures were far lower (32 000 and 17 000 respectively). The increase was less marked in the Netherlands and Belgium, which had three to four times as many asylum-seekers in 1992 as in 1985. Denmark recorded only a small increase in this period. France had fewer asylum-seekers in 1992 than in 1985, but twice as many in 1989 as in 1985, making it second in popularity to Germany in that year.

The number of requests for asylum received by Germany, Denmark and Spain increased dramati-

cally from 1991 to 1992 but fell considerably in the United Kingdom and France in the same period. The reasons for these disparate trends are statistical factors, such as whether or not persons from the former Yugoslavia are included, and the implementation by certain countries of legislative or organizational measures for stemming the flow of asylum-seekers, particularly where requests are manifestly unfounded.

##### Origins of asylum-seekers

1.5.3. The statistics reveal both similarities and differences between Member States of the European Union in the origins of asylum-seekers.

In 1992, asylum-seekers from European countries which are not Member States accounted for some 70% of the total in Germany and Denmark, but for less than 30% in Spain. Most European asylum-seekers in Denmark (65% of the total) were from the former Yugoslavia. Germany had almost as many asylum-seekers from Romania (23%) as from the former Yugoslavia (24%). As in Germany and Denmark, persons from the former Yugoslavia were the largest category of asylum-seeker in the United Kingdom (23%) and the Netherlands (23%). The other Member States received fewer requests from this source. A significant number of asylum-seekers in Spain (10% of the total) were from Poland.

Numbers of asylum-seekers from African countries were relatively high in Belgium (40%), France (35% in 1991) and the Netherlands (32%). Over half of all requests for asylum received from Africans by Belgium and the Netherlands came from Zaïre and Somalia respectively. Relatively large numbers of requests for asylum from Asian countries were received by the United Kingdom (Sri Lanka and Pakistan) and France (Sri Lanka). Only one Member State, Spain, received significant numbers of requests from South America, with the largest numbers from Peru and the Dominican Republic.

## Information

### *Publications*

1.5.4. New publications available from sales offices:

□ Country report: *The Russian Federation*;

- *National accounts ESA: Aggregates 1970-91*;
- *Energy: Statistical yearbook 1993*;
- *Agricultural prices: Price indices and absolute prices (and glossary)*;
- *Facts through figures*: this brochure, intended for general consumption, gives a statistical summary of the main aspects of the European Union.

## 6. Community institutions

### Institutional affairs

#### European Council

*1.6.1.* Parliament resolution on the European Council in Corfu.

**Reference:** Parliament resolution on confirmation of the Commission: OJ C 128, 9.5.1994; Bull. 4-1994, point 1.7.2

*Adopted on 4 May.* On the grounds that Parliament has the right to give its opinion on the nominee of the governments of the Member States for President of the new Commission, it called for the European Council to designate a candidate without delay so that the House could comply with the consultation procedure provided for in Article 158 of the EC Treaty at its July part-session. It insisted that the decision be taken on the basis of criteria aimed at guaranteeing the Commission's total independence of the Member States and a lasting commitment to a more democratic Union. On the economic front it called for prompt adoption of the budgetary and financial measures needed to implement the proposals contained in the White Paper. Turning to external relations it called for an evaluation of external policies and for a more ambitious form of Union action in this area. Finally, it would like to see a precise timetable for Union accession to the European Convention on Human Rights and for progress in working towards cooperation in the field of justice and home affairs.

#### Parliament

*1.6.2.* Parliament decision amending Rules 7 and 8 of its Rules of procedure.

*Adopted on 4 May.* The amendments relate to verification of credentials and length of term.

*1.6.3.* Parliament resolution on the deliberations of the Committee on Petitions during the 1993/94 parliamentary year.

*Adopted on 5 May.* Recognizing the importance of petitions to the citizens of Europe, Parliament undertook to provide replies as rapidly as possible. It urged the Commission to consider petitions referred to it promptly and to initiate proceedings without delay whenever Member States infringe Community law.

#### Strasbourg, 2 to 6 May

*1.6.4.* This final part-session of Parliament featured a long debate on enlargement, which ended with the House giving its assent by a large majority to the accession of the four applicant countries to the European Union. Other important debates were held on the preparations for the Corfu European Council, the situation in South Africa following the elections, the Cohesion Fund, the Community initiatives and a series of specific programmes in the field of research and technological development. Addressing a special sitting of the House, Mr Albert Zafy, President of the Republic of Madagascar, spoke of the difficulties facing his country and of the hopes it was pinning on the European Union.

At the end of one of the longest debates on record, Parliament gave its assent by a large majority to the accession of Austria, Finland, Norway and Sweden to the European Union (votes in favour ranged from 376 to 381, and votes against from 21 to 24; abstentions ranged from 57 to 61) (→ point 1.3.20). After the votes the ambassadors of the countries concerned were warmly applauded. Parliament also adopted resolutions on the applications for membership (→ point 1.3.21).

In the debate on preparations for the Corfu European Council Mr Pangalos, Greek Deputy Minister for Foreign Affairs and President of the

Council, stated that the political backdrop to the European Council would be heavily coloured by the results of the European elections. The summit would focus on the economic and social situation in the European Union, with a view to the adoption of specific measures to implement the White Paper on growth, competitiveness and employment. The European Council would also have to nominate a new President of the Commission, thereby setting in motion the confirmation proceedings in Parliament. Mr Pangalos paid tribute to the outgoing Commission President, Mr Delors, who was warmly applauded. Mr Delors called for serious efforts to be made in Corfu on economic and monetary union and for the White Paper to remain central to Union thinking and policies. Looking ahead to the intergovernmental conference in 1996, he stated that the Commission had a duty to defend its prerogatives, in particular its right to propose revisions of the Treaty. Finally, after paying tribute to Parliament's action in the institutional and legislative fields, the President expressed the hope that the European election campaign would not be defensive but would reaffirm the values of fraternity, peace and democracy, which were the corner-stone of the European venture. The debate ended with the adoption of a resolution (→ point 1.6.1).

In the field of external relations, Parliament adopted a resolution on the first democratic elections in South Africa (→ point 1.3.53) following a topical and urgent debate in which it expressed satisfaction with the conduct and results of the election and called for economic aid to support the new democracy. It also adopted opinions on proposals for Council Decisions on providing financial assistance for Albania (→ point 1.3.29), Bulgaria (→ point 1.3.30), Moldova (→ point 1.3.37) and Romania (→ point 1.3.33). Resolutions were also adopted on the democratization of Africa (→ point 1.3.99) and the Middle East peace process (→ point 1.3.49).

In the institutional field, Parliament adopted a decision amending its Rules of procedure (→ point 1.6.2) and a resolution on the deliberations of the Committee on Petitions (→ point 1.6.3).

On the budgetary front, Parliament examined the estimates of its revenue and expenditure for the 1995 financial year (→ point 1.4.1) and gave its opinion on the proposal for amending the Financial Regulation (→ point 1.4.2).

In the legislative field, under the consultation procedure Parliament delivered its opinion on two proposals for Decisions, one on the participation of undertakings, research centres and universities in the specific research programmes of the EAEC (→ point 1.2.66) and the other on the MEDIA programme (→ point 1.2.157), on four proposals for Regulations on the adaptation of production, processing and marketing structures in connection with reform of the common agricultural policy (→ point 1.2.96), management objectives and strategies for certain fisheries (→ point 1.2.110), the Protocol defining fishing opportunities off Mauritius (→ point 1.2.117) and the European Training Foundation (→ point 1.2.142), and on a proposal for a Directive on simplifying VAT (→ point 1.2.19). It also delivered opinions on 12 specific R&TD programmes (→ points 1.2.54 to 1.2.65).

Under the cooperation procedure Parliament adopted opinions at first reading on five proposals for Directives on the licensing of railway undertakings and the allocation of railway infrastructure capacity (→ point 1.2.81), the approximation of the laws and procedures for checks on the transport of dangerous goods by road (→ points 1.2.82 and 1.2.83) and the establishment of European industry committees (→ point 1.2.133), on a proposal for a Regulation on the implementation of an IMO resolution (→ point 1.2.84), on two proposals for Decisions on the rules for participation in research programmes and for the dissemination of research findings (→ points 1.2.67 and 1.2.68) and on a proposal for a Decision on the implementation of a European vocational training policy (→ point 1.2.138). It also adopted opinions at second reading on the Council common positions on a proposal for a Directive on the conservation of wild birds (→ point 1.2.128) and on two proposals for Regulations on financial cooperation with the Occupied Territories (→ point 1.3.45).

Under the co-decision procedure Parliament adopted opinions at first reading on a proposal for a Decision introducing a Community system of information on home and leisure accidents (→ point 1.2.147) and on a proposal for a Regulation on flavouring substances used in foodstuffs (→ point 1.2.15). At second reading Parliament adopted 10 amendments to the common position on a proposal for a Directive on the maximum speed of two- and three-wheel motor



vehicles (→ point 1.2.10), 19 amendments to the common position on a proposal for a Directive on packaging and packaging waste (→ point 1.2.124) and four amendments to the common position on a proposal for a Directive on the protection of purchasers in contracts relating to the utilization of immovable property on a time-share basis (→ point 1.2.149). Only three of the amendments to the Council common position on a proposal for a Directive on the legal protection of biotechnological inventions were deemed adopted, because the necessary majority was not obtained (→ point 1.2.20). Parliament also approved the Council common position on a proposal for a Directive on dangerous substances (→ point 1.2.13). At third reading Parliament approved the Conciliation Committee's joint text on proposals for Directives on motor vehicle trailers (→ point 1.2.11), recreational craft (→ point 1.2.12) and deposit guarantee schemes (→ point 1.2.16).

In addition to giving its assent to enlargement, Parliament gave its assent to the proposal for a Regulation on the Cohesion Fund (→ point 1.2.89) and to amendments to certain Annexes to the Agreement on the European Economic Area (→ point 1.3.23).

Consulted by the Council, Parliament also gave its opinion on the legal basis for the proposal for a Decision on interadministration telematic networks (Comedi), which it would like altered (→ point 1.2.71).

Parliament adopted resolutions on environmental training in industry (→ point 1.2.139), the fundamental rights of women (→ point 1.1.3), the situation of women in SMEs (→ point 1.2.135), scientific staff (→ point 1.2.136), the situation of the elderly in developing countries (→ point 1.3.92), the right to use one's own language (→ point 1.1.2), the Green Paper on social policy (→ point 1.2.131), application of the Agreement on social policy (→ point 1.2.132), safety, hygiene and health protection at work (→ point 1.2.134), the alternative, social economy (→ point 1.2.50), public undertakings (→ point 1.2.51), sport and doping (→ point 1.2.144), the European Union and sport (→ point 1.2.154), the WHO European Conference (→ point 1.2.145), the financial management of the PHARE programme (→ point 1.3.26), trade in agricultural products with Central and Eastern Europe (→ point 1.2.108), fire safety in hotels (→ point

1.2.148), the Green Paper on guarantees for consumer goods (→ point 1.2.150), combating the harmful effects of non-ionizing radiation (→ point 1.2.121), environmental technologies (→ point 1.2.120), space (→ point 1.2.86), interactions between seals and fisheries (→ point 1.2.112), quality policy for fishery products (→ point 1.2.119), fisheries research (→ point 1.2.111), coordination of research and technological development policies (→ point 1.2.52), arrangements for importing newsprint into the European Union (→ point 1.2.44), the situation in the steel industry (→ point 1.2.42), universal service principles in the telecommunications sector (→ point 1.2.87), the audiovisual industry (→ point 1.2.156), monetary policy (→ point 1.2.4), exchange-rate fluctuations (→ point 1.2.6), the Annual Economic Report for 1994 (→ point 1.2.8), the international dimension of the ecu (→ point 1.2.7), the role of the institutions of economic and monetary union (→ point 1.2.5), the setting-up of a Mediterranean Assembly (→ point 1.3.40), the transparency of Community law (→ point 1.1.1), the harmonization of certain sectors of private law and encouraging recourse to arbitration to settle legal disputes. It also adopted a series of resolutions on the Community initiatives (→ points 1.2.93 to 1.2.95).

Report of proceedings:  
OJ Annex (3-445)

## Council

### 1754th meeting

1.6.5. Development (Brussels, 6 May).

**Previous meeting:** Bull. 12-1993, point 1.7.14

**President:** Mr Pangalos, Greek Deputy Minister for Foreign Affairs.

**Commission:** Mr Marín.

### Main items

□ Cooperation with the developing countries in the field of health: resolution adopted (→ point 1.3.89).

- Fight against HIV/AIDS in the developing countries: resolution adopted (→ point 1.3.90).
- Coordination between the Community and the Member States: decision adopted (→ point 1.3.88).
- Coordination in international forums: conclusions adopted (→ point 1.3.87).

*Other items*

- Run-up to 2000 declaration: progress report.
- Situation in Rwanda: discussed.
- International Conference on Population and Development: exchange of views.
- Lomé IV — mid-term review: exchange of views.
- Relations with South Africa: statement adopted.
- Human rights: exchange of views.
- Migration and development: discussed.
- Food situation in the Horn of Africa: examined.
- Food shortage in Algeria: discussed.
- Rehabilitation in the developing countries: examined.
- Situation in the franc area: discussed.

**1755th meeting**

1.6.6. Economic and financial affairs (Brussels, 16 May).

**Previous meeting:** Bull. 3-1994, point 1.7.10

*President:* Mr Romeos, Greek Deputy Minister for the National Economy.

*Commission:* Mr Delors, Mr Christophersen, Mr Schmidhuber and Mrs Scrivener.

*Main items*

- Financial assistance for Moldova: proposal for a Decision agreed (→ point 1.3.37).
- Financial assistance for Bulgaria: proposal for a Decision agreed (→ point 1.3.30).
- Financial assistance for Romania: proposal for a Decision agreed (→ point 1.3.33).

*Other business*

- Economic situation in the Community: discussed.

- White Paper on growth, competitiveness and employment: progress report.
- Financial assistance for Albania: examined.
- Financial assistance for Algeria: examined.
- 1993 Commission report on the fight against fraud: presented.
- Excise duties on biofuels: progress report.
- New measures to simplify VAT: discussed.
- Implementation of the White Paper in the field of compulsory levies: examined.

**1756th meeting**

1.6.7. General affairs (Brussels, 16 and 17 May).

**Previous meeting:** Bull. 4-1994, point 1.7.6

*President:* Mr Pangalos, Greek Deputy Minister for Foreign Affairs.

*Commission:* Mr Delors, Mr Marín, Sir Leon Brittan and Mr Van den Broek.

*Main items*

- Accession of Norway, Austria, Finland and Sweden: Decision adopted (→ point 1.3.20).
- Relations with Switzerland: conclusions adopted (→ point 1.3.25).
- Convoying of humanitarian aid in Bosnia-Herzegovina: Decision adopted (→ point 1.3.3).
- Stability Pact: conclusions adopted (→ point 1.3.1).
- Special provisions for imports of apples and pears: Regulation adopted (→ point 1.2.100).
- Imports of apples and pears from Chile: conclusion of the exchange of letters approved (→ point 1.2.101).
- Post-Uruguay Round negotiations on services: code of conduct approved (→ point 1.3.64).
- European Energy Charter: conclusions agreed (→ point 1.2.79).

*Other business*

- White Paper on growth, competitiveness and employment: exchange of views.
- Rwanda: declaration adopted.

- Russia — negotiations for a partnership agreement: progress report.
- Relations with Ukraine: discussed.
- Former Yugoslavia: discussed.
- Rules of Procedure of the Committee of the Regions: examined.
- Public access to Council documents: exchange of views.

### 1757th meeting

1.6.8. Consumers (Brussels, 17 May).

**Previous meeting:** Bull. 11-1993, point 1.7.14

**President:** Mr Simitis, Greek Minister for Industry, Energy and Technology.

**Commission:** Mrs Scrivener.

#### Main items

- System of information on home and leisure accidents (EHLASS): common position on a proposal for a Decision agreed; German and French delegations voted against (→ point 1.2.147).
- Green Papers on the access of consumers to justice and the settlement of consumer disputes in the single market and on guarantees for consumer goods and after-sales services: conclusions adopted (→ point 1.2.152).

#### Other business

- Distance contracts: discussed in detail.
- Timeshare: progress report.
- Comparative advertising: examination postponed.
- Application of the Treaty to consumer protection: discussed.

### 1759th meeting

1.6.9. Energy (Brussels, 25 May).

**Previous meeting:** Bull. 12-1993, point 1.7.19

**President:** Mr Simitis, Greek Minister for Industry, Energy and Technology.

**Commission:** Mr Oreja Aguirre.

#### Main items

- Energy and economic and social cohesion: conclusions adopted (→ point 1.2.76).
- Nuclear safety in the context of the electricity sector in Central and Eastern Europe and in the CIS: conclusions adopted (→ point 1.2.130).

#### Other business

- Trans-European energy networks: discussed.
- Internal market in electricity: conclusions adopted.
- New energy policy guidelines: conclusions adopted.
- European Energy Charter: conclusions adopted.
- Thermie II programme: exchange of views.

### 1760th meeting

1.6.10. Telecommunications (Brussels, 30 May).

**Previous meeting:** Bull. 12-1993, point 1.7.17

**President:** Mr Haralambous, Greek Minister for Transport and Communications.

**Commission:** Mr Bangemann.

#### Main items

- Application of open network provision to voice telephony: confirmation of common position agreed (→ point 1.2.88).
- Framework for Community policy on digital video broadcasting: resolution agreed (→ point 1.2.158).
- Fourth annual progress report on the ISDN: conclusions adopted (→ point 1.2.75).
- Information exchange between administrations: resolution agreed (→ point 1.2.73).

#### Other business

- Use of standards for the transmission of television signals: conclusions adopted.
- Information infrastructures: examined.
- Development of ISDN as a trans-European network: discussed.

- Trans-European data communications networks between administrations: general discussion.
- Green Paper on mobile communications: discussed.
- Mutual recognition of licences and other national authorizations for telecommunications services: progress report.
- Mutual recognition of licences and other national authorizations for telecommunications and satellite network services and/or satellite communications services: progress report.
- Postal services: discussed.

### 1761st meeting

1.6.11. Agriculture (Brussels, 30 and 31 May).

**Previous meeting:** Bull. 4-1994, point 1.7.11

**President:** Mr Moraitis, Greek Minister for Agriculture.

**Commission:** Mr Steichen.

#### *Main item*

- Fixing the basic price and the buying-in price for cauliflowers, peaches, nectarines, lemons, tomatoes and apricots: Regulation adopted (→ point 1.2.102).

#### *Other business*

- 1994/95 agricultural prices and related measures — milk sector: examined.
- Institutional framework for inter-branch organizations in the agricultural sector: exchange of views.
- Community plant variety rights: discussed.
- BSE: discussed.

## Commission

### Proposals adopted

1.6.12. The Commission adopted a proposal for a Regulation on reform of the common organization of the wine market (→ point 1.2.103).

## Communications, Green Papers and reports

1.6.13. The Commission approved recommendations for the broad economic policy guidelines of the Member States and the Community for 1994 (→ point 1.2.3). It adopted the Twenty-third Report on Competition Policy (1993) (→ point 1.2.21). Finally, it adopted a communication on the tax environment of SMEs (→ point 1.2.46).

### Other decisions

1.6.14. The Commission approved an integrated programme for SMEs and the craft sector (→ point 1.2.45). It also adopted a recommendation on the taxation of SMEs (→ point 1.2.47).

## Community lawcourts

### Court of Justice

1.6.15. Decisions given by the Courts are covered in the Bulletin for the month in which they are reported in the Official Journal. The operative part of the main decisions is reproduced; other decisions are simply listed by field and legal basis. Decisions in disputes between the Community and its staff are not reported.

#### *Main decisions*

### Competition

#### *Article 177 of the EC Treaty*

- 13.4.1994: Case C-128/92 *Banks v British Coal Corporation*

1. The provisions of the ECSC Treaty, in particular Articles 4(d), 65 and 66(7), but not Article 60, constitute the legal framework for the examination of licences to extract unworked coal and of their royalty and payment terms.

2. Articles 4(d), 65 and 66(7) do not confer rights which are directly enforceable by private parties in proceedings before the national courts.

3. Since the Commission has sole jurisdiction to establish that the provisions of Articles 65 and 66(7) have been infringed, the national courts may not entertain an action for damages in the absence of a Commission decision adopted in the exercise of such jurisdiction.

4. As the Commission has sole jurisdiction, subject to review by the Court of First Instance and the Court of Justice, to adopt decisions based on Articles 65 and 66(7) of the Treaty, such decisions, which are binding in their entirety pursuant to Article 14 of the ECSC Treaty, are binding on the national courts. However, the national courts may still ask the Court of Justice to rule on the validity or interpretation of those decisions.

OJ C 132, 14.5.1994

### State aids

#### *Article 173 of the EC Treaty*

□ 13.4.1994: Case C-324/90 and C-342/90 *Germany and Pleuger Worthington v Commission*

1. Commission Decision 91/389/EEC of 18 July 1990 on aids granted by the city of Hamburg is annulled.

2. The Commission is ordered to pay the costs.

OJ C 132, 14.5.1994

### Other decisions

#### Customs union

#### *Article 177 of the EC Treaty*

□ 12.4.1994: Case C-150/93 *Directeur général des douanes et droits indirects v Superior France and Danzas*

OJ C 132, 14.5.1994

#### Agriculture

#### *Article 177 of the EC Treaty*

□ 26.4.1994: Case C-228/92 *Roquette Frères v HZA Geldern*

OJ C 146, 28.5.1994

#### Free movement of workers and social policy

#### *Article 177 of the EC Treaty*

□ 16.3.1994: Case C-309/93 *Bestuur van de Sociale Verzekeringsbank v Hermanns-Penners*

OJ C 132, 14.5.1994

□ 12.4.1994: Case C-1/93 *Halliburton Services v Staatssecretaris van Financiën*

OJ C 132, 14.5.1994

□ 14.4.1994: Case C-392/92 *Schmidt v Spar- und Leihkasse der früheren Ämter Bordesholm, Kiel und Cronshagen*

OJ C 132, 14.5.1994

### Transport

#### *Article 177 of the EC Treaty*

□ 25.3.1994: Case C-20/94 *Ras*

OJ C 132, 14.5.1994

### Competition

#### *Article 177 of the EC Treaty*

□ 1.3.1994: Case C-293/92 *Karl Schaare Bauunternehmen and Scaare Verwaltungsgesellschaft v Transportunternehmer Wilfried Rappe*

OJ C 132, 14.5.1994

### Taxation

#### *Article 177 of the EC Treaty*

□ 8.3.1994: Case C-312/92 *Vincenzo Esposito*

OJ C 132, 14.5.1994

### Public contracts

#### *Article 177 of the EC Treaty*

□ 14.4.1994: Case C-389/92 *Ballast Nedam Groep v Belgium*

OJ C 132, 14.5.1994

□ 19.4.1994: Case C-331/92 *Gestión Hotelera Internacional v Comunidad Autónoma de Canarias, Ayuntamiento de Las Palmas de Gran Canaria and Gran Casino de Las Palmas*

OJ C 132, 14.5.1994

### Infringements

#### *Article 169 of the EC Treaty*

□ 8.3.1994: Case C-304/93 *Commission v Greece*

OJ C 132, 14.5.1994

□ 24.3.1994: Case C-40/92 *Commission v United Kingdom*

OJ C 132, 14.5.1994

□ 13.4.1994: Case C-313/93 *Commission v Luxembourg*

OJ C 132, 14.5.1994

□ 26.4.1994: Case C-272/91 *Commission v Italy*

OJ C 146, 28.5.1994

## Court of First Instance

### *Main decisions*

#### **Competition**

##### *Article 173 of the EC Treaty*

□ 24.3.1994: Case T-3/93 *Air France v Commission*

1. The application is dismissed.

(Application for the annulment of the Commission's decision of 30 October 1992, made public by the spokesman for the Commissioner responsible for competition matters, whereby the Commission declared that it had no jurisdiction under Council Regulation (EEC) No 4064/89 of 21 December 1989 on the control of concentrations between undertakings (revised version published in OJ L 257, 21.9.1990) to examine the acquisition of Dan Air Services Limited by British Airways plc.)

2. The applicant is ordered to pay the costs, including those of the intervener British Airways.

3. The United Kingdom of Great Britain and Northern Ireland is ordered to pay its own costs.

OJ C 132, 14.5.1994

## Court of Auditors

1.6.16. Annual report on the accounts of the Euratom Supply Agency in respect of the 1993 financial year.

**Reference:** Previous annual report: Bull. 4-1993, point 1.6.15

*Adopted at the Court's 471st meeting on 27 and 28 April.* In accordance with Article 16 of the Statutes of the Euratom Supply Agency the report has been transmitted to the Commission and the Agency's Director-General and, for information, to Parliament and the Council.

## European Investment Bank

### **Financing**

1.6.17. In May the EIB granted loans totalling ECU 1 122.4 million, of which ECU 7.4 million went outside the European Union.

### *European Union*

#### **Links with Community policies**

1.6.18. Loans were made for the following measures:

□ ECU 872.8 million for the economic development of disadvantaged regions;

□ ECU 280.7 million for the improvement of transport and telecommunications infrastructure projects of benefit to the Community;

□ ECU 159 million for the protection of the environment and improvement of the quality of life;

□ ECU 408.4 million for the pursuit of Community objectives in the field of energy.

The Bank also continued its operations to support small businesses; a total of ECU 687 million has been granted in global loans since the beginning of the year.

In many cases individual loans come under several Community policies; some are therefore counted more than once in the above amounts.

### **Geographical breakdown**

#### *Belgium*

1.6.19. ECU 25.14 million was granted in the form of global loans to finance small and medium-scale projects.

*Denmark*

1.6.20. ECU 39.86 million was lent under the Edinburgh lending facility to improve sections of the Arhus-Alborg and Vejle-Horsens motorway (northern Jutland) and the Ringsted-Skovse section (Zealand) of the motorway linking Copenhagen to the Great Belt.

*Germany*

1.6.21. ECU 25.89 million was provided for the construction of a plant to produce newsprint from de-inked paper stock. ECU 80.26 million was granted in the form of global loans to finance small and medium-scale environmental protection projects.

*Spain*

1.6.22. ECU 95.49 million (including ECU 44 million under the Edinburgh lending facility) was granted for the improvement of the regional road network in Andalusia. ECU 190.99 million (including ECU 84.3 million under the Edinburgh lending facility) was provided for the expansion and modernization of the electricity supply network in the regions of Madrid, Castilla y Leon, Castilla la Mancha, the Basque Country, Valencia and Murcia. ECU 38.2 million was granted in the form of global loans to finance small and medium-scale projects in industry, services and tourism, infrastructure and the environment throughout the country.

*France*

1.6.23. ECU 113.76 million was granted for the construction of the high-speed rail link between Paris and the Belgian frontier with a spur to the Channel Tunnel. ECU 15.17 million was granted in the form of global loans to finance small and medium-scale productive investment in the overseas departments.

*Ireland*

1.6.24. ECU 12.43 million was granted for road improvements on the Kilcock, Leixlip and Maynooth by-passes and the Mullingar by-pass, and the Dunkettle-Carrigtwohill road. ECU 11.18 million was lent for the improvement of the Dublin Western Ring Road, including con-

struction of the Northern Cross. ECU 7.46 million was provided for the modernization and extension of technical colleges.

*Italy*

1.6.25. ECU 21.50 million (including ECU 7.8 million under the Edinburgh lending facility) was provided for the modernization and extension of ground stations for satellite communications. ECU 107.50 million was granted to finance a multiple-fuel power station (coal, gas and oil) at Brindisi, Puglia. ECU 7.53 million was granted for solid waste incineration, recycling and composting facilities in Milan, for the prevention of soil erosion and flooding in Oltrepo Pavese and the improvement of the drinking water supply in the Bergamo area of Lombardy, for the collection and treatment of waste water in Liguria, and for reforestation, solid waste treatment and the supply of drinking water in Piedmont. ECU 4.11 million was provided for the modernization and extension of a meat and tuna canning factory in Aprilia, Lazio. ECU 10.75 million was granted for the collection and treatment of waste water in the provinces of Aquila and Teramo and for the storage, incineration and composting of solid waste on the Adriatic coast. ECU 13.98 million was granted for the improvement of the water supply in Marche and for the improvement of waste disposal treatment, incineration and composting facilities and the collection and treatment of waste water on the Adriatic coast. ECU 40.61 million was granted in the form of global loans to finance small and medium-scale projects in a large range of sectors.

*Netherlands*

1.6.26. ECU 13.83 million was granted under the Edinburgh lending facility to finance the combined electricity and heat power plant at Buggenum, Limburg.

*Portugal*

1.6.27. ECU 96.03 million was provided for the expansion of the electricity supply network. Loans totalling ECU 85.93 million were granted to improve the national road network (ECU 75.82 million) and for other roadworks on the network (ECU 10.11 million). ECU 25.27 mil-

lion was made available for the first section of the inner ring road west of Lisbon.

#### *United Kingdom*

1.6.28. ECU 19.29 million was granted under the Edinburgh lending facility to finance waste water collection and treatment installations in the North-West in order to improve the quality of bathing water. ECU 12.86 million was granted under the Edinburgh lending facility for roadworks (Cardiff ring road link), industrial zones and an aerospace engineering training centre.

#### *Development cooperation policy*

##### **ACP countries**

#### *Mali*

1.6.29. A loan of ECU 5 million was granted for the modernization and extension of a cottonseed oil mill and refinery.

#### *Turks and Caicos Islands*

1.6.30. A loan of ECU 0.4 million was provided to finance a pilot wind energy plant.

#### *Cape Verde*

1.6.31. ECU 2 million was granted for the construction of an anchovy processing plant at Mindelo.

## Committee of the Regions

### **Rules of Procedure**

1.6.32. Rules of Procedure of the Committee of the Regions.

**Reference:** Adoption by the Committee of the Regions: Bull. 4-1994, point 1.7.44

*Approved by the Council on 25 May.*

OJ L 132, 27.5.1994

### **Third plenary session**

1.6.33. The Committee of the Regions held its third plenary session on 17 and 18 May, chaired by Mr Blanc and attended by Mr Delors, President of the Commission.

1.6.34. In an address to the Committee on the state of the European Union Mr Delors developed two basic ideas: first, that the Union was suffering not decline but growing pains; and second, that the challenges it would face in the subsequent stages of its development would be imposed by history and not by the European process itself.

Europe's inability to bring to an end the conflict in Yugoslavia, the economic recession — which was confined to the leading industrialized countries while South-East Asia and Latin America continued along the path to growth — the various crises undermining the monetary system and the complexity of the Union Treaty were all responsible for the scepticism currently colouring public perceptions of Europe. But Europe's foundations were sound, built on 'competition which stimulates us, cooperation which brings us closer together and solidarity which is the source of our strength'.

Mr Delors stressed that, if it were to overcome its current problems, Europe must become more competitive, increasing its research effort and stepping up investment. It must also strengthen the link between growth and employment. In fact, 'Europe must be strong economically or it cannot afford to be generous'.

On the political and institutional front he pointed to three sets of apparent contradictions: how to extend the values of peace and mutual trust to the new, wider Europe but still maintain political unity; how to integrate Central Europe but not neglect the Mediterranean basin, an equally important part of Europe's heritage; and how to safeguard the efficiency of the European institutional system but still guarantee a democratic base in a European Union set for expansion.

Mr Delors concluded by stressing the importance of partnership between the regions and the



Union and warmly welcomed the setting-up of the Committee of the Regions.

In various speeches from the floor members stressed the importance of the Committee of the Regions as a forum for the aspirations of Europe's citizens. They also raised the issue of subsidiarity, and the role and *modus operandi* of the Committee.

1.6.35. The Committee of the Regions adopted opinions on:

- the future of Community initiatives under the Structural Funds (→ point 1.2.93);
- the Community initiative for urban areas (URBAN) (→ point 1.2.94);
- the Community initiative on modernization of the Portuguese textile and clothing industry (→ point 1.2.95);

- the integrated services digital network (ISDN) (→ point 1.2.74);
- the interchange of data between administrations (IDA) (→ point 1.2.72);
- the granting of Community aid in the field of trans-European networks (→ point 1.2.69);
- trans-European energy networks (→ point 1.2.70);
- the 'Youth for Europe' programme (→ point 1.2.141);
- the Socrates programme (→ point 1.2.137);
- the 'Europe against AIDS' programme (→ point 1.2.143);
- the Green Paper on access of consumers to justice (→ point 1.2.151).



**PART TWO**

**DOCUMENTATION**

# 1. The ecu

## Values in national currencies of ECU 1

May 1994 <sup>1</sup>		
BFR/ LFR	Belgian franc and Luxembourg franc	39.7402
DKR	Danish krone	7.55863
DM	German mark	1.93076
DR	Greek drachma	285.832
ESC	Portuguese escudo	199.416
FF	French franc	6.61117
HFL	Dutch guilder	2.16677
IRL	Irish pound	0.791644
LIT	Italian lira	1857.15
PTA	Spanish peseta	158.988
UKL	Pound sterling	0.774348
AUD	Australian dollar	1.60683
CAD	Canadian dollar	1.60727
FMK	Finnish markka	6.30027
ISK	Icelandic króna	82.6247
NKR	Norwegian krone	8.36832
NZD	New Zealand dollar	1.99471
OS	Austrian schilling	13.5796
SFR	Swiss franc	1.64574
SKR	Swedish krona	8.98922
USD	United States dollar	1.16441
YEN	Japanese yen	120.752
ZAR	South African rand	4.23506

<sup>1</sup> Average for the month: OJ C 150, 1.6.1994.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. EC 7/8-1982, points 3.1.1 to 3.1.3, and Bull. EC 9-1989, point 2.1.3.

**Representative rates ('green' rates)**

*Conversion rates into national currencies  
for the ecu used in connection with the common agricultural policy*

May 1994

National currency/sector		Value in national currency of ECU 1	National currency/sector		Value in national currency of ECU 1
BFR/ LFR	Belgian franc and Luxembourg franc All products	49.3070	FF	French franc All products	7.98191
DKR	Danish krone All products	9.34812	HFL	Dutch guilder All products	2.65256
DM	German mark All products	2.35418	IRL	Irish pound All products	0.976426
DR	Greek drachma All products	337.814 342.048 on 21.5.1994	LIT	Italian lira All products	2274.93
ESC	Portuguese escudo All products	236.933	PTA	Spanish peseta All products	192.319
			UKL	Pound sterling All products	0.920969

## 2. Concluding document from the inaugural conference for a pact on stability in Europe

2.2.1. At the conference held in Paris on 26 and 27 May to launch the stability pact, the following concluding document was adopted.

### **‘Part 1: Objectives and principles of the inaugural conference for a pact on stability in Europe**

1.1. We, Foreign Ministers and representatives of the States participating in the conference, have decided to meet in Paris in response to the European Union’s call for the conclusion of a pact on stability in Europe.

1.2. We are today at a turning-point in the history of the European continent. Considerable progress has been made along the road to democracy, peace and the unity of Europe. The Helsinki Final Act, the Charter of Paris, the Copenhagen Document, the 1992 Helsinki Document, and also bilateral agreements on good neighbourly relations, are milestones in this process. But we must go further and make these achievements irreversible.

1.3. We believe that the time has come to take preventive measures which will provide a new impetus in overcoming any remaining divisive tendencies which history has bequeathed to the European continent, and we affirm our determination to create a climate of confidence which will be favourable to the strengthening of democracy, to respect for human rights and to economic progress and peace, while at the same time respecting the identities of peoples.

1.4. We welcome the efforts deployed to that end in forums such as the CSCE and the Council of Europe. We note the prospects of accession to the European Union which were offered by the Copenhagen European Council to the associated countries of Central and Eastern Europe which are seeking membership and the steps taken by the countries which are drawing closer to the European Union with accession as their goal: Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia. With this perspective in mind, we have decided to hold a conference on stability in Europe, which, following a consultation and negotiation process organized within its framework, should lead to the adoption of a pact on stability.

1.5. The objectives of stability will be achieved through the promotion of good neighbourly relations,

including questions related to frontiers and minorities, as well as regional cooperation and the strengthening of democratic institutions through cooperation arrangements to be established in the different fields that can contribute to the objective.

1.6. We agree that the reference principles of the pact on stability, concerning good neighbourly relations, will be the existing principles and commitments established by the UN, the CSCE and the Council of Europe, in particular those principles contained in the Helsinki Final Act, in the Charter of Paris for a New Europe, in the Copenhagen Document, in the 1992 Helsinki Document and the 1993 Vienna Declaration of the Council of Europe Summit, referring, respectively, to the inviolability of frontiers, territorial integrity and respect of existing borders, and to national minorities.

1.7. We have decided as our method to proceed in a pragmatic manner. The discussions in progress on the various draft agreements and arrangements could also be facilitated by including them in the pact process. Our aim is to encourage countries which have not yet concluded cooperation and good neighbourliness agreements and arrangements, extending also to issues concerning minorities and borders, to do so, through a process of bilateral negotiation and regional tables, the composition and agenda for which will have been freely chosen by the participating countries.

1.8. The stability pact will embrace all the agreements and arrangements reached and all the countries concluding it will be committed to giving its content their full political support. Countries which have already concluded bilateral agreements with their neighbours may also, if they wish, have these agreements included in the pact. It will become for all those countries which conclude it an essential reference point for giving a new quality founded on the respect for differences and shared values to relations between the peoples of the whole of Europe.

1.9. We hope that our continent, which has for so long been torn by war, will become an example to the international community of how diversity can be accepted.

### **Part 2: Operational decisions**

2.1. In this spirit our countries have held intensive consultations over the last few months to decide on the problems to be dealt with, the procedures to be

followed and the timetable to be observed to achieve the goals set. These consultations have enabled us to agree on the way forward. They bear testimony to the constructive spirit of our countries and their determination to cooperate actively and to succeed.

2.2. Against this background, we note the willingness of the States referred to in point 1.4 to carry on developing their relations in the spirit of good neighbourliness, in accordance with treaties and agreements already concluded, to continue or launch bilateral negotiations and to participate in round tables.

2.3. We also note the willingness of the neighbouring States of the countries referred to in point 1.4 to take part in the negotiating process when the nature of the problems which arise requires their participation, and the willingness of other States to make their contribution to this negotiating process.

2.4. We take note of the fact that the European Union is ready to play an active role in the bilateral or regional talks. The European Union expresses its readiness to play the role of moderator in the bilateral talks at the request of the interested parties. We take note that the European Union is already contributing to the economic restructuring and the strengthening of democratic institutions in the region and is also prepared to put at the disposal of the countries concerned, within the framework of the existing Europe Agreements, other agreements and programmes, the appropriate support to facilitate the achievement of the objectives of the pact.

2.5. Other existing regional structures and international institutions could also contribute, through their activities, to promote constructive cooperation and good neighbourly relations at a regional level.

2.6. We have agreed that the procedures will draw on the concept of the negotiation tables developed on the basis of the 1992 Helsinki Document, which picked out regional cooperation as a valuable means of promoting pluralist structures for ensuring stability. These tables will aim on the one hand to improve neighbourly relations and on the other to identify the projects of common interest for the participating countries.

Accordingly:

2.7. We, Foreign Ministers and representatives of the States taking part in the conference, have agreed to set up regional round tables. Their composition, the fields of cooperation and the working procedures are defined in a document concerning the organization of regional round tables.

2.8. The aim of these round tables is to create favourable conditions for the establishment and the improvement of good neighbourly relations, including questions related to minorities and borders.

2.9. We take note of the willingness of the countries referred to in point 1.4 to include the existing good

neighbourly relations agreements in the pact, if the parties agree, or in the absence of such agreements, to intensify or launch negotiations.

2.10. The countries referred to in point 1.4 willing to negotiate may invite neighbouring or other countries as well as relevant international organizations and institutions to join them at their regional round tables, if they so wish, in order to contribute to the pursuit of good neighbourly relations, bilaterally and at regional level.

2.11. The regional round tables will be convened at the earliest opportunity at the invitation of the European Union. In so doing, the Union will consult closely with the CSCE, which will participate through its institutions.

### **Part 3**

3.1. We ask the European institutions, and the CSCE and the Council of Europe in particular, to help to ensure the smooth functioning of the negotiations.

### **Part 4: Assessment of the negotiations**

4.1. We are determined to achieve our objective, which is the conclusion of the stability pact, as swiftly as possible.

4.2. Accordingly:

□ the European Union will set up a group, open to interested States and the CSCE, which will meet regularly during the process to ensure that it makes headway and works smoothly;

□ this group could call an interim conference in order to assess the progress made.

### **Part 5: The final conference and the role of the CSCE**

5.1. The final conference will be held, if the progress of the proceedings so permits, within one year of the inaugural conference. It will be responsible for adopting the stability pact.

5.2. The European stability pact will be entrusted to the CSCE, which will be asked to take responsibility for evaluating and monitoring, in line with its procedures, the implementation of the agreements and arrangements and also the commitments which comprise them, placing the follow-up activities and meetings within the substantive and organizational context of the CSCE.

5.3. We are mindful of the political importance of the proposed stability pact and have adopted the concluding documents to guide us in this important endeavour.'

*(Only the French version is authentic)*

### 3. Infringement proceedings

#### Reasoned opinions

##### *Failure to communicate any measures incorporating Directives into national law*

2.3.1. In May the Commission delivered reasoned opinions in the following cases:

##### *Industry*

Directive 89/617/EEC (OJ L 357, 7.12.1989)  
Units of measurement  
Greece, Spain

Directive 92/4/EEC (OJ L 55, 29.2.1992)  
Criteria of purity for emulsifiers for use in foodstuffs  
Ireland, Italy

##### *Employment, industrial relations and social affairs*

Directive 89/391/EEC (OJ L 183, 29.6.1989)  
Improvements in the safety and health of workers  
Germany, Spain, Luxembourg

Directive 89/654/EEC (OJ L 393, 30.12.1989)  
Minimum safety and health requirements for the workplace  
Germany, Spain, Italy, Luxembourg

Directive 89/655/EEC (OJ L 393, 30.12.1989)  
Use of work equipment by workers  
Germany, Spain, Italy, Luxembourg

Directive 89/656/EEC (OJ L 393, 30.12.1989)  
Use of personal protective equipment by workers  
Germany, Spain, Italy

Directive 90/269/EEC (OJ L 156, 21.6.1990)  
Minimum health and safety requirements for the manual handling of loads  
Germany, Spain, Italy, Luxembourg

Directive 90/270/EEC (OJ L 156, 21.6.1990)  
Minimum safety and health requirements for work with display screen equipment  
Germany, Spain, Italy, Luxembourg

Directive 90/394/EEC (OJ L 196, 26.7.1990)  
Protection of workers from the risks related to exposure to carcinogens

#### Luxembourg

##### *Agriculture*

Directive 91/682/EEC (OJ L 376, 31.12.1991)  
Marketing of ornamental plant propagating material  
France

Directive 91/683/EEC (OJ L 376, 31.12.1991)  
Organisms harmful to plants  
Belgium, Portugal

Directive 92/33/EEC (OJ L 157, 10.6.1992)  
Marketing of vegetable planting material  
France

Directive 92/34/EEC (OJ L 157, 10.6.1992)  
Fruit plant propagating material  
France

Directive 92/63/EEC (OJ L 221, 6.8.1992)  
Undesirable substances and products in feedingstuffs  
Italy, Portugal

Directive 92/64/EEC (OJ L 221, 6.8.1992)  
Additives in feedingstuffs  
Portugal

Directive 92/76/EEC (OJ L 305, 21.10.1992)  
Organisms harmful to plants — protected zones  
Portugal

Directive 92/87/EEC (OJ L 319, 4.11.1992)  
Preparation of compound feedingstuffs intended for animals other than pets  
France, Italy, Portugal

Directive 92/90/EEC (OJ L 344, 26.11.1992)  
Producers and importers of plants  
Belgium

Directive 92/98/EEC (OJ L 352, 2.12.1992)  
Organisms harmful to plants  
Belgium, Portugal

Directive 92/103/EEC (OJ L 363, 11.12.1992)  
Organisms harmful to plants — review  
Belgium, Portugal

Directive 92/105/EEC (OJ L 4, 8.1.1993)  
Plant passports  
Belgium, Portugal

Directive 92/113/EEC (OJ L 16, 25.1.1993)  
Additives in feedingstuffs  
Portugal



Directive 93/17/EEC (OJ L 106, 30.4.1993)  
Community grades of basic seed potatoes  
Spain, Italy, Portugal

Directive 91/67/EEC (OJ L 46, 19.2.1991)  
Animal health conditions governing the placing on the market of aquaculture animals and products  
Spain, France, Ireland, Portugal

Directive 91/68/EEC (OJ L 46, 19.2.1991)  
Animal health conditions governing intra-Community trade in ovine and caprine animals  
France

Directive 91/69/EEC (OJ L 46, 19.2.1991)  
Fresh meat and meat products from third countries  
France

Directive 91/492/EEC (OJ L 268, 24.9.1991)  
Production and placing on the market of molluscs  
France, Ireland, Portugal

Directive 91/493/EEC (OJ L 268, 24.9.1991)  
Production and placing on the market of fishery products  
Ireland, Portugal

Directive 91/495/EEC (OJ L 268, 24.9.1991)  
Animal health conditions — rabbit meat and farmed game meat  
Spain, France, Ireland, United Kingdom

Directive 91/497/EEC (OJ L 268, 24.9.1991)  
Health problems affecting intra-Community trade in fresh meat  
Italy, Portugal

Directive 91/628/EEC (OJ L 340, 11.12.1991)  
Protection of animals during transport  
France, Ireland

Directive 92/5/EEC (OJ L 57, 2.3.1992)  
Health problems affecting intra-Community trade in meat products  
Ireland, United Kingdom

Directive 92/35/EEC (OJ L 157, 10.6.1992)  
Control rules and measures to combat African horse sickness  
France, Ireland, Italy

Directive 92/36/EEC (OJ L 157, 10.6.1992)  
Import of equidae from third countries  
Ireland

Directive 92/40/EEC (OJ L 167, 22.6.1992)  
Community measures for the control of avian influenza  
Belgium, France, Ireland, Italy, United Kingdom

Directive 92/48/EEC (OJ L 187, 7.7.1992)  
Minimum hygiene rules applicable to fishery products caught on board certain vessels  
Belgium, Ireland, Portugal

*Environment, nuclear safety and civil protection*

Directive 91/156/EEC (OJ L 78, 26.3.1991)  
Waste

Luxembourg

Directive 91/244/EEC (OJ L 115, 8.5.1991)  
Conservation of wild birds  
Luxembourg

Directive 91/271/EEC (OJ L 135, 30.5.1991)  
Urban waste-water treatment  
Greece, Luxembourg

Directive 92/14/EEC (OJ L 76, 23.3.1992)  
Limitation of the operation of aircraft covered by the Convention on Civil Aviation  
Germany

*Internal market and financial services*

Directive 92/13/EEC (OJ L 76, 23.3.1992)  
Award procedures for public contracts in the water, energy, transport and telecommunications sectors  
Italy

Directive 92/50/EEC (OJ L 209, 24.7.1992)  
Procedures for the award of public service contracts  
Greece, Italy, Portugal

Directive 91/308/EEC (OJ L 166, 28.6.1991)  
Prevention of the use of the financial system for the purpose of money laundering  
Ireland

Directive 89/594/EEC (OJ L 341, 23.11.1989)  
Recognition of diplomas  
Italy

Directive 89/595/EEC (OJ L 341, 23.11.1989)  
Recognition of diplomas  
Italy

Directive 91/250/EEC (OJ L 122, 17.5.1991)  
Legal protection of computer programs  
Belgium, Netherlands, Portugal

*Consumers*

Directive 90/88/EEC (OJ L 61, 10.3.1990)  
Consumer credit  
Spain

Directive 90/314/EEC (OJ L 158, 23.6.1990)  
Package travel, package holidays and package tours  
Belgium, Spain

*Failure properly to incorporate Directives into national law*

2.3.2. In May the Commission delivered reasoned opinions in the following cases:

*Internal market and financial services*

Directive 77/92/EEC (OJ L 26, 31.1.1977)  
Insurance agents and brokers

Greece

Directive 90/658/EEC (OJ L 353, 17.12.1990)

Recognition of diplomas

Italy

*Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice*

2.3.3. In May the Commission delivered reasoned opinions in the following cases:

*Employment, industrial relations and social affairs*

Articles 48, 52 and 59 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)

Equal treatment in respect of tax allowances

Germany

*Environment, nuclear safety and civil protection*

Directive 76/464/EEC (OJ L 129, 28.5.1976)

Dangerous substances in the aquatic environment

Greece

*Fisheries*

Regulations (EEC) Nos 3926/90 (OJ L 378, 31.12.1990), 170/83 (OJ L 24, 27.1.1983) and 2241/87 (OJ L 207, 29.7.1987)

Overfishing in 1991 — Anchovies

France

**Cases referred to the Court of Justice**

*Failure to communicate any measures incorporating Directives into national law*

2.3.4. In May the Commission referred the following cases to the Court of Justice:

*Agriculture*

Directive 88/657/EEC (OJ L 382, 31.12.1988)

Production of, and trade in, minced meat

Ireland

Directive 90/667/EEC (OJ L 363, 27.12.1990)

Disposal and processing of animal waste

Ireland

Directive 90/675/EEC (OJ L 373, 31.12.1990)

Organization of veterinary checks on products from third countries

Ireland

Directive 91/496/EEC (OJ L 268, 24.9.1991)

Organization of veterinary checks on animals from third countries

Ireland

*Environment, nuclear safety and civil protection*

Directive 89/618/EEC (OJ L 357, 7.12.1989)

Health protection measures to be applied and steps to be taken in the event of a radiological emergency

Italy

*Failure properly to incorporate Directives into national law*

2.3.5. In May the Commission referred the following case to the Court of Justice:

*Environment, nuclear safety and civil protection*

Directive 85/337/EEC (OJ L 175, 5.7.1985)

Impact assessment — incomplete transposal

Belgium

## 4. Additional references in the Official Journal

2.4.1. This section lists the titles of legal instruments, communications and notices that have appeared recently in the Official Journal but relate to items appearing in earlier issues of the Bulletin; the references were not available when those issues went to press.

The number of the Bulletin and the point to which this additional information refers are followed by the title shown on the cover of the Official Journal, the number of the issue and the date of publication.

### **Bull. 12-1993**

#### *Point 1.2.9*

Common position (EC) No 6/94 of 16 December 1993 adopted by the Council, acting in accordance with the procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Directive on the approximation of the laws, regulations and administrative provisions of the Member States relating to recreational craft  
OJ C 137, 19.5.1994

#### *Point 1.2.96*

Council Decision 94/277/EC of 20 December 1993 on the provisional application of certain agreements and protocols between the European Economic Community and certain third countries on trade in textile products (Albania, Armenia, Azerbaijan, Belarus, Bulgaria, Czech Republic, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Romania, Russian Federation, Slovakia, Slovenia, Tadjikistan, Turkmenistan, Ukraine, Uzbekistan)  
OJ L 123, 17.5.1994

### **Bull. 1/2-1994**

#### *Point 1.2.163*

Common position (EC) No 7/94 of 21 February 1994 adopted by the Council, acting in accordance with the procedure referred to in Article 189c of the Treaty establishing the European Community, with a view to

adopting a Council Directive amending Directive 91/689/EEC on hazardous waste  
OJ C 137, 19.5.1994

#### *Point 1.2.169*

Common position (EC) No 8/94 of 21 February 1994 adopted by the Council, acting in accordance with the procedure referred to in Article 189c of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Directive amending Annex II to Directive 79/409/EEC on the conservation of wild birds  
OJ C 137, 19.5.1994

### **Bull. 3-1994**

#### *Point 1.1.2*

Decision 94/262/ECSC, EC, Euratom of the European Parliament of 9 March 1994 on the regulations and general conditions governing the performance of the Ombudsman's duties  
OJ L 113, 4.5.1994

#### *Point 1.2.16*

Amended proposal for a European Parliament and Council Directive amending for the 13th 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  
OJ C 157, 8.6.1994

#### *Point 1.2.17*

Common position (EC) No 12/94 of 4 March 1994 adopted by the Council, acting in accordance with the procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Directive amending for the 14th 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  
OJ C 137, 19.5.1994

#### *Point 1.2.28*

Common position (EC) No 11/94 of 4 March 1994 adopted by the Council, acting in accordance with the

procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Directive amending Directive 80/390/EEC coordinating the requirements for the drawing-up, scrutiny and distribution of the listing particulars to be published for the admission of securities to official stock-exchange listing, with regard to the obligation to publish listing particulars  
OJ C 137, 19.5.1994

*Point 1.2.84*

Common position (EC) No 9/94 of 4 March 1994 adopted by the Council, acting in accordance with the procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting the seventh Directive of the European Parliament and of the Council on summer-time arrangements  
OJ C 137, 19.5.1994

*Point 1.2.149*

Common position (EC) No 13/94 of 4 March 1994 adopted by the Council, acting in accordance with the procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Directive on packaging and packaging waste  
OJ C 137, 19.5.1994

*Point 1.2.171*

Proposal for a European Parliament and Council Decision adopting an action plan 1995 to 1999 to combat cancer within the framework for action in the field of public health  
OJ C 139, 21.5.1994

*Point 1.2.173*

Common position (EC) No 10/94 of 4 March 1994 adopted by the Council, acting in accordance with the

procedure referred to in Article 189b of the Treaty establishing the European Community, with a view to adopting a European Parliament and Council Directive on the protection of purchasers in respect of certain aspects of contracts relating to the purchase of the right to use immovable properties on a timeshare basis  
OJ C 137, 19.5.1994

*Point 1.3.61*

Common position (EC) No 14/94 of 4 March 1994 adopted by the Council, acting in accordance with the procedure referred to in Article 189c of the Treaty establishing the European Community, with a view to adopting a Council Regulation on financial and technical cooperation with the Occupied Territories

Common position (EC) No 15/94 of 4 March 1994 adopted by the Council, acting in accordance with the procedure referred to in Article 189c of the Treaty establishing the European Community, with a view to adopting a Council Regulation on financial and technical cooperation with the Occupied Territories and amending Regulation (EEC) No 1763/92 concerning financial cooperation in respect of all Mediterranean non-member countries  
OJ C 137, 19.5.1994

*Points 1.7.52 and 1.7.53*

Opinions adopted by the Economic and Social Committee at its 314th meeting on 23 and 24 March 1994  
OJ C 148, 30.5.1994

**Bull. 4-1994**

*Point 1.2.79*

Proposal for a Council Regulation (EC) concerning a Community programme providing financial support for the promotion of European energy technology 1995 to 1998 (Thermie II)  
OJ C 158, 9.6.1994

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