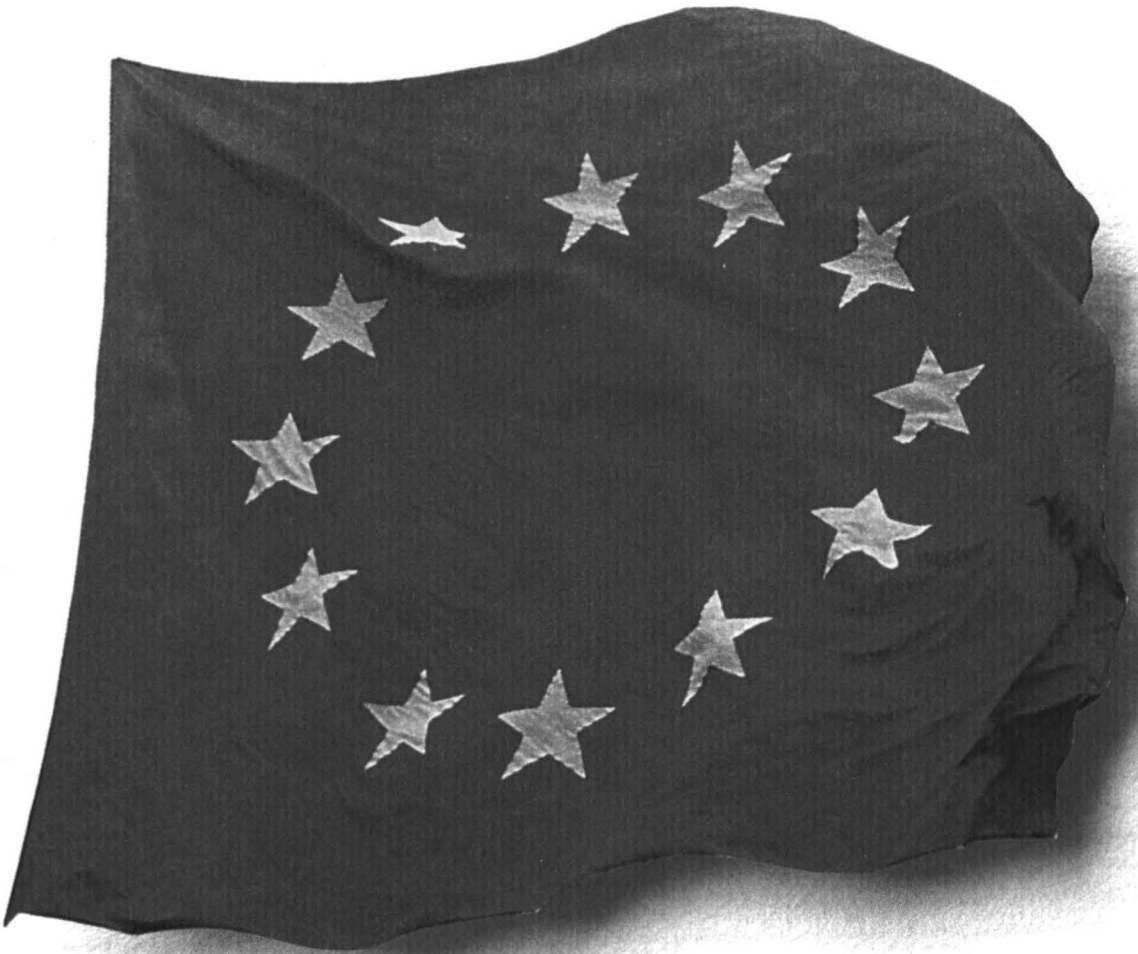


European Commission

Bulletin **of the European Union**



10 • 1994

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Commission

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References in the text

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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

contents

PART ONE ACTIVITIES IN OCTOBER 1994

News in brief	8
1. Citizens' rights	11
2. The Community economic and social area	12
— Implementation of the White Paper on growth, competitiveness and employment	12
— Economic and monetary policy	12
— Internal market	13
— Competition	17
— Industrial policy	25
— Enterprise policy	27
— Research and technology	28
— Energy	30
— Transport	30
— Telecommunications, information services and industry	31
— Economic and social cohesion	33
— Agriculture	36
— Fisheries	38
— Environment	39
— Social policy	41
— Education, vocational training and youth	41
— Public health and solidarity	43
— Consumers	44
— Culture	45
— Information, communication and audiovisual media	46
3. Role of the Union in the world	47
— Common foreign and security policy	47
— Enlargement	51

— European Economic Area (EEA), European Free Trade Area (EFTA)	52
— Central and Eastern Europe and the independent States of the former Soviet Union	52
— Mediterranean and Middle East	56
— United States, Japan and other industrialized countries	59
— Asia	60
— Latin America	61
— ACP countries and OCT	62
— International organizations and conferences	67
— Common commercial policy	69
— Development policy	71
— Humanitarian aid	72
— Human rights in the world	73
— Diplomatic relations	74
4. Justice and home affairs cooperation	75
5. Financing Community activities	76
— Budgets	76
— Financial operations	82
6. Statistical system	84
7. Community institutions	86
— Parliament	86
— Council	87
— Commission	89
— Community lawcourts	90
— Court of Auditors	99
— European Investment Bank	99
— Economic and Social Committee	102
— ECSC Consultative Committee	103

PART TWO

DOCUMENTATION

1. The ecu	106
2. Infringement proceedings	108
3. Additional references	111
4. Index	112

Supplements 1994

- 1/94 The Commission's legislative programme for 1994
Resolution of the European Parliament on the 1994 legislative programme
Council Declaration on the 1994 legislative programme
Joint Declaration of the European Parliament and the Commission on the 1994 legislative programme

- 2/94 Report on Europe and the global information society
Interim report on trans-European networks
Progress report on employment
Conclusions of the Presidency of the Corfu European Council on the White Paper

- 3/94 An industrial competitiveness policy for the European Union

PART ONE

**ACTIVITIES
IN OCTOBER 1994**

News in brief

Community economic and social area

Internal market

□ The Commission approves a communication entitled 'EU funds transfers: transparency, performance and stability', together with a proposal for a Parliament and Council Directive on cross-border transfers; it also adopts a draft notice on the application of the EC competition rules to cross-border transfer systems (→ point 1.2.11).

Competition

□ The Commission approves a draft block exemption Regulation for selective motor vehicle distribution agreements (→ point 1.2.20).

Industrial policy

□ The Commission adopts communications on restructuring the steel industry and strengthening the competitiveness of the European machinery construction industry (→ points 1.2.49 and 1.2.52).

Research and technology

□ The Commission adopts a communication entitled 'Achieving coordination through cooperation' (→ point 1.2.57).

Telecommunications, information services and industry

□ The Commission adopts a Green Paper on the liberalization of telecommunications infrastructure and cable television networks: Part One (→ point 1.2.71).

Economic and social cohesion

□ Objective 5(b): the Commission approves single programming documents for regions in Spain, France, Italy, the Netherlands, the United Kingdom and Luxembourg (→ point 1.2.77).

□ Objective 5(a): the Commission approves the single programming documents for Denmark and Luxembourg (→ points 1.2.75 and 1.2.76).

Public health and solidarity

□ The Commission approves a proposal for a Parliament and Council Decision adopting a programme of Community action on the prevention of AIDS and certain other communicable diseases (→ point 1.2.117).

Role of the Union in the world

Common foreign and security policy

- The Council adopts a Decision concerning the common position adopted on the objectives and priorities of the European Union *vis-à-vis* Rwanda (→ point 1.3.4).

Enlargement

- The people of Finland vote 'yes' to accession to the European Union in a referendum (→ point 1.3.16).

Central and Eastern Europe and the independent States of the former Soviet Union

- A ministerial meeting is held between representatives of the European Union and the associated countries of Central and Eastern Europe (→ point 1.3.19).
- Baltic States: the Commission adopts recommendations for decisions on draft Europe Agreements between the European Communities and the Baltic States and a communication setting out orientations for a Union approach towards the Baltic Sea region (→ points 1.3.21 and 1.3.22).

Mediterranean and Middle East

- The Commission adopts a communication on strengthening the Mediterranean policy of the Union and establishing a Euro-Mediterranean partnership (→ point 1.3.34).

Latin America

- The Commission adopts a communication entitled 'The European Community and Mercosur: an enhanced policy' (→ point 1.3.51).

ACP countries and OCT

- The Council adopts a Regulation establishing a special system of assistance to traditional ACP suppliers of bananas (→ point 1.3.55).

International organizations and conferences

- The Commission adopts a communication on the Uruguay Round implementing legislation (→ point 1.3.70).

Financing Community activities

- The Council adopts Decisions and Regulations (notably on own resources and budgetary discipline) giving legal shape to the conclusions of the Edinburgh European Council (→ points 1.5.6 to 1.5.10).

Community institutions

Commission

- The representatives of the Governments of the Member States of the European Communities adopt a decision nominating the persons their Governments intend to appoint as Members of the Commission of the European Communities (→ point 1.7.9).

Economic and Social Committee

- The Committee holds the inaugural session of its new term (→ point 1.7.44).

1. Citizens' rights

Union citizenship

Right to vote and stand in elections

1.1.1. Proposal for a Council Directive laying down detailed arrangements for the exercise of the right to vote and to stand as a candidate in municipal elections by citizens of the Union residing in a Member State of which they are not nationals.

Commission proposal: OJ C 105, 13.4.1994; COM(94) 38; Bull. 1/2-1994, point 1.1.1

Committee of the Regions opinion: Bull. 9-1994, point 1.1.1

Endorsed by Parliament on 26 October, subject to a number of amendments designed primarily to ease the procedure and problems associated with automatic entry on the electoral roll and to limit the scope for Member States to restrict the right of non-nationals to vote and stand in elections, except in the case of the election of the head or deputy head of a basic local government unit. Parliament would also like to see the Directive applied in the Member States before the first regular local elections after 31 December 1994 and, at the latest, by 1 January 1996.

OJ C 323, 21.11.1994

Democracy, transparency and subsidiarity

Access to documents

1.1.2. *Users' guide.*

References:

Interinstitutional Declaration on democracy,

transparency and subsidiarity: Bull. 10-1993, point 2.2.1

Code of conduct concerning public access to Council and Commission documents (93/730/EC): OJ L 340, 31.12.1993; Bull. 12-1993, point 1.7.6

Commission Decision 94/91/ECSC, EC, Euratom on public access to Commission documents: OJ L 46, 18.2.1994; Bull. 1/2-1994, point 1.1.4

Published by the Commission. In line with the undertakings it has given in respect of public access to documents, notably in its February 1994 Decision, the Commission makes it clear that anyone may apply for access to its documents. The *Guide*, published in all Community languages, reproduces the basic relevant texts and, in the form of questions and answers, presents the practical details of this new open-door policy. It also identifies the exceptions which may constitute grounds for refusal, notably the protection of public and private interests, the need to ensure that the Commission's work proceeds without disruption, and the principle of confidentiality.

Protection of citizens

1.1.3. Parliament resolution on racism, xenophobia and anti-semitism (→ point 1.4.1).

2. The Community economic and social area

Implementation of the White Paper on growth, competitiveness and employment

1.2.1. Commission Green Paper on the liberalization of telecommunications infrastructure and cable television networks: Part One (→ point 1.2.71).

1.2.2. Commission communication to the Council and Parliament on research and technological development: achieving coordination through cooperation (→ point 1.2.57).

Economic and monetary policy

Economic and monetary union (EMU)

Coordination of policies

1.2.3. Draft Council recommendations addressed, under Article 104c(7) of the EC Treaty, to Belgium, Denmark, Germany, Spain, Greece, France, Italy, the Netherlands, Portugal and the United Kingdom urging them to bring their excessive deficits to an end.

Reference: Council Decisions, taken in pursuance of Article 104c(6) of the EC Treaty, on the existence of excessive deficits in Belgium, Denmark, Germany, Spain, Greece, France, Italy, the Netherlands, Portugal and the United Kingdom: Bull. 9-1994, point 1.2.11

Draft recommendations adopted by the Commission for each of the Member States concerned on 5 October.

Agreed by the Council on 10 October. Following its adoption of the Decisions on the exist-

ence of excessive deficits in the 10 Member States concerned, the Council agreed, under the procedure laid down in Article 104c(7) of the EC Treaty, on 10 draft recommendations to be addressed to them urging them to bring this situation to an end. In accordance with Article 104c(7) of the EC Treaty, these recommendations are not made public. Should a Member State fail to take any effective action to reduce its deficit, the Council may decide to publish the recommendation in question. It was also agreed that each Member State was free to publish the recommendation concerning it.

1.2.4. Council conclusions on the revised Spanish convergence programme 1995-97.

Reference: Council conclusions on Spain's convergence programme: Bull. 6-1992, point 1.3.1

Adopted on 10 October.

'The Council welcomed the presentation of the revised Spanish convergence programme. The revised programme maintains the same approach as the original 1992 convergence programme, namely to make progress on both real and nominal convergence through fiscal consolidation and a furthering of structural reforms.

Central to the programme is the reduction of fiscal imbalances and the decline in inflation. The Council noted the intention of the Spanish Government to achieve a deficit of 3% of GDP in 1997; however, more ambitious fiscal targets and more front loading would have been welcome. The Council encouraged the Spanish authorities to seize all opportunities to reduce the deficit faster which, in turn, could help to reverse earlier the present upward trend in the Government debt-to-GDP ratio.

The Council supported the determination of the Spanish authorities to reduce the structural component of the Government deficit, mainly through measures to control expenditure. A successful fiscal consolidation will be strongly enhanced by cooperation with the regional and local authorities and by the implementation of more efficient administrative budget procedures. Moreover, the Council noted the commitment of the Spanish authorities to take additional measures if necessary for achieving the programme's deficit targets.

The Council acknowledged the progress already achieved in reforming the labour-market and welcomed the renewed importance attached in the revised programme to further structural reforms in particular to enhance competition in the services sector. The implementation of such reforms is crucial to reach the programme objectives of lower inflation and employment creation.'

Growth initiative

1.2.5. Commission report on the implementation of the Decision regarding 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 (the SME facility).

Reference: 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: OJ L 107, 28.4.1994; Bull. 4-1994, point 1.2.9

Adopted on 19 October. In this report the Commission describes how the SME facility works and examines the way in which it has been implemented, including budgetary aspects. The SME facility is implemented through agreements concluded between the EIB and financial intermediaries operating at national level. It enables beneficiaries to receive up to ECU 30 000 per job created; since it has a budget of ECU 1 billion, it will thus help to create over 30 000 jobs.

COM(94) 434

International monetary and financial matters

1.2.6. Interim Committee of the Board of Governors of the International Monetary Fund (IMF).

Previous meeting: Bull. 4-1994, point 1.2.10

Forty-third meeting held in Madrid on 2 October. The meeting was chaired by Mr Philippe Maystadt, Belgian Finance Minister, and was attended by Mr Theo Waigel, German Finance Minister and President-in-Office of the Council, and Mr Henning Christophersen, Vice-President of the Commission. The Committee welcomed

the improvement in economic prospects worldwide and stressed the need to maintain fiscal and monetary policies that would put the economy on a stable, non-inflationary growth path. It reiterated its support for the countries in transition that were resolutely implementing macroeconomic stabilization and structural adjustment measures. It approved the changes to the conditions attached to the systemic transformation facility which offer the recipient countries greater flexibility and easier access to the Fund's resources for carrying out their reforms. Lastly, it welcomed the progress made by the IMF Board in its search for a satisfactory solution to the problem of securing appropriate participation in the system of special drawing rights (SDRs) for member countries which had not hitherto enjoyed SDR allocations.

Internal market

Free movement of goods

Technical aspects

Motor vehicles

1.2.7. Proposal for a Parliament and Council Directive concerning the maximum design speed, maximum torque and maximum net engine power of two- or three-wheeled 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

Parliament amendments (second reading): OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.10

Commission opinion: COM(94) 321; Bull. 7/8-1994, point 1.2.3

Meeting of the Conciliation Committee held on 18 October. The Committee could not agree on a joint text but decided to meet again.

Dangerous substances

1.2.8. Proposal for a Parliament and Council Directive amending for the 13th time Directive 76/769/EEC.

Commission proposal: OJ C 306, 12.11.1993; COM(93) 499; Bull. 10-1993, point 1.2.9

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 1.2.7

Economic and Social Committee opinion: OJ C 133, 16.5.1994; Bull. 1/2-1994, point 1.2.15

Council common position: OJ C 244, 31.8.1994; Bull. 6-1994, point 1.2.24

Parliament approval (second reading): OJ C 276, 3.10.1994; Bull. 9-1994, point 1.2.17

Approved by the Council on 31 October.

1.2.9. Proposal for a Parliament and Council Directive amending for the 14th time Directive 76/769/EEC.

Commission proposal: OJ C 157, 24.6.1992; COM(92) 195; Bull. 5-1992, point 1.1.16

Economic and Social Committee opinion: OJ C 332, 16.12.1992; Bull. 10-1992, point 1.3.31

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

Parliament opinion (first reading): OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.2.14

Amended Commission proposal: OJ C 157, 8.6.1994; COM(94) 95; Bull. 3-1994, point 1.2.16

Council common position: OJ C 244, 31.8.1994; Bull. 6-1994, point 1.2.23

Approved by Parliament (second reading) on 26 October.

Foodstuffs

1.2.10. Proposal for a Parliament and Council Directive amending Directive 80/777/EEC on the approximation of the laws of the Member States relating to the exploitation and marketing of natural mineral waters.

Directive to be amended: Council Directive 80/777/EEC: OJ L 229, 30.8.1980

Adopted by the Commission on 14 October. The proposal is designed to rationalize Directive 80/777/EEC, by updating it in the light of scientific and technical progress in the 14 years since its adoption and bringing it into line with the general provisions of Community food law.

OJ C 314, 11.11.1994; COM(94) 423

Free movement of services

Financial services

1.2.11. Commission communication to Parliament, the Council, the European Monetary Institute and the Economic and Social Committee on 'EU funds transfers: transparency, performance and stability', together with a proposal for a Parliament and Council Directive on cross-border transfers and a draft notice on the application of the EC competition rules to cross-border transfer systems.

References:

Commission working document entitled 'Easier cross-border payments: breaking down the barriers': Bull. 3-1992, point 1.2.7

Parliament resolutions on the system of payments in the context of Economic and Monetary Union and on easier cross-border payments in the internal market: OJ C 72, 15.3.1993; Bull. 1/2-1993, point 1.2.32

Commission communication entitled 'Making the most of the internal market: Strategic programme': COM(93) 632; Bull. 12-1993, point 1.2.1

Council resolution on giving full scope to the dynamism and innovatory potential of small and medium-sized enterprises, including the craft sector and microenterprises, in a competitive economy: Bull. 9-1994, point 1.2.70

Communication on funds transfers and proposal for a Directive approved by the Commission on 19 October. The communication follows on from the Commission's March 1992 working document, which established a detailed work programme on cross-border payment systems to be implemented on a voluntary basis by the banking sector, and from subsequent independent studies to assess progress in the field. It presents a package of measures designed to improve cross-border payment systems, since

increasing cross-border activity in the single market highlights the need for action to ensure that, in the medium term and in accordance with the timetable for transition to a single currency, the transparency, performance and stability of cross-border payment systems match the properties of the best domestic payment systems.

The proposal for a Directive is intended to remedy the shortcomings in the banking sector as revealed by the abovementioned studies. It is also a response to the Parliament resolution calling for a Council directive in the field and to the Council resolution inviting the Commission to see that barriers to cross-border payments are removed. Its basic objective is to ensure that cross-border transfer services are improved, for the benefit of consumers, sole proprietorships or unincorporated businesses, and small and medium-sized enterprises.

It first establishes the general obligations regarding transparency to be fulfilled by institutions providing cross-border transfer services, in terms of information prior and subsequent to a credit transfer. It then lays down the institutions' minimum obligations as regards performance, with special reference to speed, the obligation to abide by contractual commitments, the ban on double-charging, liability in the event of a transfer not being completed, and penalties for non-compliance.

The Commission calls on the banking sector to enter, in agreement with consumer representatives, into voluntary commitments anticipating application of the Directive.

The Commission also presents in its communication a work programme of accompanying measures to improve cross-border payments in such areas as the preparation of payment systems for the transition to a single currency, risk reduction in cross-border payment systems, transparency of so-called face-to-face cross-border payments (e.g. payment card purchases in other Member States) and an analysis of the regulatory implications of new-generation payment instruments such as pre-paid cards ('electronic purses').

Draft notice on application of the competition rules adopted by the Commission on 19 October. The notice sets out the approach the Commission intends to take when assessing the compatibility of cross-border transfer systems with

the competition rules laid down in the EC Treaty, and in particular any agreements on multilateral interbank transaction fees to prevent double-charging. The draft is to be published in the Official Journal to allow comments from interested parties before it is definitively adopted by the Commission; it will then replace the 'Principles on competition for credit transfer systems' annexed to the Commission's March 1992 working document.

COM(94) 436

1.2.12. 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 93/22/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 Commission proposal: COM(94) 170; Bull. 5-1994, point 1.2.18

Council common position: OJ C 213, 3.8.1994; Bull. 6-1994, point 1.2.36

Amended by Parliament (second reading) on 26 October. The amendments are aimed at clarifying the concept of head offices and relieving outside auditors of liability towards their clients where they report to the supervisory authorities facts of which they become aware in the course of their work and which the Directive requires them to disclose to those authorities.

OJ C 323, 21.11.1994

Media

Reference: Commission Green Paper on 'Pluralism and media concentration in the internal market: An assessment of the need for Community action': COM(92) 480; Bull. 12-1992, point 1.3.18

1.2.13. Commission communication on the follow-up to the consultation process relating to

the Green Paper on 'Pluralism and media concentration in the internal market: An assessment of the need for Community action'.

Commission approval: Bull. 9-1994, point 1.2.29

Formally adopted by the Commission on 5 October.

COM(94) 353

1.2.14. Parliament resolution on concentration of the media and pluralism.

Reference: Parliament resolution on the Commission Green Paper on 'Pluralism and media concentration in the internal market': OJ C 44, 14.2.1994; Bull. 1/2-1994, point 1.2.30

Adopted on 27 October. Parliament reiterates its call on the Commission to draw up a proposal for a directive on pluralism and media concentration in the internal market in order to harmonize national legislation and thereby achieve a high level of protection of pluralism in the media.

OJ C 323, 21.11.1994

Indirect taxation

1.2.15. Council conclusions on the essential criteria for the introduction of a definitive VAT system.

Reference: Directive 77/388/EEC (OJ L 145, 13.6.1977), as last amended by Directive 91/680/EEC: OJ L 376, 31.12.1991; Bull. 12-1991, point 1.2.44

Adopted on 24 October.

'The Council confirmed the position it adopted at the meeting of 27 July 1994 that the definitive VAT arrangements within the meaning of Article 28(1) of Directive 77/388/EEC should have clear advantages over the previous transitional arrangements and must satisfy the following essential criteria, all of which are considered of equal importance:

- fewer administrative obligations for business and administration and fundamental simplification of taxation;
- no diminution of Member States' revenue from turnover tax;
- no increase in the risk of tax fraud;
- preservation of the neutral effect of VAT on competition.

The Council considered that:

□ one focus of concern was to reduce administrative costs to undertakings and Member States compared with the costs arising from the present system. As far as possible, intra-Community trade should not involve more cost than domestic trade or trade with third countries. The main objective was to make Community undertakings more competitive both within the internal market and in other markets by cutting costs generally. This particularly applied to small and medium-sized undertakings, which were supposed to take a larger part in intra-Community trade in accordance with the aims of the internal market. Here, legal, economic and material preconditions needed to be established so that the internal market opened up new prospects for precisely those undertakings. To that end, the definitive system must be as simple as possible for all undertakings. Achievement of this objective would be facilitated if:

- the treatment of intra-Community operations were similar to the treatment of domestic operations;
- there were fewer cases in which undertakings needed to have a knowledge of foreign turnover tax law and be registered for turnover tax or appoint a tax representative in another Member State;
- information and supervision procedures, including statistical declarations, were kept simple;

□ Member States' revenue from turnover tax must also be assured in a definitive VAT system. The definitive system would only satisfy Member States' justified budgetary interests if it led neither to falls in tax revenue throughout the Community nor to shifts in tax revenue between Member States;

□ the risk of tax fraud should on no account be increased in the definitive system but should as far as possible be reduced. Achievement of this objective could be facilitated by making the definitive system as simple and transparent as possible, thus promoting voluntary compliance with the law and allowing resources to be used more effectively by concentrating them on the detection and combating of fraud. The national fiscal administrations' controls must above all be geared to deterring and detecting fraud offences. The aim was fast and effective monitoring in order to detect irregularities in the conduct of transactions within the Community. Further development of mutual assistance procedures must ensure that Member States' finance administrations provide each other with sufficient mutual assistance;

□ the neutral effect of the common VAT system on competition would also be preserved in a definitive system as regards the origin of goods and services.

The Council requested the Commission, in the proposals it was due to submit in accordance with Article 28(1) of Directive 77/388/EEC, to take account of the essential criteria for a definitive VAT system set out in these conclusions.'

1.2.16. Proposal for a Council Directive on taxes other than turnover taxes which affect the consumption of manufactured tobacco (consolidated text).

Directives to be consolidated: Council Directives 72/464/EEC (OJ L 303, 31.12.1972) and 79/32/EEC (OJ L 10, 16.1.1979), as last amended by Directive 92/78/EEC: OJ L 316, 31.10.1992; Bull. 10-1992, point 1.3.10

Adopted by the Commission on 3 October. The aim is to combine into a single instrument the provisions of Directives 72/464/EEC et 79/32/EEC, which have been amended 13 and 3 times respectively.

COM(94) 355

1.2.17. Proposal for a Council Directive amending Directive 92/12/EEC on the general arrangements for products subject to excise duty and on the holding, movement and monitoring of such products, Directive 92/81/EEC on the harmonization of the structures of excise duties on mineral oils and Directive 92/82/EEC on the approximation of the rates of excise duties on mineral oils.

Commission proposal: OJ C 215, 5.8.1994; COM(94) 179; Bull. 6-1994, point 1.2.37

Endorsed by the Economic and Social Committee on 20 October, subject to a number of comments concerning, among other things, harmonization of the advance exemption procedure, double taxation, damaged goods sent back to the authorized depot, and the tax treatment of certain types of non-conventional hydrocarbons.

Intellectual property

1.2.18. Council Decision 94/700/EC on the extension of the legal protection of topographies of semiconductor products to persons from Canada.

Reference: Council Decision 87/54/EEC on the legal protection of topographies of semiconductor products: OJ L 24, 27.1.1987; Bull. 12-1986, point 2.1.33

Commission proposal: COM(94) 382; Bull. 9-1994, point 1.2.32

Adopted by the Council on 24 October. The Decision extends, from 1 November 1994, the legal protection of topographies of semiconduc-

tor products to Canadian nationals or residents and companies or other legal persons established in Canada.

OJ L 284, 1.11.1994

Competition

Rules applying to businesses

General rules

1.2.19. Commission Directive 94/46/EC amending Directive 88/301/EEC and Directive 90/388/EEC in particular with regard to satellite communications.

Reference: Report by the group of prominent persons on Europe and the global information society (the Bangemann report): Bull. 6-1994, point 1.2.9; Supplement 2/94 — Bull.

Directives amended:

Commission Directive 88/301/EEC on competition in the markets in telecommunications terminal equipment: OJ L 131, 27.5.1988; Bull. 5-1988, point 2.1.59

Commission Directive 90/388/EEC on competition in the markets for telecommunications services: OJ L 192, 24.7.1990

Commission draft: Bull. 12-1993, point 1.2.62
Economic and Social Committee opinion: OJ C 195, 18.7.1994; Bull. 1/2-1994, point 1.2.38

Parliament opinion: OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.43

Adopted on 13 October. The new Directive extends the scope of Directive 88/301/EEC to include satellite earth station equipment, and that of Directive 90/388/EEC to include satellite communications services; it does not apply to voice telephony. By liberalizing the markets in satellite telecommunications equipment and services it will help the development of trans-European networks in these areas, making it a vital step on the way to the European information society defined in the Bangemann Report. It should reduce the cost of satellite networks and thus consumer prices too, remove constraints on service and interconnection, and simplify such matters as licensing. The harmonized regulatory

environment it creates should facilitate the establishment of pan-European satellite networks and increase confidence in satellite solutions among users, operators and investors.

OJ L 268, 19.10.1994

1.2.20. Draft Commission Regulation on the application of Article 85(3) of the Treaty to certain categories of motor vehicle distribution and servicing agreements.

Reference: Transitional arrangement for imports of Japanese motor cars into the Community: Bull. 7/8-1991, point 1.3.34

Regulation to be replaced: Commission Regulation (EEC) No 123/85: OJ L 15, 18.1.1985

Approved on 5 October. This Regulation would replace Regulation No 123/85, which is to expire on 30 June 1995, and seeks to balance the interests of manufacturers, dealers and consumers. The intention is that manufacturers should be able to ensure that the vehicle is properly looked after; dealers should be able to maintain a close link with producers; and consumers should have access to dealers with the necessary know-how and skills and should be able to invoke their manufacturer's guarantee throughout that manufacturer's dealership network.

The draft will now be submitted to the Advisory Committee representing the Member States, for its opinion, and then be published in the *Official Journal of the European Communities* to enable interested parties to comment. It will be laid before the Advisory Committee once again before the Commission adopts the definitive version.

The main changes compared with the previous Regulation are intended to achieve a number of particular objectives, such as improving the functioning of the internal market, ensuring a balance between the interests of the parties concerned, encouraging relations based on partnership, and ensuring the proper management of the arrangement between the Community and Japan. Dealers would now be allowed to distribute more than one make, subject to clearly defined conditions, and to obtain spare parts other than those of the manufacturer if they are of equivalent quality; sales targets could be set by mutual agreement between manufacturers and dealers; independent garage owners would be allowed access to the technical knowledge required for repairing vehicles; the types of restrictive conduct that result in forfeiture of the

exemption would be more precisely defined; and dealers would be allowed to advertise outside their own territory.

1.2.21. Draft Commission Regulation amending Regulation (EEC) No 2349/84 on the application of Article 85(3) of the Treaty to certain categories of patent licensing agreements.

Regulation to be amended: Commission Regulation (EEC) No 2349/84 (OJ L 219, 16.8.1984), as last amended by Regulation (EEC) No 151/93: OJ L 21, 29.1.1993

Adopted on 19 October. The new Regulation would extend the existing Regulation No 2349/84 until 30 June 1995.

OJ C 313, 10.11.1994

1.2.22. Commission notice on the right to be heard in competition proceedings.

Reference: Twenty-third Report on Competition Policy: COM(94) 161; Bull. 5-1994, point 1.2.21

Adopted on 19 October. The notice seeks to clarify the Commission's administrative practice; it provides a clear definition of the rights of parties to proceedings, in an effort to reconcile their need for proper information with the requirements of confidentiality and effectiveness. In order to improve the effectiveness of competition proceedings and the certainty of businesses with regard to their legal position, the Commission has now delegated powers in respect of the right to be heard and, as a corollary, the right of access to Commission files. Principles governing new rules on access to information are explained in the Twenty-third Report on Competition Policy.

1.2.23. Draft Commission notice on the application of the EC competition rules to cross-border transfer systems (→ point 1.2.11).

Prohibited horizontal agreements

TAA

1.2.24. Commission decision adopted on 19 October. The decision prohibits the Transatlantic Agreement (TAA).

Reference: Council Regulation (EEC) No 4056/86 laying down detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport: OJ L 378, 31.12.1986; Bull. 12-1986, point 2.1.300

The 15 shipping lines party to the Transatlantic Agreement, or TAA, operate on the market for containerized liner shipping services between the western European ports, from Bayonne to the North Cape, and the ports along the eastern coast of the United States. They hold about 80% of that market, and some 70% of the market for containerized liner shipping services between Europe as a whole and the United States (including access to the United States via the Canadian ports).

The Commission has established that a number of practices engaged in by TAA members infringe the competition rules. These practices include a two-tier tariff structure that differentiates between former liner conference members and independents; a programme of artificially freezing part of the capacity available on ships; and an agreement on prices for inland haulage (in the case of combined transport). The TAA members were able to impose very large price increases in 1993 and 1994. The price increase resulting from the freezing of capacity in the westbound sector (Europe-United States) artificially penalized European exporters.

Council Regulation (EEC) No 4056/86 declares a block exemption for liner conferences; but the TAA and the practices it covers do not qualify, particularly because they are not of sufficient benefit to users, and the Commission here decides to prohibit the agreement.

Permissible forms of cooperation

Commission decisions under Article 85(3) of the EC Treaty and Article 53(3) of the EEA Agreement

Pasteur Mérieux/Merck

Previous decision: Bull. 7/8-1993, point 1.2.39

1.2.25. *Decision 94/770/EC of 6 October.* The Commission here authorizes a joint venture between Merck & Co. Inc., of the United States, and Pasteur Mérieux Sérums et Vaccins, of France, an indirect subsidiary of Rhône-Poulenc. The joint venture will combine the human vaccine operations of both parties in the EC and EFTA countries. The exemption is to apply until 31 December 2006.

The new company will have access to a wide range of monovalent vaccines, enabling it to speed up the development of multivalent vaccines, which are combinations of several existing antigens in one vaccine; the public health benefits will be considerable, particularly as regards paediatric vaccination. The joint venture will also stimulate competition for more and better new monovalent vaccines and should improve the distribution of vaccines.

The transaction was originally notified under the Merger Control Regulation. But the Commission decided, in July 1993, that it fell outside the scope of that Regulation and had to be assessed under Article 85. The Commission had serious doubts as to the its compatibility with that Article. The parties undertook to make far-reaching changes to the aspects concerning the market in the measles, mumps and rubella vaccine in France and the haemophilus influenzae B vaccine in France, Germany and the Nordic EFTA countries, and to cooperation agreements with Behringwerke AG, Merck's German distributor; this meant that the restrictions of competition were now very limited.

Commission decisions imposing fines

AKZO

1.2.26. *Decision 94/735/EC of 14 October.* The Decision imposes a fine on AKZO Chemicals BV.

Reference: Regulation No 17: First Regulation implementing Articles 85 and 86 of the Treaty; OJ 13, 21.2.1962

The Commission ordered an investigation on the premises of AKZO Chemicals BV; AKZO impeded the proper conduct of the investigation, and the Commission here decides to fine it for the breach of its legal obligation to submit fully and immediately to an investigation which had been ordered by Commission decision. The fine imposed, ECU 5 000, is the maximum allowed by Regulation No 17.

OJ L 294, 15.11.1994

Mergers

Commission decisions under Article 66(2) of the EC Treaty

CFF/GIR

1.2.27. *Adopted on 19 October.* The decision authorizes Compagnie française de ferrailles

(CFF) to take control of the Ferrero group's scrap business.

The Commission authorizes CFF to acquire 80% of the enlarged share capital of *Groupeement industriel de recyclage (GIR)*, currently controlled by the Ferrero group. CFF is taking control of GIR as part of a rationalization of its own activities in France. The transaction will increase CFF's share of the French market by less than 1.5%, and its share of the Community market by less than 0.2%; the market in scrap is characterized by strong price competition and substantial net exports.

Thyssen/Rheinbraun

1.2.28. Adopted on 13 October. The decision allows *Rheinbraun Verkaufsgesellschaft*, a subsidiary of *Rheinbraun AG*, to acquire 50% of *Thyssen Energy GmbH & Co. KG*, which is the coal and lignite sales branch of *Thyssen Handelsunion AG*. *Rheinbraun Verkaufsgesellschaft* is active in the same field. The two undertakings will continue to operate independently in the distribution of coal and lignite; the transaction will enable them to improve their distribution networks.

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.

Siemens/Italtel

1.2.29. Adopted on 14 October. The decision initiates a second-stage investigation in this case.

The Commission here decides to initiate an in-depth investigation into a proposed joint venture between *Siemens* of Germany and *STET* of Italy; the joint venture is to manufacture public and private telecommunications equipment. Both parties are relatively strong on the public switching and transmission equipment market in Italy, and the transaction would establish a vertical link between *Siemens*, which is one of the major manufacturers of equipment of this kind,

and *STET*, which holds a monopoly in public telephone services in Italy.

Mercedes-Benz/Kässbohrer

1.2.30. Adopted on 14 October. The decision initiates a second-stage investigation in the case.

Mercedes-Benz AG proposes to acquire the German company *Kässbohrer GmbH*; the Commission has serious doubts as to the compatibility of the transaction with the common market, because the addition of market shares would be particularly high, and because there may be significant barriers to entry. In the German markets in buses and touring coaches *Mercedes-Benz* and *Kässbohrer* have combined market shares exceeding 60%, while the effects of the transaction on the German market in city buses would be limited. *Mercedes-Benz* also supplies engines and other components to several of its competitors.

Thyssen Stahl/Krupp/Riva/Falck/Tadfin/AST

1.2.31. Adopted on 21 October. The decision initiates a second-stage investigation in this case.

The Commission decides to launch an in-depth investigation into the acquisition of the Italian steel company *AST* by *KAI*, a German-Italian consortium made up of *Krupp* and *Thyssen* on the German side and *Riva*, *Falck* and *Tadfin* on the Italian side. The relevant markets are those in cold-rolled stainless steel products, non-grain-oriented electrical sheet, and the distribution of stainless steel and other steel products. The Commission has serious doubts as to the compatibility of the transaction with the common market because the parties' combined shares of the first two of these markets in western Europe would be substantial. The Commission wishes to make a thorough examination of the impact of potential competition from non-Community countries.

Matra Marconi Space/Satcomms

1.2.32. Adopted on 14 October. The Commission here authorizes the acquisition of the *Satcomms* division of *Ferranti International plc* by *Matra Marconi Space*, a joint subsidiary of *Matra Hachette SA* and *The General Electric Company plc*.

Even if the relevant market is taken to be confined to the EEA, the takeover of Satcomms, which operates in satellite ground stations and microwave components and subsystems, will not give Matra Marconi Space a substantial market share, and there are a number of strong alternative suppliers. The Commission has accordingly concluded that the transaction will neither create nor strengthen a dominant position.

Avesta (III)

Previous decision: Bull. 9-1992, point 1.2.39

1.2.33. Adopted on 20 October. The decision authorizes the acquisition by British Steel of a controlling interest in Avesta Sheffield AB.

British Steel is purchasing a further 9.9% of the shares in Avesta Sheffield AB, which will bring its total holding to 49.9%, and give it sole control of the company, over which it already exercised joint control. The transaction will not affect the market structure, and the Commission accordingly declares it compatible with the common market.

General Re/Kölnische Rück

1.2.34. Adopted on 24 October. The Commission here authorizes a takeover in the reinsurance business.

General Re Corporation proposes to acquire control of Kölnische Rückversicherung AG, a German company which was previously a wholly-owned subsidiary of UAP; UAP is to keep a minority interest.

The effects of the transaction are confined to the markets in reinsurance; the relevant geographic market is international. No competition difficulties are to be expected: the worldwide reinsurance market is relatively fragmented, there are other groups with market shares equal to or greater than that of the new unit, such as Munich Re and Swiss Re, and barriers to entry are low. The Commission concludes that the transaction neither creates nor strengthens a dominant position and declares it compatible with the common market.

BHF/CCF

1.2.35. Adopted on 28 October. The decision authorizes a transaction in the business of mergers and acquisitions advice.

The German bank BHF and the French bank CCF are to share control of two financial institutions, CCF Finanziaria and CCF Finanzas, which provide mergers and acquisitions advice in Italy and Spain respectively. The two target institutions were previously controlled by CCF alone. There will be no addition of market shares in the Italian and Spanish markets in mergers and acquisitions advice: BHF was not hitherto active on these markets, and CCF is to withdraw, apart from its interests in the two jointly-controlled subsidiaries. The markets in these services are very fragmented in both countries, the most important players being large local financial institutions and international investment banks.

State aid

1.2.36. Commission decisions and other measures in respect of State aid in agriculture are dealt with under the relevant subject heading (→ points 1.2.91 and 1.2.92).

Shipbuilding

1.2.37. Proposal for a Council Directive amending Directive 90/684/EEC on aid to shipbuilding.

Directive to be amended: Seventh Council Directive 90/684/EEC (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

Adopted on 12 October. The proposal seeks to extend the term of validity of the Seventh Directive until 31 December 1995, to make certain adjustments to take account of technical progress, and enable Spain to pay to public yards loss compensation which, though authorized, has not been paid owing to budgetary difficulties.

COM(94) 444

Decisions to raise no objection

Petrochemicals

Germany

1.2.38. Commission decision on aid to Mitteldeutsche Erdöl-Raffinerie GmbH for the con-

struction and operation of a new oil refinery near Leuna, Saxony-Anhalt.

Adopted on 25 October. Because of new safety and environmental protection requirements, the project authorized by the Commission in June 1993 will cost a further DM 200 million, of which the *Land* of Saxony-Anhalt has undertaken to pay DM 40 million (ECU 21 million). The total amount of aid for the project therefore comes to DM 440 million. The decision authorizes the increase because of the beneficial effect the refinery will have on the region's development and because, even allowing for the DM 40 million of newly notified aid, the aid intensity, at 32%, will be well below the 35% limit for combined regional and other aid to new construction projects in disadvantaged areas.

Steel

Italy

1.2.39. Commission decision on Law No 481 of 3 August 1994 on aid to restructure the steel industry.

References:

Commission Decision 3855/91/ECSC establishing Community rules for aid to the steel industry: OJ L 362, 31.12.1991; Bull. 11-1991, point 1.2.26

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

Adopted on 19 October. Law No 481 earmarks, for the period 1994-96, LIT 790 billion (ECU 410 million) for restructuring of the Italian steel industry involving plant closures (LIT 600 billion) and retraining of the workforce (LIT 190 billion). Its implementation should make possible an additional reduction in production capacity of some 5 million tonnes. The Commission decided to authorize the aid in question, having satisfied itself that the aid for closures meets the requirements of the Steel Aid Code, in particular Article 4(2), and may not be granted for partial plant closures. The aid for the creation of alternative jobs will be granted in areas eligible for regional aid, within the limits laid down for such aid, and outside those areas will satisfy the criteria in the guidelines on aid for SMEs. All individual aid awards under the Law will be notified in advance to the Commission so that it can decide whether they are compatible with Community law.

Shipbuilding

Germany

1.2.40. Commission decision on a number of shipbuilding aid schemes.

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

Adopted on 25 October. The decision authorizes the application to shipbuilding of a number of aid schemes which do not specifically concern it, namely two State guarantee schemes in the *Länder* of Schleswig-Holstein and Bremen, various investment aid schemes provided for under the joint Federal Government/*Länder* programme for improving regional economic structures and, in the new *Länder*, under the Investment Allowance Act (for coasters only), and the R & D aid scheme in Schleswig-Holstein. It also authorizes the granting of tax relief for shipbuilding and the operation by the four coastal *Länder* of Bremen, Hamburg, Lower Saxony and Schleswig-Holstein of loan guarantee schemes for shipbuilding or ship conversion. In all these cases, the Commission took note of the German authorities' undertaking that they would comply with the aid ceilings laid down in the seventh Directive.

Motor vehicles

Spain

1.2.41. Commission decision on aid to Fasa-Renault Espa^a Dna SA, Valladolid.

Reference: Community framework on State aid to the motor vehicle industry: OJ C 123, 18.5.1989; OJ C 81, 26.3.1991

Adopted on 25 October. The Spanish authorities have decided to grant Fasa-Renault SA PTA 6.1 billion (ECU 38.6 million) in aid towards the production of a new series of petrol engines in Valladolid in the Castile-Leon region. The company intends to adapt the existing plant and install new production lines to make the new power unit. The total cost is put at PTA 68.2 billion (ECU 429.7 million), spread over the period 1993-99, and 161 new permanent jobs will be

created. The aid, which is being granted under a regional aid scheme approved by the Commission, will be paid in seven annual instalments between 1994 and 2000. The aid intensity, expressed in terms of net grant equivalent, is 8.9%. The decision authorizes the aid because it complies with the framework on State aid to the motor vehicle industry and because the Castile-Leon region, which lacks sufficient economic and social infrastructure, is eligible for regional aid under Article 92(3)(a) of the EC Treaty.

Environment

Reference: Community guidelines on State aid for environmental protection: OJ C 72, 10.3.1994; Bull. 12-1993, point 1.2.73

Denmark

1.2.42. Commission decision on a scheme to collect and recycle worn tyres.

Adopted on 25 October. In this decision, the Commission finds that the scheme which the Danish authorities intend introducing to encourage the collection and recycling of worn tyres with a view to reducing recourse to landfills, thereby protecting the environment, does not involve any State aid within the meaning of Article 92 of the EC Treaty and is therefore unobjectionable.

Under the scheme, a charge will be payable on tyres sold in Denmark (ECU 1 for new tyres and ECU 0.5 for retreads) to cover the cost of collecting worn tyres and transporting them to a recycling plant.

The tyres will be collected from garages and tyre dealers free of charge. Some 50 firms will take part in the scheme, which is open to any waste-collection company, Danish or otherwise. The recycling may be carried out anywhere, in Denmark or abroad, at the collector's discretion. The Danish authorities expect that, once the scheme gets under way, the worn tyre recycling rate will increase from 35 to 80%.

Netherlands

1.2.43. Commission decision on a scheme to assist small businesses in the Netherlands as the Dutch pilot programme for environmental technology.

Adopted on 25 October. The Dutch pilot programme seeks to encourage wider application of advanced environmental technology by making aid available to small and medium-sized firms which try to find a first practical application for the environmental technology they have developed. Financial assistance may be granted for measurement projects and first application projects. In the case of measurement projects, aid worth up to HFL 150 000 may be granted and the aid intensity may be as high as 50% gross. In the case of first application projects, up to HFL 500 000 may be granted, the aid intensity being limited here to 25% gross of the contract price of the new technology. The scheme is to last initially until the end of 1994. It has a budget of HFL 1 million (ECU 465 000) for measurement projects and HFL 3.5 million (ECU 1.63 million) for first application projects. The decision authorizes the scheme as it is in keeping with Community environmental policy and with the guidelines on State aid for environmental protection.

Research and development

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

Germany

1.2.44. Commission decision on aid for the creation of an application centre for the mechanical engineering industry.

Adopted on 12 October. The Commission has authorized the granting of DM 12 million in aid for the creation of a software-development centre for the mechanical engineering industry. The centre is a project of DASA, part of the Daimler-Benz group, which developed a prototype in this field in 1993. The centre will continue developing the software and will adapt it to user requirements. At least 10 people are expected to be working there at the end of 1994, increasing to 40 by the end of 1996. The total cost of the project for the period 1994-96 is some DM 44 million, and aid will take the form of three annual grants of DM 4 million towards the costs of staff, supplies and equipment. The Commission authorized the aid after having satisfied itself that the rules and aid intensities laid down by the Community framework for State aid for

research and development were being complied with and bearing in mind the centre's importance, not only for DASA but also for the development of the mechanical engineering industry in Berlin.

Exemption from Community policy on aid to the steel industry (Article 95 of the ECSC Treaty)

Germany

1.2.45. Commission decision on aid to Eko Stahl GmbH, Eisenhüttenstadt (Brandenburg).

Previous decision: Bull. 7/8-1994, point 1.2.70

Adopted on 25 October. After the failure of the Italian RIVA group's takeover of Eko Stahl, the Treuhandanstalt accepted a fresh takeover bid from the Cockerill Sambre group. This privatization is conditional on the implementation of a restructuring plan, broadly similar to the previous one, intended to restore the enterprise's profitability rapidly. The total aid needed to implement the new plan will probably go up from DM 813 million to DM 910 million, essentially because of the additional losses resulting from the RIVA's failed takeover bid. In order to offset this increase in aid, production capacities in the former German Democratic Republic are to be reduced by closing down the production line for special steel plate at Walzwerk Burg, which represents a reduction of 41 000 tonnes annually on top of the cut of 320 000 tonnes per year already planned at Henningsdorf. After having satisfied itself of the viability of the restructuring plan, which should enable the enterprise to bring its technology up to date, of the serious nature of Cockerill Sambre as an industrial partner, of the satisfactory relationship between the capacity reductions and the level of aid, and of compliance with the conditions it formulated at the time of RIVA's proposed takeover, the Commission has decided to seek the Council's assent to the aid in question.

Decisions to terminate proceedings initiated under Article 93(2) of the EC Treaty

Positive final decisions

France

1.2.46. Commission decision on aid to the computer manufacturer Bull.

Reference: Community guidelines on State aid for rescuing and restructuring firms in difficulty: Bull. 7/8-1994, point 1.2.42

Previous decision: Bull. 10-1993, point 1.2.60

Adopted on 12 October. The conditions laid down by the Community guidelines on State aid for rescuing and restructuring firms in difficulty having been met, the Commission has decided to authorize aid totalling FF 11.1 billion (ECU 1 694 million) granted to the Bull group, a manufacturer of computers and supplier of computer services. The aid is in the form of two capital injections of FF 2.5 billion and FF 8.6 billion respectively.

The decision is based on the following considerations:

□ the capital injections constitute State aid because they would not have been made by a private investor in a market economy. This is because, like other firms in the computer industry, which is currently undergoing profound changes, Bull, 88% of whose capital is held by the French State, is in difficulty: its sales are declining, its debts reached FF 10 billion at the end of 1992 and its financial health continued to worsen in 1993;

□ in authorizing the aid, the Commission has acknowledged the importance for the Community of maintaining and developing a European computer industry. It has also accepted that Bull has a restructuring plan which meets the conditions of the Community guidelines on State aid for rescuing and restructuring firms in difficulty. This plan, under which the group is to be reorganized (new pattern of production, plant closures, manpower cuts), sets out to restore the group's viability within a period of two years without placing it in a more favourable position than its competitors. Aid is limited to what is strictly necessary for implementation of the plan and is offset by cuts in production capacity. Finally, the French State has undertaken not to pay any further aid to the Bull group and to ensure that a major stake in the group is taken by an industrial partner.

International cooperation

United States

1.2.47. Agreement between the European Communities and the Government of the United States of America regarding the application of their competition laws.

Reference: EEC/US administrative arrangement: Bull. 9-1991, point 1.2.14

Proposal for a Council Decision concluding the Agreement, adopted by the Commission on 12 October. By a judgment of 9 August 1994, the Court of Justice, finding that the 1991 Agreement should have been concluded by the Council and not the Commission, annulled the act by which the Commission had sought to conclude the Agreement. In accordance with the Vienna Convention on the Law of Treaties, the Agreement remains valid in international law and the Community is still bound by it. In order to regularize the situation, the Commission has adopted a proposal for a Decision, which it is transmitting to the Council. The purpose of the Agreement is to promote cooperation and coordination between competition authorities in the United States and the European Union in order to reduce the risks of differences in the application of their respective laws.

COM(94) 430

Canada

1.2.48. Draft Agreement between the European Community and Canada on the application of competition laws.

Recommendation for a decision adopted by the Commission on 12 October.

Industrial policy

Individual industries

Steel

1.2.49. Commission communication to the Council and Parliament on restructuring the Community steel industry: final assessment and conclusions.

References:

Council conclusions on restructuring of the steel industry in the Community: Bull. 1/2-1993, point 1.2.82

Commission communication concerning guidelines relating to the production and deliveries of steel products: Bull. 3-1993, point 1.2.53

Commission information note concerning the implementation of social measures for the restructuring of the steel industry (1993-95): OJ C 146, 26.5.1993; COM(93) 178; Bull. 4-1993, point 1.2.104

Agreement between the Community and the Czech Republic and Slovakia concerning steel imports: OJ L 157, 19.6.1993; Bull. 5-1993, point 1.3.69

Commission communication to the Council and Parliament entitled 'Fresh impetus for restructuring the steel industry in the Community': Bull. 6-1994, point 1.2.74

Adopted on 25 October. In the communication, the Commission finds that the steel industry has not made the capacity reduction of at least 19 million tonnes on which, according to the conclusions adopted by the Council in 1993, the implementation of a set of flanking measures depended. It therefore concluded that, as it had announced in its communication of 21 June, there was no longer any reason to maintain most of the flanking measures decided upon.

As regards the single market in particular, the Commission will not extend the market-stabilization measures beyond the fourth quarter of 1994. The economic recovery is now such that the quarterly product guidelines are no longer necessary, and so steel enterprises should be capable, on the basis of the overall six-monthly indications, of deciding individually their production and delivery strategies for the Community market. As far as external measures are concerned, the Commission is not proposing to extend into 1995 the tariff quotas negotiated with the Czech and Slovak Republics for a number of steel products, but would emphasize the need to keep a close eye on the trend in this trade. It concludes that the structural measures authorized have become superfluous and will maintain, subject to the budget funds available, the measures to help cover the social cost of closing down installations between now and the end of 1995, but it does not propose to increase the allocation beyond the ECU 240 million originally earmarked. As to State aid, the Commission will continue its very strict monitoring of the aid authorized in 1993.

COM(94) 466

1.2.50. Parliament resolution on the restructuring of the steel industry.

Adopted on 28 October. Parliament is calling for the maintenance of the social back-up measures

for the restructuring under way and for the implementation of a durable restructuring plan.

OJ C 323, 21.11.1994

1.2.51. Commission communication laying down guidelines on production and deliveries in the Community of steel products for the fourth quarter of 1994.

Reference: Commission communication concerning guidelines relating to the production and deliveries of steel products: Bull. 3-1993, point 1.2.53

Adopted on 6 October. The guidelines laid down by the Commission in cooperation with the steel industry trade associations are part of the system of quarterly guidelines established in March 1993 with a view to stabilizing the market. In the Commission's view, the guidelines indicate that the trends in long products and flat products are diverging. There has been a marked improvement in the demand for flat products since the beginning of the year and this should continue in the fourth quarter. Export prospects are good, especially to the United States and South-East Asia. As regards long products, the decline in deliveries to China, lack of investment, pressure of imports from third countries and the high price of scrap are all negative factors. The consumption of certain products used in the motor industry or in engineering is now rising, whereas the consumption of products associated with building and construction is still weak.

OJ C 286, 14.10.1994

Mechanical engineering

1.2.52. Commission communication to the Council and Parliament on strengthening the competitiveness of the European machinery construction industry.

References:

Council Directive 89/392/EEC on the approximation of the laws of the Member States relating to machinery (OJ L 183, 29.6.1989; Bull. 6-1989, point 2.1.15), as last amended by Directive 93/68/EEC: OJ L 220, 31.8.1993; Bull. 7/8-1993, point 1.2.1

Commission communication on the implementation of an integrated programme in support of small and medium-sized enterprises (SMEs) and the craft sector: COM(94) 207; Bull. 6-1994, point 1.2.79

Parliament and Council Decision No 1110/94/EC concerning the fourth framework pro-

gramme of European Community activities in the field of research, technological development and demonstration (1994-98): OJ L 126, 18.5.1994; Bull. 4-1994, point 1.2.69

Commission communication to the Council, Parliament, the Economic and Social Committee and the Committee of the Regions entitled 'An industrial competitiveness policy for the European Union': COM(94) 319, Bull. 9-1994, point 1.2.67 and Suppl. 3/94 — Bull.

Adopted on 25 October. In this communication, which follows on from its communication on industrial competitiveness, the Commission places itself in the general context of manufacturing industry. Mechanical engineering is a basis for industrial growth, which is why it is so important. Faced with new competitors and new markets, it is now a mature industry in transition, no longer based entirely on engineering but forced to use the latest communication and data-processing techniques.

To make the industry more competitive, the Commission is proposing (i) a consistent set of measures in such areas as investment promotion, the business environment, industrial cooperation, technical harmonization, research, vocational training, regional policy, commercial policy and environmental protection, and (ii) specific measures for SMEs. None of the measures proposed requires compulsory expenditure, and most can be implemented through Community or national instruments already in place.

To promote investment, the Commission is recommending that Member States consider incentive schemes for investment in plant and machinery. Action is needed too to make the distributive infrastructure more efficient. The Commission emphasizes the merits of industrial cooperation, especially between manufacturers, suppliers and customers, and will examine whether round-table discussions should be held between the parties concerned.

So that firms may fully benefit from the single market, Directive 89/392/EEC must be rapidly transposed into the national law of the Member States and disseminated in industrial circles. At the same time, the Commission is stressing the need to speed up the preparation of the harmonized standards necessary for the Directive to come into force.

As regards foreign trade, the successful conclusion of the Uruguay Round negotiations should

make it possible for the European Union's mechanical engineering exports to increase by 4.5% a year. It is up to firms to take advantage of these opportunities. For its part, the European Union will, whenever circumstances warrant, continue to use the commercial instruments at its disposal, in accordance with the multilateral rules applicable.

Most mechanical engineering firms are SMEs, and the measures advocated are, in practice, targeted at small businesses. The Commission would also draw attention to the contribution that the new measures provided for in the integrated programme for SMEs may make in this connection.

The Commission invites the Member States to consider tax credit arrangements for research so as to encourage firms to invest more in research activities, including in the long term. It also considers that mechanical engineering firms themselves must do more to benefit from the fourth framework programme for research and technological development.

To make up for the lack of skilled labour, the mechanical engineering industry must implement a training strategy which will make it possible to predict future technological requirements more accurately by taking the recommendations of both sides of industry fully into account.

COM(94) 380

Enterprise policy

Small and medium-sized businesses

1.2.53. Commission communication to the Council, the European Parliament, the Economic and Social Committee, the Committee of the Regions and the European Investment Bank on the final report of the round table of leading representatives of the banking sector, entitled 'Towards a more efficient partnership between financial institutions and SMEs'.

References:

Copenhagen European Council — Bull. 6-1993, point 1.4

Lending facility for job creation by small business — Bull. 6-1994, point 1.7.44

European Investment Fund set up — Bull. 6-1994, point 1.7.43

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

Adopted by the Commission on 28 October. In this communication the Commission responds to the recommendations addressed to it in the report submitted by the round table set up in July 1993 with a view to improving cooperation between financial institutions and SMEs.

Where bank lending is concerned, the Commission will pursue its efforts to encourage the development of mutual guarantee schemes, including support for pilot projects in Member States where such schemes have not yet been established.

The Commission also stresses the importance it attaches to global loans by the EIB, particularly to the choice of intermediaries to facilitate the access of SMEs to this type of loan.

In implementing the decision taken by the Copenhagen European Council, the Commission has been careful to ensure that interest subsidies are allocated as equitably as possible amongst SME beneficiaries. In the cooperation agreement with the EIB, it insisted on the appropriate targeting of beneficiaries and a flexible application of this instrument.

The Commission hopes that the operating rules for the European Investment Fund in respect of SMEs will be established without delay, that EIF intervention mechanisms will be flexible and that genuine cooperation can be established between the EIF and the existing guarantee systems in the Member States.

The Commission points out that it has been using the Structural Funds to provide support for a number of regional financial-engineering initiatives and that improving the access of SMEs to finance and credit is one of the seven priorities of the Community SME initiative.

With regard to equity finance, the Commission makes it clear that it will support initiatives for improving the functioning of the financial markets, in particular by encouraging the development of a capital market aimed at promoting shareholdings in SMEs. The Commission also

suggests measures for improving the fiscal environment of SMEs and draws attention to the opportunities provided by the Structural Funds and the European Investment Fund.

Under the heading of late payment, the Commission confirms its intention to address a recommendation to the Member States, calling on them to encourage adherence to agreed payment periods.

Lastly, the Commission has decided to step up its own support for improving management quality in particular via the Community SME initiative.

COM(94) 435

1.2.54. Commission communication on the implementation of an integrated programme in favour of SMEs and the craft sector.

Commission communication: COM(94) 207; Bull. 6-1994, point 1.2.79

Endorsed by Parliament on 24 October. Parliament welcomes the Commission's choice of an integrated approach to supporting SMEs and the craft sector and hopes that this will imply better coordination, transparency, efficiency and consistency in the initiatives taken. It calls on the Commission to facilitate access by SMEs to public procurement, to make them aware of the facilities available and to take special measures for the continuing training and specialization of their employees. It calls for measures to relieve the administrative burden on SMEs and simplify the procedures for access to European Union financial instruments. Parliament further requests that the problems peculiar to the craft sector be addressed and calls for the institution of a programme of assistance for SMEs in identifying export opportunities in non-Union markets.

OJ C 323, 23.11.1994

1.2.55. Commission communication to the Council and the European Parliament concerning the improvement of the fiscal environment of small and medium-sized enterprises, accompanied by a Commission recommendation concerning the taxation of small and medium-sized enterprises.

Commission communication: COM(94) 206; Bull. 5-1994, point 1.2.46
Commission Recommendation 94/390/EC: OJ L 177, 9.7.1994; Bull. 5-1994, point 1.2.47

Endorsed by Parliament on 24 October. Parliament endorses the Commission's pragmatic approach in proposing no more than minimum harmonization in the present circumstances. It reaffirms the need for a fiscally neutral way of converting sole proprietorships without legal personality or partnerships into incorporated enterprises. It calls for encouragement to be given to support for or the development of guarantee systems and calls on the Commission to encourage Member States to adopt measures to guide savings towards investment in SMEs. Parliament further calls on the Commission to consider under what conditions it would be possible to have the tax legislation of the Member State in which the head office of an enterprise is located govern permanent establishments in other Member States and requests the Commission to bring forward proposals to reduce the loss of jobs associated with the administrative, fiscal and legal difficulties encountered on transfer of ownership of successful SMEs. Lastly, it endorses the approach chosen by the Commission of recommending to the Member States that succession duties and capital transfer taxes be limited to strictly business assets, provided there is a guarantee of continuity.

OJ C 323, 21.11.1994

1.2.56. Council resolution on giving full scope to the dynamism and innovatory potential of small and medium-sized enterprises, including the craft sector and micro-enterprises, in a competitive economy.

Council agreement: Bull. 9-1994, point 1.2.70

Formally adopted by the Council on 10 October.

OJ C 294, 22.10.1994

Research and technology

General

1.2.57. Commission communication to the Council and Parliament on research and technological development entitled 'Achieving coordination through cooperation'.

References:

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.

Parliament resolution on coordinating the research and technological development policies of the European Community and the Member States — OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.52

Conclusions of the Corfu European Council — Bull. 6-1994, point I.4

Adopted by the Commission on 19 October. European research, an essential component of the competitiveness of European industry, is handicapped in the international arena as a result of the fragmentation of research policies pursued in the Community and the resulting dispersion of efforts. In this strategic document, which follows on from the White Paper on growth, competitiveness and employment and the conclusions of the Corfu European Council, the Commission proposes to achieve a gradual improvement in the coordination of research activities and policies in Europe through greater cooperation.

In this communication, the Commission proposes a gradual approach involving action at three levels, namely the determination of R & TD policies, the implementation of research activities, and international cooperation.

Where the determination of R & TD policies is concerned, the Commission proposes that the Member States and the Community should have at their disposal relevant, comparable information on national R & TD policies and a common reference basis for technology forecasting. Another proposal is that the Member States should provide each other with more information about their research policies, for example, by holding regular meetings at ministerial level.

Where the implementation of research activities is concerned, various measures are proposed in order to meet the expectations of European firms with regard to coordination at European level, for example, making the boundaries between the different Community research programmes less rigid and improving practical cooperation with European research organizations and agencies.

Where international cooperation is concerned, the European Union must speak with one voice in international bodies and take part in a coor-

dated fashion in international programmes such as those on genome sequencing, global change and standardization.

COM(94) 438

Framework programme 1994-98*Specific programmes*

1.2.58. 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

Parliament opinion (first reading): OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.68

Economic and Social Committee opinion: OJ C 295, 22.10.1994; Bull. 6-1994, point 1.2.83

Amended Commission proposal: OJ C 175, 28.6.1994; COM(94) 242; Bull. 6-1994, point 1.2.83

Council agreement on a common position: Bull. 6-1994, point 1.2.83

Council common position: OJ C 244, 31.8.1994; Bull. 7/8-1994, point 1.2.77

Endorsed by Parliament (second reading) on 27 October.

OJ C 323, 21.11.1994

1.2.59. 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

Parliament opinion (first reading): OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.67

Economic and Social Committee opinion: OJ C 295, 22.10.1994; Bull. 6-1994, point 1.2.84

Amended Commission proposal: OJ C 175, 28.6.1994; COM(94) 242; Bull. 6-1994, point 1.2.84

Council agreement on a common position: Bull. 6-1994, point 1.2.84

Council common position: OJ C 244, 31.8.1994; Bull. 7/8-1994, point 1.2.78

Endorsed by Parliament (second reading) on 27 October.

OJ C 323, 21.11.1994

Energy

Individual sectors

Solid fuels

1.2.60. Commission report on the market for solid fuels in the Community in 1993 and the outlook for 1994.

Commission report: Bull. 3-1994, point 1.2.82

Revised version: Bull. 9-1994, point 1.2.107

ECSC Consultative Committee consulted on 6 October.

Relations with third country energy producers or importers

European Energy Charter

1.2.61. Draft Treaty.

Signature of the Charter: Bull. 12-1991, point 1.2.114

Agreement of the contracting parties on the draft Treaty: Bull. 6-1994, point 1.2.107

Commission proposal and draft concerning the signing and provisional application of the Treaty: COM(94) 405; Bull. 9-1994, point 1.2.108

ECSC Consultative Committee consulted on the draft Council and Commission decision on the signing of the Treaty and its provisional application by the ECSC and the EAEC on 6 October.

Transport

General

1.2.62. Council resolution on telematics in the transport sector.

Council agreement: Bull. 9-1994, point 1.2.109

Formally adopted on 24 October.

OJ C 309, 5.11.1994

Inland transport

Road transport

1.2.63. Proposal for a Council Directive amending Council Directive 91/439/EEC on driving licences.

Directive to be amended: Council Directive 91/439/EEC — OJ L 237, 24.8.1991; Bull. 7/8-1991, point 1.2.287

Reference: Treaty concerning the accession of Austria, Finland, Norway and Sweden — OJ C 241, 29.8.1994; Bull. 6-1994, point 1.3.15

Adopted by the Commission on 24 October. Purpose: to allow Finland and Sweden the same derogation, valid until December 1997, as Norway was granted in the Act of Accession concerning the model driving licence.

COM(94) 429

1.2.64. Council resolution on road freight transport in the single European market.

Council agreement: Bull. 9-1994, point 1.2.112

Formally adopted on 24 October.

OJ C 309, 5.11.1994

Inland waterway transport

1.2.65. Council resolution on structural improvements in inland waterway transport.

Council agreement: Bull. 9-1992, point 1.2.116

Formally adopted on 24 October.

OJ C 309, 5.11.1994

Sea transport

1.2.66. Proposal for a Council Directive concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions.

Commission proposal: OJ C 107, 15.4.1994; COM(94) 73; Bull. 3-1994, point 1.2.91

Economic and Social Committee opinion: Bull. 9-1994, point 1.2.118

Endorsed by Parliament (first reading) on 27 October, subject to various amendments aimed in particular at tightening up shipping control rules, defining the detailed rules for intervention by the inspection authorities, and guaranteeing the right of appeal of ship owners/operators.

OJ C 323, 21.11.1994

1.2.67. Parliament resolution on safety at sea.

References:

Commission communication on safe seas — COM(93) 66; Bull. 1/2-1993, point 1.2.104

Council resolution on a common policy on safe seas — OJ C 271, 7.10.1993; Bull. 6-1993, point 1.2.115

Council conclusions on maritime safety and prevention of marine pollution — Bull. 3-1994, point 1.2.89

Adopted on 27 October. With reference to the accident which occurred in the port of Ramsgate in the United Kingdom and the disaster involving the Baltic ferry *Estonia*, Parliament called upon the Commission to propose binding rules concerning safety on board ships flying the flag of a Member State or calling at Community ports, and concerning port infrastructures, in particular as regards embarkation-disembarkation facilities, access to hospitals and satellite assistance. It emphasized the need for consistent and uniform enforcement of IMO conventions in the European Union.

OJ C 323, 21.11.1994

1.2.68. Parliament resolution on the oil slick in northern Portugal following the accident which occurred to the tanker *Cercal*.

Adopted on 27 October. Parliament took the view that one reason for this accident was the fact that it is not compulsory for vessels transporting materials which are dangerous for the ecological balance to be of the segregated-ballast type. It called upon the Commission, in cooperation with the Portuguese Government, to investigate the environmental consequences of this disaster and the vulnerability of the Portuguese coast. Parliament asked the Commission to take appropriate steps to prevent such accidents and improve shipping safety.

OJ C 323, 21.11.1994

Air transport

1.2.69. Council resolution on the situation in European civil aviation

Council agreement: Bull. 9-1994, point 1.2.122

Formally adopted on 24 October.

OJ C 309, 5.11.1994

1.2.70. 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 1.2.94

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

Council common position: OJ C 172, 24.6.1994; Bull. 5-1994, point 1.2.85

Endorsed by Parliament (second reading) on 26 October, subject to an amendment concerning the publication of an interim report within 12 months of the date of an accident if publication of the final accident report is prevented by the unavailability of information.

OJ C 323, 21.11.1994

Telecommunications, information services and industry

General

1.2.71. Commission Green Paper on the liberalization of telecommunications infrastructure and cable television networks (Part One).

References:

Council resolution on the review of the situation in the telecommunications sector and the need for further development in that market — OJ C 213, 6.8.1993; Bull. 6-1993, point 1.2.122

Commission communication 'Europe's way to the information society: An action plan' — COM(94) 347; Bull. 7/8-1994, point 1.2.99

Adopted by the Commission on 25 October. The Green Paper on the liberalization of telecommunications infrastructure and cable television networks represents a first step towards implementing the Commission's action plan on the information society and is a response to the resolution adopted by the Council in 1993, which set a clear timetable for developing telecommunications in the European Union. It aims to put an end to the telecommunications network monopolies persisting in most Member States. In Part One of this Green Paper, the Commission sets out the general principle and the timetable it intends to follow in bringing about the progressive liberalization of infrastructures. Part Two, to be issued at a later date, will deal with the specific forms this liberalization will take.

The Commission suggests that the providers of telecommunications services open to competition should have a free choice of the underlying infrastructure for the delivery of such services, subject to transitional arrangements for Member States whose networks are under-developed. It recommends, primarily with a view to improving the competitiveness of European industry, the removal of restrictions on the use of infrastructure in the following areas:

- provision of satellite communications services;
- provision of all earth telecommunications services already liberalized;
- provision of links, including microwave links, in the network for mobile telecommunications services;
- provision of public voice telephony services, subject to exemption arrangements to be determined on the basis of a wide public debate to be instigated by Part Two of the Green Paper.

The Commission recommends immediate action in the first three areas and full liberalization of infrastructure for public voice telephony by 1 January 1998, in accordance with the timetable laid down by the resolution adopted by the Council in 1993 and subject to transitional periods for a number of Member States.

COM(94) 440

Telecommunications

Legislative aspects

1.2.72. Commission Directive 94/46/EC amending Directives 88/301/EEC and 90/388/EEC concerning satellite communications in particular (→ point 1.2.19).

Telematic services of general interest

1.2.73. Commission communication on the legal aspects of electronic data interchange (EDI), accompanied by a Commission recommendation on a 'European model EDI Agreement'.

Reference: Council Decision 91/385/EEC establishing the second phase of the TEDIS programme — OJ L 208, 30.7.1991; Bull. 7/8-1991, point 1.2.97

Adopted by the Commission on 19 October. The communication and recommendation are to be viewed in the context of the second phase of the TEDIS programme, whose aim is to set up electronic data interchange systems. The Commission stresses the need to remove certain constraints imposed by legal requirements and commercial practice, particularly the requirement for documents on paper or handwritten signatures and the rules governing the admissibility and validity of data exchange. In view of the diversity and inconsistency of the 'interchange agreements' drawn up by EDI users to avoid these constraints, the Commission considers it necessary to implement the European model EDI Agreement whose finalization was provided for by Council Decision 91/385/EEC.

The Commission bases its use of a non-binding act on the desire of economic operators for cooperation, partnership and a contractual approach, and considers a set of specific and flexible rules to be essential. It therefore recommends that economic operators and organizations using electronic data exchange for commercial purposes employ the European model EDI Agreement and that Member States promote the use of the agreement by taking appropriate measures.

Economic and social cohesion

Cohesion Fund

Financing

1.2.74. Commission decisions: see Table 1.

Table 1 — *Financing under the cohesion financial instrument*

<i>(million ECU)</i>	
Country/purpose	Total assistance
<i>Ireland</i>	
Transport	119.96

Structural action, regional policies

Planning and orientation

Structural assistance under Objective 5(a)

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 2.1.100), as last amended by Regulation (EEC) No 2091/93: OJ L 193, 31.7.1993; Bull. 7/8-1993, point 1.2.116

Single programming documents

Denmark

1.2.75. Draft Commission Decision approving the single programming document for Community structural funding under Objective 5(a) for improving the conditions under which agricultural and forestry products are processed and marketed in Denmark for the period 1994 to 1999.

Approved on 25 October. The single programming document for Denmark (Objective 5(a)) lists as priorities for joint action forestry products, meat, milk and milk products, eggs and

poultrymeat, fruit and vegetables, flowers and ornamental plants, seeds and potatoes.

The Community assistance to be granted from the EAGGF Guidance Section totals ECU 16 700 000.

Luxembourg

1.2.76. Draft Commission Decision approving the single programming document for Community structural funding under Objective 5(a) for improving the conditions under which agricultural and forestry products are processed and marketed in Luxembourg for the period 1994 to 1999.

Approved on 25 October. The single programming document for Luxembourg (Objective 5(a)) specifies wine and alcohol as the priority for joint action. The Community assistance provided for totals ECU 1 673 000.

Structural assistance under Objective 5(b)

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

Single programming documents

1.2.77. Draft Commission Decisions approving single programming documents for Community structural funding in regions in France (Alsace, Aquitaine, Auvergne, Lower Normandy, Burgundy, Brittany, Champagne-Ardenne, Centre, Franche-Comté, Upper Normandy, Limousin, Loire Region, Poitou-Charentes and Provence-Alpes-Côte d'Azur), Spain (Navarre, Rioja), Italy (Bolzano, Trento, Valle d'Aosta), the Netherlands (Friesland), the United Kingdom (East Anglia) and Luxembourg under Objective 5(b) (development of rural areas).

Approved on 5 and 19 October. The single programming documents approved by the Commission were drawn up in partnership with the national authorities concerned and are based on close coordination of assistance from the various Funds for integrated operations, a broad partnership between the authorities concerned, the concentration of financial resources on oper-

ations making use of potential in the rural areas and on the following priorities:

- development of the basic infrastructure required for economic development;
- adaptation of agriculture to market trends, diversification of activities and job creation;
- general improvement in living conditions in rural areas and protection of the heritage;
- development of human resources;
- development of natural and environmental resources.

Details of Community assistance from the three Structural Funds (EAGGF, ERDF, ESF) are given in Table 2.

Table 2 — *Community assistance for single programming documents under Objective 5b*

<i>(million ECU)</i>	
Country/purpose	Total assistance
<i>Spain</i>	
Navarre	56.6
Rioja	38.9
<i>France</i>	
Alsace	46.5
Aquitaine	225.3
Auvergne	164.7
Brittany	186.3
Burgundy	112.7
Centre	94.1
Champagne-Ardenne	29.3
Franche-Comté	74.6
Limousin	128
Loire region	122
Lorraine	96.8
Lower Normandy	133.3
Poitou-Charentes	130.1
Provence-Alpes-Côte d'Azur	90.7
Upper Normandy	11.2
<i>Italy</i>	
Bolzano	43
Trento	19.9
Valle d'Aosta	4.2
<i>Luxembourg</i>	
	6

Country/purpose	Total assistance
<i>Netherlands</i>	
Friesland	68.7
<i>United Kingdom</i>	
East Anglia	60

Community initiatives

1.2.78. Commission communication on the indicative financial allocation by Member State for the Community's Rechar, Resider and RETEX initiatives.

Reference: Commission notices to the Member States laying down guidelines for the operational programmes and global grants which they 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, 'Employment and development of human resources', URBAN, and 'Modernization of the Portuguese textile and clothing industry': OJ C 180, 1.7.1994; Bull. 6-1994, point 1.2.133

Approved on 12 October. Determines the areas eligible under Rechar and Resider and establishes the indicative financial allocation for these initiatives and for RETEX. Details of the breakdown are given in Table 3. The criteria for the allocation are as follows:

- Rechar and Resider: the proportion of jobs lost or at risk in eligible areas in each Member State;
- RETEX: the number of jobs in the textile/clothing industry as a percentage of the total number of industrial jobs.

Table 3 — *Indicative breakdown by Member State of appropriations for the Rechar, Resider and RETEX initiatives (1994-99)*

<i>(million ECU)</i>				
Member State	Total	Rechar	Resider	RETEX
Belgium	43.4	15.6	24.4	3.4
Germany	409.4	158.7	190.5	60.2
Greece	6.1	1.5	4.6	—
Spain	86.9	27.3	58.8	0.8

Member State	Total	Rechar	Resider	RETEX
France	104.1	33.2	61.6	9.3
Italy	103.9	1.7	84.1	18.1
Luxembourg	6.9	—	6.9	—
Netherlands	17.5	—	17.5	—
Portugal	7.8	0.9	6.9	—
United Kingdom	208.7	161.1	44.8	2.8

Adjustment of agricultural structures

1.2.79. Proposal for a Council Regulation amending Regulations (EEC) Nos 2328/91 and 866/90 in order to speed up adjustments of production, processing and marketing structures within the framework of common agricultural policy reform.

Commission proposal: OJ C 152, 3.6.1994; COM(94) 166; Bull. 4-1994, point 1.2.102

Parliament opinion: OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.96

Agreed by the Council on 25 October. The purpose of the proposal is to simplify the rules and offer Member States greater flexibility in the conditions governing investment aids and also to accelerate the adjustment of agricultural structures to take account of changes in the conditions for exercising farming activity resulting from the CAP reform.

International Fund for Ireland

1.2.80. Council Regulation (EC) No 2687/94 on Community contributions to the International Fund for Ireland.

Commission proposal: OJ C 89, 26.3.1994; COM(94) 60; Bull. 3-1994, point 1.2.114

Parliament opinion: OJ C 305, 31.10.1994, Bull. 9-1994, point 1.2.132

Agreed by the Council on 4 October.

Amended proposal adopted by the Commission on 20 October. The Commission incorporated most of the amendments advocated by Parliament, and in particular those concerning an

annual progress report to the budget authority and the fixing of a period of validity for the Regulation.

COM(94) 456

Formally adopted by the Council on 31 October. This Regulation increases the Community contribution to the International Fund for Ireland set up in 1986 to promote economic and social progress and encourage reconciliation between the communities in Northern Ireland from ECU 15 to 20 million a year up to the end of 1997. The aid is to be used for cross-border and inter-community projects.

OJ L 286, 5.11.1994

Financing

Other financing

1.2.81. Commission decisions: see Table 4.

Table 4 — *Other financing*

(million ECU)

Type	Purpose	Fund	Total assistance
Pilot project	LACE 3	ERDF	0.525
Financing	Workshop — Guadeloupe (France, Objective 1)	ERDF	0.029

Assistance for the most remote regions

1.2.82. Parliament resolution on the energy element of the Poseima programme.

Reference: Council Decision 91/315/EEC setting up a programme of options specific to the remote and insular nature of Madeira and the Azores (Poseima): OJ L 171, 29.6.1991; Bull. 6-1991, point 1.2.12

Adopted on 28 October. Parliament called on the Commission to publish the evaluation provided for in the energy chapter of the Poseima programme concerning special aid to compensate for the extra costs arising from energy supplies for a period of three years. It also stressed the need for targeted, flexible policies at European

Union level, geared to the extreme remoteness of the regions in question.

OJ C 323, 21.11.1994

Agriculture

Orientation of CAP

1.2.83. Proposal for a Council Regulation on aid which Norway, Austria and Finland may grant on stocks held by private operators on 1 January 1995.

Reference: Act of Accession of Norway, Austria, Finland and Sweden: OJ C 241, 29.8.1994; Bull. 6-1994, point 1.3.15

Adopted by the Commission on 21 October. Lays down a general framework allowing Norway, Austria and Finland to grant aid to offset losses suffered by those holding stocks in the three countries in question upon accession as a result of the fall in market prices.

COM(94) 441

Market organization

Arable crops

Basic Regulation: Council Regulation (EEC) No 1765/92 (OJ L 181, 1.7.1992; Bull. 6-1992, point 1.3.141), as last amended by Regulation (EC) No 232/94: OJ L 30, 3.2.1994; Bull. 1/2-1994, point 1.2.125

1.2.84. Proposal for a Council Regulation amending Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops.

Reference: 1994/95 agricultural prices: OJ L 197, 30.7.1994; Bull. 7/8-1994, point 1.2.134

Adopted by the Commission on 3 October. This proposal, which is part of the prices package for 1994/95, provides for the granting of special aid for the production of durum wheat in France outside the traditional production areas, subject to a limit of 50 000 hectares, raises the production quotas for durum wheat by 20 000 hectares

in Spain and 5 000 hectares in Portugal, recognizes Umbria (Italy) as a traditional durum wheat production area, with a ceiling of 5 000 hectares, and permits Germany, given the situation in the new *Länder*, to apportion by region the penalties for any simultaneous overrun of the maximum guaranteed area and the national reference area for oilseeds.

OJ C 297, 25.10.1994; COM(94) 404

1.2.85. Proposal for a Council Regulation derogating from Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops as regards the set-aside requirement for the 1995/96 marketing year.

Adopted by the Commission on 5 October. The purpose of this proposal is to cut the rate of rotational set-aside from 15 to 13% for the 1995/96 marketing year only. This would automatically lead to an adjustment of the rates for the other forms of set-aside.

The proposed cut of 2 percentage points is to be regarded as a management measure to prevent an excessive increase in prices, which would be contrary to the objectives of the CAP, particularly with regard to livestock feed.

OJ C 302, 28.10.1994; COM(94) 417

Policy approach in favour of reducing the set-aside rate for the 1995/96 marketing year decided by the Council on 25 October.

Cotton

1.2.86. Proposal for a Council Regulation adjusting, for the fourth time, the system of aid for cotton introduced by Protocol 4 annexed to the Act of Accession of Greece.

Commission proposal: OJ C 269, 27.9.1994; COM(94) 377; Bull. 9-1994, point 1.2.141

Endorsed by Parliament on 28 October, subject to various amendments including keeping the limits of the reduction of the norm price at 15% plus 5% for the 1994/95 marketing year as for the previous year.

OJ C 323, 21.11.1994

Hops

1.2.87. Council Regulation (EC) No 2483/94 laying down, in respect of hops, the amount of aid to producers for the 1993 harvest.

Commission proposal: OJ C 171, 24.6.1994; COM(94) 201; Bull. 5-1994, point 1.2.105

Amended Commission proposal: OJ C 271, 29.9.1994; COM(94) 379; Bull. 9-1994, point 1.2.141

Parliament opinion: OJ C 305, 31.10.1994; Bull. 9-1994, point 1.2.141

Adopted by the Council on 10 October. This Regulation provides for different rates of aid for the various groups of varieties: ECU 395/ha for aromatic varieties; ECU 435/ha for bitter varieties; ECU 307/ha for other varieties and experimental strains.

OJ L 265, 15.10.1994

Milk and milk products

1.2.88. Joint Council and Commission conclusions on milk quotas.

Adopted by the Council and the Commission at the extraordinary meeting of the Council on economic and financial questions on 21 October.

'The Council agreed to extend its decisions increasing milk quotas to the 1991/92 and 1992/93 marketing years. The Commission would make the relevant proposals.

The Commission would revise the clearance decisions for 1989 and 1990, which the Court of Justice had been asked to annul, in such a way that the financial adjustments for the States concerned were based on the quotas allocated at the time and on the most reliable statistical data. It would take a similar decision regarding clearance for 1991.

The appeals against the clearance decisions pending before the European Court of Justice would be withdrawn as being void of object in the context of this overall solution.

The additional costs to be borne by the States affected by the increase in the financial adjustments for 1989 to 1991 would be recovered in four equal annual instalments from 1995 until the end of 1998, on the basis of the existing rules on clearance of accounts.

The equivalent in ECU of the adjustments to be collected in national currency is given at the rate of exchange applicable on 1 July 1994 in the annexed table. The amounts in national currency for 1992 and 1993 may vary by approximately 5%.'

Beef and veal

1.2.89. Proposal for a Council Regulation amending Regulation (EEC) No 805/68 on the common organization of the market in beef and veal as regards the deseasonalization premium.

Regulation to be amended: Council Regulation (EEC) No 805/68: OJ L 148, 28.6.1968, as last amended by Regulation (EC) No 1884/94: OJ L 197, 30.7.1994; Bull. 7/8-1994, point 1.2.134

Adopted by the Commission on 26 October. The purpose of this proposal is to extend the period of validity of the deseasonalized slaughter premium, in combination with a progressive reduction of the unit amount, to prevent disturbances on the markets of those Member States in which producers are eligible for the premium.

OJ C 321, 18.11.1994; COM(94) 451

EAGGF Guarantee Section

1.2.90. Twenty-third financial report on the European Agricultural Guidance and Guarantee Fund Guarantee Section, 1993 financial year.

Previous report: Bull. 10-1993, point 1.2.145

Adopted by the Commission on 31 October. Agricultural expenditure chargeable to the EAGGF Guarantee Section for the 1993 financial year — not counting emergency measures, the clearance of accounts for previous years, expenditure against carryovers from 1992 and miscellaneous payments — totalled ECU 34 434 million, compared with 31 277 million for 1992. This figure can be broken down into expenditure on export refunds (ECU 10 159 million, compared with ECU 9 488 million for 1992) and on intervention measures (ECU 24 275 million, against 21 789 million for 1992).

The main product groups for which export refunds were paid were cereals, rice and milk products (51%). Intervention expenditure went mainly on cereals (13%), oilseeds (13%), milk products (12%), olive oil (10%) and beef (9%).

The book value of public stocks increased slightly (3%), from ECU 2 580.5 million in 1992 to ECU 2 659.7 million in 1993. As regards the quantities in stock, there was a very marked increase in stocks of olive oil and a substantial increase in stocks of cereals and alcohol, and a decrease in stocks of other products, particularly tobacco.

State aid

Decisions to raise no objection

Italy

1.2.91. Commission decision on a programme of aid in Sardinia for technical assistance for livestock farmers in the region.

Adopted on 26 October. The Commission had obtained assurances from the Italian authorities that the aid programme on livestock mortality and infertility would not reduce normal veterinary health care costs for farmers such as visits by veterinary surgeons, medication and analyses.

Decision to terminate procedure

Italy

1.2.92. Commission decision on aids for beet growers in Italy for the 1991/92 marketing year.

Adopted on 26 October. The Italian authorities withdrew the aid measures against which the procedure had been initiated and cancelled the financial commitment for the aid.

Fisheries

Resources

Internal aspects

1.2.93. Proposal for a Council Regulation amending Regulation (EC) No 3676/93 fixing, for certain fish stocks and groups of fish stocks, the total allowable catches for 1994 and certain conditions under which they may be fished.

Regulation to be amended: Council Regulation (EC) No 3676/93; OJ L 341, 31.12.1993; Bull. 12-1993, point 1.2.236

Adopted by the Commission on 26 October. The Regulation would increase the TACs for sprat and whiting in the North Sea and for haddock to the west of Scotland.

COM(94) 459

1.2.94. Proposal for a Council Regulation amending Regulation (EEC) No 2930/86 defining the characteristics of fishing vessels.

Commission proposal: OJ C 160, 11.6.1994; COM(94) 182; Bull. 5-1994, point 1.2.114

Economic and Social Committee opinion: Bull. 9-1994, point 1.2.153

Endorsed by Parliament on 28 October, subject to amendments concerning, in particular, postponing until 1 January 1998 the deadline by which vessels must have been measured and providing for part-financing (50% by the vessel owner, 50% from the Community budget) of the remeasuring of vessels between 10 and 24 metres in length.

OJ C 323, 21.11.1994

External aspects

Angola

1.2.95. Draft Protocol defining, for the period from 3 May 1994 to 2 May 1996, the fishing opportunities and financial compensation provided for in the Agreement between the Community and the Government of Angola.

Commission proposal on the conclusion of the Protocol: OJ C 184, 6.7.1994; COM(94) 211; Bull. 6-1994, point 1.2.162

Endorsed by Parliament on 28 October subject to amendments concerning notification of the budget authority and the procedure for the renewal of the Protocol.

OJ C 323, 21.11.1994

Morocco

Reference: EC-Morocco fisheries agreement: OJ L 407, 31.12.1992; Bull. 12-1992, point 1.3.267

1.2.96. Draft new EC-Morocco fisheries agreement

Recommendation for a decision adopted by the Commission on 7 October. Would authorize the Commission to negotiate a new fisheries agreement with Morocco to replace the 1992 one.

1.2.97. Parliament resolution on the fisheries agreement with Morocco.

Adopted on 28 October. Parliament deplored the recent blocking by Morocco of the grant of fishing licences to Community vessels and called on the Commission to grant adequate financial compensation to the fishermen affected and to ensure that Morocco complies with the obliga-

tions of the agreement in force. It also asked the Commission to lay down the principles for negotiating a new agreement, providing in particular for very strict guarantees in the event of non-compliance by one of the parties and the application to all fleets, including the Moroccan fleet, of the biological provisions of the agreement.

OJ C 323, 21.11.1994

North-West Atlantic Fisheries Organization (NAFO)

1.2.98. Proposal for a Council Regulation amending Council Regulation (EEC) No 3928/92 establishing a NAFO pilot observer scheme applicable to Community vessels operating in the NAFO regulatory area.

Commission proposal: OJ C 193, 16.7.1994; COM(94) 203; Bull. 6-1994, point 1.2.166

Endorsed by Parliament on 28 October. Parliament called on the Commission to report on the implementation of the pilot programme.

OJ C 323, 21.11.1994

Environment

General

Economic, tax and legal instruments

1.2.99. Council conclusions on the Community eco-label

Reference: Council Regulation (EEC) No 880/92 on a Community eco-label award scheme — OJ L 99, 11.4.1992; Bull. 3-1992, point 1.2.124

Adopted on 4 October. The Council stated that Regulation (EEC) No 880/92 provides a suitable basis for environmentally oriented labelling of products, that at the moment there is no necessity for any change, but that delays have arisen in the implementation of the Regulation, and such delays should not arise again.

International cooperation

1.2.100. Draft International Convention to combat desertification.

Negotiating directives: Bull. 6-1994, point 1.2.171

Commission recommendation concerning signature: COM(94) 373; Bull. 9-1994, point 1.2.166

Decision to sign the Convention adopted by the Council on 4 October.

Convention signed in Paris on 15 October.

1.2.101. Joint meeting with the associated countries of Central and Eastern Europe on the environment (→ point 1.3.20).

1.2.102. Visit to the Commission by Mr de Villiers, the South African Environment Minister on 3 October.

Mr de Villiers saw Mr Paleokrassas. Their talks concerned the prospects for cooperation between the European Union and South Africa concerning the environment. The South African elephant control programme was mentioned in particular.

Industry and environment

Environmental control of products, industrial plants and biotechnology

1.2.103. Parliament resolution on the accident at a chemical reactor in Pistoia Province.

Reference: Council Directive 82/501/EEC on the major-accident hazards of certain industrial activities — OJ L 230, 5.8.1982 — as last amended by Directive 91/692/EEC — OJ L 377, 31.12.1991; Bull. 12-1991, point 1.2.312

Adopted on 27 October. Parliament protested at the fact that the factory at which the reactor exploded, resulting in hundreds of cases of poisoning and the contamination of large areas of agricultural land, had not been classified as a high-risk factory. It called upon the Commission to monitor the application of Directive 82/501/EEC (the Seveso Directive) in the Member States more rigorously, to submit a White Paper on steps to deal with infringements of the Directive, and to examine the desirability of an environmental rehabilitation plan, including the transfer of high-risk installations.

OJ C 323, 21.11.1994

1.2.104. Parliament resolution on the oil slick in northern Portugal following the accident

which occurred to the tanker Cercal (→ point 1.2.68).

Waste management

1.2.105. Proposal for a Council and Parliament 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

Proposed 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

Parliament amendments (second reading): OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.124

Commission opinion amending the proposal: COM(94) 204; Bull. 5-1994, point 1.2.124

Meeting of the Conciliation Committee: Bull. 9-1994, point 1.2.167

Second meeting of the Conciliation Committee held 19 October. The Committee agreed on the substance of a joint draft to be finalized at a forthcoming meeting.

1.2.106. Draft agreements and arrangements between the Community and certain third countries concerning the supervision and control of shipments of waste into and out of the Community.

Commission recommendation: Bull. 6-1994, point 1.2.177

Negotiating directives adopted by the Council on 24 October.

Civil protection

1.2.107. Council resolution on strengthening Community cooperation in civil cooperation.

Approval: Bull. 4-1994, point 1.2.150

Formally adopted 31 October.

OJ C 313, 10.11.1994

Environmental quality and natural resources

Protection of water

1.2.108. Council resolution on the protection of groundwater.

References:

Council Directive 80/68/EEC on the protection of groundwater against pollution caused by certain dangerous substances — OJ L 20, 26.1.1980 — as last amended by Council Directive 91/692/EEC — OJ L 377, 31.12.1991; Bull. 12-1991, point 1.2.312

Council resolution on the future Community groundwater policy — OJ C 59, 6.3.1992; Bull. 1/2-1992, point 1.3.161

Fifth Community programme of policy and action in relation to the environment and sustainable development — COM(92) 23; Bull. 3-1992, point 1.2.115

Adopted on 4 October. The Council emphasized the special significance of groundwater as an essential component of the water cycle and ecosystems and as one of the most important sources of drinking water, and expressed its concern that groundwater resources in certain areas remain seriously endangered, both qualitatively and quantitatively. It supported the guidelines set out in the fifth environment programme in this connection: maintaining the quality of unpolluted groundwater, preventing further pollution, and restoring polluted groundwater where necessary.

Recalling its resolution on the future Community policy in this area, it called upon the Commission to consider revising Directive 80/68/EEC and to draw up an action programme for groundwater protection focusing on the following points:

- licensing systems and other instruments for appropriate national management of (ground) water;
- comprehensive preventive measures to protect groundwater, for example, against pollution from diffuse sources;
- general arrangements for the safety of installations handling substances harmful to water;
- general arrangements to promote agricultural practices consistent with groundwater protection.

Protection of nature, flora and fauna.

1.2.109. Parliament resolution on the fires during the summer in the Pollino national park (Basilicata).

Adopted on 27 October. Parliament stressed that the fire which devastated the Pollino national park destroyed flora and fauna of major interest, and called upon the Commission to take immediate steps to release funds to help restore the park.

OJ C 323, 21.11.1994

Adopted by Parliament on 27 October. Parliament deplored the lack of progress in the Council on examining the Commission's proposal for a programme of action to combat exclusion, stressed the need to adopt a decision without delay, and insisted that the proposed doubling of funds for fighting poverty and exclusion at Community level was the absolute minimum needed to advance this policy. Parliament urged the Council to reinstate the amounts earmarked in the preliminary draft budget for the fight against poverty and exclusion, with a view to the early adoption of the programme.

OJ C 323, 21.11.1994

Social policy

Employment

1.2.110. Parliament resolution on employment and social rights in the European Union.

Adopted by Parliament on 27 October. Parliament reaffirmed that acquired social rights should be guaranteed and extended, that social protection remained one of the priorities of European social policy and that modification of the system of financing social protection should not lead to a reduction in the level of protection. Parliament also expressed its grave concern at the threat in certain Member States to social protection, employment and workers' rights, deploring the compulsory redundancies imposed by certain firms without prior consultation with the workers, and calling on the Commission to tackle the firms concerned and, where appropriate, exclude them from the enjoyment of Community programmes.

OJ C 323, 21.11.1994

Combating social exclusion

1.2.111. Parliament resolution on the medium-term action programme to combat exclusion and promote solidarity (1994-99).

Reference: Proposal for a Council Decision establishing a medium-term action programme to combat exclusion and promote solidarity: COM (93) 439; Bull. 9-1993, point 1.2.99

International cooperation

Japan

1.2.112. Visit of Mr P. Flynn, Member of the Commission, from 13 to 15 October.

Mr Flynn saw Mr M. Hamamoto, the Minister for Labour, and Mr S. Ide, the Minister for Health and Social Protection. They discussed cooperation between Japan and the European Union and their respective policies on a number of matters, including unemployment and social protection.

Education, vocational training and youth

Cooperation in the field of education

1.2.113. 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: OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.165

Amended Commission proposal: OJ C 164, 16.6.1994; COM(94) 180; Bull. 5-1994, point 1.2.137

Committee of the Regions opinion: OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.137

Council agreement on a common position: Bull. 6-1994, point 1.2.197

Council common position: OJ C 244, 31.8.1994; Bull. 7/8-1994, point 1.2.167

Amended by Parliament (second reading) on 26 October. The amendments are primarily concerned with deleting the reference to a fixed amount of funding, making the programme open to the associated countries of Central and Eastern Europe, Cyprus and Malta, and the decision implementation procedure. Parliament also stressed the need to promote an intercultural dimension in education within the European Union and to facilitate mobility and access to the programme for the less privileged.

OJ C 323, 21.11.1994

Vocational training

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

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

Parliament opinion (first reading): OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.138

Amended Commission proposal: OJ C 176, 29.6.1994; COM(94) 215; Bull. 5-1994, point 1.2.138

Council agreement on a common position: Bull. 6-1994, point 1.2.198

Council common position: OJ C 244, 31.8.1994; Bull. 7/8-1994, point 1.2.169

Endorsed by Parliament (second reading) on 26 October, subject to amendments centring on budgetary aspects, the decision implementation procedure and the representation of the social partners on the advisory committee. Parliament also called for special consideration to be given to promoting equal opportunities for men and women and genuinely equal access for the less privileged, and for the programme to be opened up to the associated countries of Central and Eastern Europe and to Cyprus and Malta.

OJ C 323, 21.11.1994

1.2.115. Interim report on the FORCE programme for the development of continuing vocational training in the European Community.

Reference: Council Decision 90/267/EEC establishing an action programme for the development of continuing vocational training in the European Community — the FORCE programme: OJ L 156, 21.6.1990; Bull. 5-1990, point 1.2.62

Adopted by the Commission on 13 October. In the first part of its report, the Commission describes the general implementation of the FORCE programme, which is intended to support and supplement policies and activities on continuing vocational training run in and by the Member States, with special reference to promoting transnational initiatives and objectives which are common to all the Member States. Over the past three years, the overall budget of ECU 57.4 million has provided funding for 720 direct projects and research activities. A network has been set up comprising some 5 000 members — including the social partners, training organizations and, since 1993, public authorities, with a view to the transfer of expertise and innovation in the field of continuing vocational training; arrangements have also been made for the collection of data on national policies and practices. In the second part of the report, the Commission sets out the results of the interim evaluation exercise. Though generally positive, it does pinpoint a number of potential areas for improvement, more particularly in the light of the new action programme 'Leonardo da Vinci'.

COM(94) 418

Youth

1.2.116. 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: OJ C 160, 11.6.1994; 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 Commission proposal: OJ C 170, 23.6.1994; COM(94) 186; Bull. 5-1994, point 1.2.141

Committee of the Regions opinion: OJ C 217, 6.8.1994; Bull. 5-1994, point 1.2.141

Council agreement on a common position: Bull. 6-1994, point 1.2.199

Council common position: OJ C 232, 20.8.1994; Bull. 7/8-1994, point 1.2.171

Amended by Parliament (second reading) on 26 October. The amendments relate essentially to extending the programme to take in Cyprus and Malta, in addition to the earlier extension – proposed at first reading – to take in the associated countries of Central and Eastern Europe, deleting the reference to a fixed amount of budget funding, and adding a reference to the decision implementation procedure. Parliament also stressed the need to adapt the programme to the needs of particularly disadvantaged young people and to promote the development of mobility among young people.

OJ C 323, 21.11.1994

Public health and solidarity

Public health

AIDS

1.2.117. Proposal for a Parliament and Council Decision adopting a programme of Community action on the prevention of AIDS and certain other communicable diseases within the framework for action in the field of public health.

References:

Council resolution on the monitoring and surveillance of communicable diseases: OJ C 326, 11.12.1992; Bull. 11-1992, point 1.3.237

Commission communication on the framework for action in the field of public health: COM(93) 559; Bull. 11-1993, point 1.2.191

Council conclusions on the setting-up of an epidemiological network in the European Community: OJ C 15, 18.1.1994; Bull. 12-1993, point 1.2.260

Proposal for a Parliament and Council Decision concerning the extension of the 'Europe against AIDS' programme: Bull. 6-1994, point 1.2.203

Approved by the Commission on 5 October. On the basis of the new Article 129 of the EC Treaty and its communication on the framework for action in the field of public health and in response notably to the Council recommendations of 1992 and 1993 on communicable diseases, the Commission is now proposing a five-year

action programme to continue the measures already undertaken to combat AIDS and extend them to certain other communicable diseases. The general objectives of the new ECU 50 million programme are to encourage cooperation between the Member States, notably with regard to the creation and implementation of networks, common action and information exchange systems, and to promote cooperation with the relevant organizations at international and transnational as well as Community level.

Continuation of the fight against AIDS will be based on the results of the 'Europe against AIDS' programme, which expires on 31 December 1995, and will focus on data collection, measures for children and young people, the prevention of transmission, the safety of blood and blood products, social and psychological support, and combating discrimination. The Commission is also planning to extend the scope of the programme to include certain other communicable diseases, such as hepatitis, tuberculosis, sexually transmitted diseases and other diseases which can be prevented by vaccination, through measures related to vaccination, the creation and development of networks, information, education and training, and early detection and systematic screening.

Solidarity

Measures to help disaster victims

1.2.118. Commission decision to grant emergency aid to the victims of flooding in Catalonia.

Adopted on 24 October. Aid totalling ECU 400 000 was granted to the victims of the flooding which affected Catalonia between 9 and 13 October.

1.2.119. Parliament resolution on the floods in Catalonia.

Adopted on 27 October. Given the loss of human life and the scale of the damage caused by the torrential rains in Catalonia and the Balearic Islands, Parliament called on the Commission to provide financial and technical assistance to repair the damaged infrastructure without delay, to provide relief for the victims and to

clear the way for the resumption of economic activity.

OJ C 323, 21.11.1994

1.2.120. Commission decision to provide emergency aid for the victims of the tropical storm in Martinique.

Adopted on 24 October. ECU 200 000 was granted in aid to the victims of the tropical storm which hit Martinique on 9 and 10 September.

1.2.121. Parliament resolution on the drought in Guadeloupe and the consequences of the cyclone in Martinique.

Adopted on 27 October. Given the recent cyclones in Martinique and the current drought in Guadeloupe and the scale of the resulting economic and social problems, Parliament, without in any way wishing to underestimate the action taken by the French State and the regional authorities, drew the attention of the European Union to the seriousness of the situation and called on it to demonstrate solidarity towards the disaster victims in these overseas regions.

OJ C 323, 21.11.1994

1.2.122. Commission decision on emergency aid for victims of the floods in Greece.

Adopted on 25 October. ECU 750 000 was granted in aid to the victims of the recent floods in the Athens region.

1.2.123. Parliament resolution on floods in Greece.

Adopted on 27 October. In view of the scale of the damage caused by the rainstorm which hit Greece and the catastrophic effects on economic, commercial and social life in the areas affected, Parliament called on the Commission to cooperate with the Greek Government to assess the situation and to make an immediate and direct contribution towards repairing the damage, assisting the homeless and restarting economic and productive activity. It also called on the Commission to take preventive measures and to draw up a study plan to improve flood protection.

OJ C 323, 21.11.1994

Consumers

Consumer information and education

1.2.124. First European Consumer Forum.

Meeting held in Brussels on 4 October. At this forum, which was opened by Mrs Scrivener, Member of the Commission, and which brought together representatives of regional, national and European consumer protection organizations, producers and a wide range of higher education establishments and experts, the themes were consumer access to justice and after-sales guarantees and services.

Protection of consumers' health and safety

1.2.125. 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: OJ C 195, 18.7.1994; Bull. 4-1994, point 1.2.174

Parliament opinion (first reading): OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.147

Amended Commission proposal: OJ C 157, 8.6.1994; COM(94) 192; Bull. 5-1994, point 1.2.147

Council agreement on a common position: Bull. 5-1994, point 1.2.147

Council common position: OJ C 244, 31.8.1994; Bull. 7/8-1994, point 1.2.177

Approved by Parliament (second reading) on 26 October.

OJ C 323, 21.11.1994

Approved by the Council on 31 October.

Protection of consumers' economic and legal interests

1.2.126. Parliament and Council Directive 94/47/EC 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 time-share basis.

Commission proposal: OJ C 222, 29.8.1994; 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: OJ C 137, 19.5.1994; Bull. 3-1994, point 1.2.173

Parliament amendments (second reading): OJ C 205, 25.7.1994; Bull. 5-1994, point 1.2.149

Commission opinion: COM(94) 363; Bull. 9-1994, point 1.2.193

Joint text: Bull. 9-1994, point 1.2.193

Parliament approval: OJ C 305, 31.10.1994; Bull. 9-1994, point 1.2.193

Approved by the Council on 24 October.

Signed by Parliament and the Council on 26 October. The Directive seeks to align the Member States' laws, regulations and administrative provisions on the protection of purchasers in respect of certain aspects of contracts relating to the acquisition of time-share property, namely information on the minimum constituent parts of a contract and the arrangements for the communication of that information, and the procedures and arrangements for cancellation and withdrawal. Thus, the purchaser must be provided with a description of the property and must have the possibility of obtaining additional information. The description must relate to the property itself, its situation, details of any communal services to which the purchaser will have access and the conditions governing such access, the period of enjoyment, the price and an estimate of the charges payable.

International cooperation

Japan

1.2.127. Visit to the Commission by Mr M. Kobayashi, Deputy Minister for Economic Planning with special responsibility for consumer affairs, on 20 October.

At a meeting between Mr Kobayashi and Mrs Scrivener, Member of the Commission, Mrs Scrivener explained the current priorities in terms of consumer policy, namely consumer information, access to justice, after-sales guarantees and services and the need to gear financial services to consumers' needs. She stressed the European Union's commitment to systematically promoting the 'consumer' angle in each of the Union's internal and external policies, and expressed the hope that there would be useful cooperation with Japan in this context.

Culture

Cultural heritage

1.2.128. European conference: The Citizen and the Cultural Heritage.

Held in Brussels on 4 and 5 October. Opened by Mr Pinheiro, Member of the Commission responsible for culture, and Mrs Castellina, Chairman of Parliament's Committee on Culture, Youth, Education and the Media, the conference, a joint initiative of both institutions, was designed primarily to initiate wide-ranging discussions and consultations open to all concerned with cultural heritage at national and international level. It was attended by representatives of international, regional and local organizations, including associations, authorities, professionals and others interested in cultural heritage. Representatives of the four applicant countries and of the associated countries of Central and Eastern Europe also participated.

1.2.129. Call for applications for support for pilot projects to conserve the Community's architectural heritage.

Previous call for applications: OJ C 275, 13.10.1993; Bull. 10-1993, point 1.2.178

Published by the Commission on 11 October. Applications have been invited for the submission of projects for the restoration or conservation of religious monuments. The 1995 scheme will cover buildings of religious, historic, archi-

tectural, artistic and social value of European importance. Priority will be given to projects for the conservation of monuments still serving their original purpose as places of worship. The deadline for the submission of applications is 31 January 1995.

OJ C 283, 11.10.1994

Town twinning

1.2.130. Commission prize: Les étoiles d'or du jumelage.

Previous award: Bull. 10-1993, point 1.2.176

Presented on 22 October in Lisbon by Mr Pinheiro to representatives of the 36 award-winning towns for demonstrating an exemplary commitment to European integration and friendship between the peoples of Europe.

Information, communication and audiovisual media

Information and communication

1.2.131. Users' Advisory Council.

Reference: Commission communication on a new approach to information and communication policy: Bull. 6-1993, point 1.2.231

Inaugural meeting held in Brussels on 11 October. Set up on 26 January, the Users' Advisory Council is an important instrument of the Commission's new information and communication policy. With 36 members highly qualified in the field it will meet twice a year to deliver opinions on the Commission's information and communication strategy.

1.2.132. 1994 Stendhal Prize for journalism and communication in Europe.

Presented in Lisbon on 29 October. The Commission and Parliament are both patrons of this prize, which is awarded to the press and television throughout Europe for articles, reports, programmes or illustrations which have contributed most to explaining and clarifying the process of European integration. The jury selected four winners, one in each of the following categories:

- television: *Deutsche Welle* (D), represented by Klaus Weber;
- European economy: *Financial Times* (UK), represented by Andrew Gowers;
- Europe of the regions: *La Nueva España* (E), represented by Melchor Fernandez;
- Europe explained to young people: *Le Journal des Enfants* (F), represented by Béatrice D'Irube-Dufourcq.

1.2.133. Commission programme in favour of sport: Eurathlon.

Selection criteria adopted. Starting in 1995, as part of its information and communication policy, the Commission is planning to set up the Eurathlon programme in favour of sport to provide an objective and detailed framework for Community subsidies. Its aim is to encourage meetings, exchanges and other activities with a European dimension which lead to greater understanding between young Europeans.

The activities concerned will be carried out in close cooperation with the public authorities and sports organizations. Selection criteria will include quality and originality, European dimension, and public response and interest. The Commission contribution, which will be subject to a minimum of ECU 5 000 and a maximum of ECU 50 000, may not exceed 50% of the budget.

OJ C 297, 25.10.1994

Audiovisual policy

1.2.134. Proposal for a Parliament and Council Directive on the use of standards for the transmission of television signals (including repeal of Council Directive 92/38/EEC).

Commission proposal: OJ C 341, 18.12.1993; COM(93) 556; Bull. 11-1993, point 1.2.200

Economic and Social Committee opinion: OJ C 148, 30.5.1994; Bull. 3-1994, point 1.2.180

Parliament opinion (first reading): OJ C 128, 9.5.1994; Bull. 4-1994, point 1.2.180

Amended proposal adopted by the Commission on 25 October.

OJ C 321, 18.11.1994; COM(94) 455

1.2.135. Commission communication on the follow-up to the consultation process relating to the Green Paper 'Pluralism and media concentration in the internal market: an assessment of the need for Community action' (→ point 1.2.13).

3. Role of the Union in the world

Common foreign and security policy

Financing the CFSP

1.3.1. Parliament resolution on financing the CFSP.

References:

Council guidelines on the financing of the common foreign and security policy: Bull. 6-1994, point 1.3.2

Parliament first reading of the 1995 draft budget: point 1.5.3 of this Bulletin

Adopted on 26 October. Parliament expressed the view that action under the CFSP should be financed from the European Union's budget so that it could exercise in full its powers with regard to the allocation and use of resources for CFSP joint actions and scrutinize such expenditure. Parliament considered that CFSP financing should be characterized by efficiency and speed, transparency and clear information; the budgetary implications should be specified in the greatest possible detail and it should be consistent with other forms of external policy.

To ensure budgetization of joint actions, Parliament proposed that Section III (Commission) of each year's budget should include a reserve for the CFSP and that joint actions approved by the Council should be financed from specific budget headings, with administrative expenditure financed from the Council budget if it was preparatory to adopting a decision and from the Commission budget if it was incurred after a decision was adopted.

OJ C 323, 21.11.1994

Joint action by the European Union

Bosnia-Herzegovina

1.3.2. Draft Council Decision on joint action on continuing support for EU administration of the town of Mostar in 1995.

References:

Council 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: 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 by Council Decision 94/510/CFSP: OJ L 205, 8.8.1994; Bull. 7/8-1994, point 1.3.1, and extended by Council Decision 94/158/CFSP: OJ L 70, 12.3.1994; Bull. 3-1994, point 1.3.7, and by Council Decision 94/308/CFSP: OJ L 134, 30.5.1994; Bull. 5-1994, point 1.3.3

Memorandum of Understanding on the administration of Mostar: Bull. 7/8-1994, point 1.3.2

Agreed in principle by the Council on 31 October. The aim is to provide ECU 80 million to finance support for EU administration of the town of Mostar in 1995.

Common positions adopted by the European Union

Haiti

1.3.3. Council Decision 94/681/CFSP concerning the common position defined on the basis of Article J.2 of the Treaty on European Union regarding the termination of the reduction of economic relations with Haiti.

References:

Council Regulation (EC) No 2543/94 repealing Regulation (EC) No 1263/94 introducing the discontinuation of certain economic and financial relations with Haiti: OJ L 271, 21.10.1994; point 1.3.63 of this Bulletin

Decision 94/680/ECSC of the Representatives of the Governments of the Member States, meeting within the Council, repealing Decision 94/314/ECSC introducing the discontinuation of certain economic and financial relations with Haiti: OJ L 271, 21.10.1994; point 1.3.64 of this Bulletin

Adopted by the Council on 14 October. This Decision implements UN Security Council Res-

olution 944 (1994) ending sanctions introduced under previous resolutions.

OJ L 271, 21.10.1994

Rwanda

1.3.4. Council Decision 94/697/CFSP concerning the common position adopted on the basis of Article J.2 of the Treaty on European Union on the objectives and priorities of the European Union *vis-à-vis* Rwanda.

References:

Fourth Lomé Convention: OJ L 229, 17.8.1991; Bull. 9-1991, point 1.3.38

Presidency press statement on Rwanda: Bull. 7/8-1994, point 1.3.18

Humanitarian aid to Rwanda: Bull. 7/8-1994, point 1.3.120

Visit by the EU troika to Burundi, Uganda, Rwanda, Tanzania and Zaire: Bull. 9-1994, point 1.3.30

Presidency press statement on Burundi: point 1.3.7 of this Bulletin

Adopted on 24 October. The Council set out the objectives and priorities of the European Union *vis-à-vis* Rwanda in the following statement.

'Priority must be given to the return of refugees. Reconciliation, broadening of the new government's bases and the creation of essential conditions for the return are vital. The Council states its opinion that any aid should be disbursed progressively depending on the observed performance in these areas. International cooperation will have an important role to play in this process.

Objectives and priorities for the European Union are:

- to continue to provide humanitarian aid for the refugees,
- to take short-term rehabilitation measures on a coordinated basis for Rwanda, especially in the most urgent fields of water and electricity, but also in education, health and housing, in order to create incentives for the return of refugees and for their successful reintegration,
- to resume progressively and under certain conditions development cooperation with Rwanda,
- to initiate coherent measures for the repair of economic, ecological and social damages in those countries bordering Rwanda, which have been particularly struck by the refugee crisis.

For all the measures and programmes close coordination between the Commission and the Member States is necessary.

The European Union further deems it important to increase as early as possible the number of human

rights observers in Rwanda and emphasizes the importance of a rapid total deployment of Unamir forces, in order to assure protection against acts of revenge and persecution.

The European Union stresses the importance of bringing to justice those responsible for the grave violations of humanitarian law, including genocide. In this respect the European Union considers the establishment of an international tribunal as an essential element to stop a tradition of impunity and to prevent future violations of human rights.

The European Union underlines that within a long-term perspective such conflicts should be solved by Africa itself and recommends strengthening the OAU's capacities of preventing and solving regional conflicts.

The European Union also expresses its concern about the unstable political situation in Burundi, where acts of violence are increasing.'

OJ L 283, 29.10.1994

Former Yugoslavia

1.3.5. Council Decision 94/672/CFSP on the common position defined on the basis of Article J.2 of the Treaty on European Union and concerning the reduction of economic and financial relations with those parts of the territory of the Republic of Bosnia-Herzegovina under the control of the Bosnian Serb forces; Council Decision 94/673/CFSP concerning the common position defined on the basis of Article J.2 of the Treaty on European Union and regarding the suspension of certain restrictions on trade with the Federal Republic of Yugoslavia (Serbia and Montenegro).

References:

European Union statement on former Yugoslavia: Bull. 7/8-1994, point 1.3.9

Council Regulation (EC) No 2471/94 introducing a further discontinuation of the economic and financial relations between the European Community and the areas of Bosnia-Herzegovina under the control of Bosnian Serb forces; Council Regulation (EC) No 2472/94 suspending certain elements of the embargo on the Federal Republic of Yugoslavia (Serbia and Montenegro): OJ L 266, 15.10.1994; point 1.3.36 of this Bulletin

Adopted by the Council on 10 October. The object of the Decision is to implement UN Security Council Resolution 942 (1994) which reinforces and extends the measures imposed by previous resolutions with regard to areas of the Republic of Bosnia-Herzegovina controlled by

Bosnian Serb forces, following the Bosnian Serbs' refusal to accept the settlement accepted by all the other parties, and UN Security Council Resolution 943 (1994) suspending initially, certain limited sanctions imposed on the Federal Republic of Yugoslavia subject to certain information attesting to the Belgrade authorities' continued effective enforcement of their decision concerning the border with the Republic of Bosnia-Herzegovina.

OJ L 266, 15.10.1994

European Union statements and press statements on behalf of the presidency

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

Burundi

1.3.7. The following presidency press statement on behalf of the European Union was published in Brussels and Bonn on 5 October:

Reference: Presidency press statement: Bull. 7/8-1994, point 1.3.6

'The European Union warmly welcomes the reinstatement of the President of the Republic of Burundi.

The investiture of President Sylvestre Nibantunganya is the culmination of a long and difficult process in which political parties, the civilian population and moral forces in Burundi worked together to establish institutions and mechanisms capable of tackling the country's problems and in particular the grave crisis which began in Burundi nearly one year ago.

The European Union has noted the spirit of reconciliation in which the political consultations took place and pays tribute to the efforts made to that end.

The European Union expresses the hope that the dialogue thereby established will strengthen the democratic principles on which Burundi must be able to build its future. It is convinced that the commitments made by the various political partners will be honoured and that the new Head of State and the government, which will shortly be called to lead the country with him, will be able to rely on the support of all.

The European Union trusts that the people of Burundi, having reached this turning point in their political life, will see their legitimate aspirations to peace and security borne out by the measures which their new leaders will surely take.

The country's economic and social recovery will undoubtedly call for the mobilization of all available energies. In this connection, the European Union reaffirms its willingness to provide appropriate and diversified aid to support the effort which will be made in close consultation with other bilateral or multilateral partners to ensure, in the requisite climate of stability, the development of the entire nation and to improve the well-being of the people of Burundi.

The European Union is also ready to lend its support to measures which will be taken to foster tolerance and the protection of human rights.

The acceding countries Finland, Norway and Sweden associate themselves with this statement.'

Gambia

1.3.8. The following presidency press statement on behalf of the European Union was published in Banjul on 12 October:

'The European Union regrets that in spite of the Gambian Government's pledges there has been no movement towards the restoration of democratic government. It recalls the Gambia's long-standing reputation for democracy and human rights and that free and fair elections were last held there in April 1992. The European Union therefore considers that there should be no obstacle to an early return to constitutional rule.

The European Union has been concerned by repeated arrests of former ministers and by the trial of journalists for the expression of political views. It has also noted that some 30 army and police officers remain in prison uncharged, and denied proper access by the International Committee of the Red Cross.

In response to these developments, the European Union is suspending all military cooperation and balance of payments support to the Gambia, and will review new aid projects on a case-by-case basis. Projects designed to help those most in need in the Gambia will continue as before.

The European Union hopes that the armed forces provisional ruling council will take concrete steps towards the restoration of democracy, to enable such cooperation to be resumed.

The acceding country Austria associates itself with this statement.'

Haiti

1.3.9. The following presidency press statement on behalf of the European Union concerning the return of President Aristide was published in Brussels and Bonn on 15 October:

Reference: Council Decision 94/681/CFSP concerning the common position defined on the basis of Article J.2 of the Treaty on European Union regarding the termination of the reduction of economic relations with Haiti: OJ L 271, 21.10.1994; point 1.3.3 of this Bulletin

'It is with deep satisfaction that the European Union welcomes the return of freely elected President Aristide to Haiti and the restoration of the constitutional Government under his leadership. This has become possible thanks to the successful action of the multinational force headed by the United States of America.

The European Union hopes that the United Nations Mission in Haiti (UNMIH) will be able to put its ambitious programme of support swiftly into operation in a secure and stable environment and enable the constitutional Government to perform its task to the full.

The European Union is well aware of Haiti's urgent need for generous solidarity from the international community and expresses once more its willingness to participate in the reconstruction of the country and to do everything in its power to support emergency aid programmes for the suffering people.

Finland and Norway, as acceding States, associate themselves with this statement.'

Iraq

1.3.10. The following presidency press statement on behalf of the European Union concerning the troop movements in Iraq was published in Brussels and Bonn on 11 October:

'The Presidency has summoned the Iraqi chargé in Bonn and informed him that the European Union has noticed with great concern Iraqi troop movements in the direction of the border with Kuwait and the statement by the Revolutionary Command Council of Iraq of 6 October 1994 that it might withdraw cooperation from the United Nations Special Commission.

The European Union urges Iraq to withdraw immediately its troops from the border region and refrain from confrontation as well as cooperate fully with the implementation of all relevant United Nations Security Council resolutions and the United Nations Special Committee. This includes the need to respect the duties and integrity of UN personnel in Iraq. The European Union supports the statement of the Security Council of 8 October 1994 in which it reaffirmed its commitment to the sovereignty and territorial integrity of Kuwait.

The four acceding countries associate themselves with this statement.'

Israel

1.3.11. The following presidency press statement on behalf of the European Union concerning the recent terrorist violence in Israel was published in Brussels and Bonn on 20 October:

'The European Union expresses its profound horror and outrage at the bomb attack in the centre of Tel Aviv on 19 October, for which the Union understands Hamas has claimed responsibility. The European Union is appalled at the loss of life and injuries among bus passengers and passers-by.

The European Union strongly condemns all acts of violence. But this attack and other recent violence committed by terrorists in the name of Hamas, including the kidnap and murder of Corporal Nachshon Wachsmann and the gun attack in West Jerusalem on 9 October resulting in a number of deaths and injuries, demonstrate that their principal aim is the destruction of the peace process. The European Union extends its condolences to the families of all the recent victims of such violence. The perpetrators of all these atrocities must be brought to justice.

The European Union is convinced that those who seek to destroy the peace process must not be allowed to succeed. The best way of ensuring this is through the reinforcement of the collective determination of the regional parties and the international community to make the process a success.

The four acceding States associate themselves with this statement.'

Israel and Jordan

1.3.12. The following presidency press statement on behalf of the European Union concerning the peace treaty between Israel and Jordan was published in Brussels and Bonn on 26 October:

Reference: Peace treaty between Israel and Jordan: point 1.3.42 of this Bulletin

'The European Union warmly welcomes the signing of the Peace Treaty between Israel and Jordan, which represents a step of major significance towards just and lasting peace throughout the Middle East. The European Union pays tribute to the commitment to peace demonstrated by the Jordanian and Israeli Governments, and their efforts which have made it possible to conclude a peace treaty after so few months of intensive negotiations.

The European Union is convinced that this Treaty will make an important contribution to political and economic stability in the region. The European Union is confident that constructive bilateral relations between

Israel and Jordan will rapidly develop, from which the main beneficiaries will be the people of the two countries and, in due course, regional cooperation as a whole.

The European Union hopes that the success of the Israeli-Jordanian negotiations will encourage constructive progress in the other bilateral tracks of the peace process. The European Union reconfirms its willingness to contribute to the success of the process through political and material support.

In particular the European Union takes note of the reference in the text of the treaty to the achievements of the Union in the development of the Conference on Security and Cooperation in Europe (CSCE). The European Union is ready to share its experience and expertise in this field with all regional parties in the Middle East.

The four acceding States associate themselves with this statement.'

Mozambique

1.3.13. The following presidency press statement on behalf of the European Union was published in Brussels and Bonn on 27 October:

'It is with great alarm and concern that the Presidency of the European Union has learned about the intentions of the Mozambican opposition party Renamo, not to participate in Mozambique's first multiparty elections.

The explanation given only a few hours before opening of polling stations that the National Election Commission could not guarantee the free conduct of elections is not convincing. The elections are monitored by more than 2000 international election observers from the United Nations and the European Union. All political parties have the right to follow the election process with their own observers. Despite inevitable logistical difficulties the conditions have thus never been better, for a free and fair election process.

The signing of the Rome Peace Accord in October 1992 marked the beginning of the Mozambican peace process which should culminate in the elections on 27 and 28 October. Renamo must not frustrate the hopes of the Mozambican people and the international community for lasting peace and continue on the path of reconciliation. The Presidency of the European Union urgently appeals to Renamo's leader Afonso Dhlakama to keep his promises and face the decision of the voters of Mozambique.'

Niger

1.3.14. The following presidency press statement on behalf of the European Union was published in Brussels and Bonn on 27 October:

'The European Union congratulates the government of the Republic of the Niger and the Tuareg 'Armed Resistance Coordination' (CRA), and the mediators from the three friendly countries (Algeria, Burkina Faso and France) on the signing of the peace agreement in Ouagadougou on 9 October 1994.

Mindful of the urgency of a return to security in the north and of the need to promote a successful conclusion to the process initiated, it urges the parties to find solutions to the unresolved problems as quickly as possible, in order to put an end to a situation which is causing suffering and harm to the people.

The European Union hopes that the aspirations for peace can quickly be fulfilled through frank and calm discussion amongst the parties concerned and the abandonment of armed conflict and persecution on the ground.

The acceding countries Austria and Finland associate themselves with this statement.'

Sudan

1.3.15. The following presidency press statement on behalf of the European Union was published in Brussels and Bonn on 31 October:

'The European Union notes with deep concern that the Government of the Sudan continues its campaign of destruction of squatter settlements in the Khartoum area and its forced relocation of their residents to primitive sites in the desert far outside Khartoum. In particular, the European Union condemns the use of violence by Sudanese security forces on 15 October 1994, in response to a protest by settlers in Omdurman against the razing of their homes. These clashes left at least five squatters dead and at least 14 severely injured.

The European Union calls upon the Government of the Sudan to halt its violent campaign against the inhabitants of the squatter settlements, to compensate the victims of this campaign, and to hold accountable those responsible for the recent killings. The Government of the Sudan is also called upon to investigate and fully explain the circumstances behind the incident on 15 October 1994.

The acceding country Sweden associates itself with this declaration.'

Enlargement

EFTA countries

Finland

1.3.16. Result of the Finnish referendum.

Reference: Signing of the Treaties for the accession of Austria, Finland, Norway and Sweden to the European Union: Bull. 6-1994, point 1.3.15

On 16 October the people of Finland approved the accession of their country to the European Union by a majority of 56.9%.

European Economic Area (EEA), European Free Trade Area (EFTA)

EFTA countries

Switzerland

1.3.17. Draft agreements between the European Community and Switzerland in the fields of the free movement of persons, research and technological development, agriculture, mutual recognition in relation to conformity assessment and public procurement.

References:

Council conclusions on future relations with Switzerland: Bull. 11-1993, point 1.3.4

Council conclusions on relations with Switzerland: Bull. 5-1994, point 1.3.25

Negotiating directives adopted on 31 October. The Council also adopted the following conclusions:

'In adopting the negotiating directives for the negotiation of bilateral agreements with Switzerland in the fields of the free movement of persons, research, agriculture, mutual recognition in relation to conformity assessment and public procurement, the Council would point out that in the conclusions it adopted at its meetings on 8 and 9 November 1993 and 16 and 17 May 1994, it stressed that:

- it must be the Community's objective to secure a balance of mutual advantage within each sectoral agreement and between the various agreements;
- it intends to make sure that, where necessary, there is an appropriate parallelism between the various sectoral agreements concerned.

As regards transport, the Council notes that the Commission has conducted exploratory talks with the Swiss authorities designed to obtain the clarifications required by Community Ministers for Transport regarding the various questions connected with the arrangements for the implementation of the Alps ini-

tiative. The Council notes that the Commission intends shortly to submit a communication on the assessment of its talks and the prospects for progress on these matters and it expresses the firm hope that on that basis negotiating directives may soon be adopted in that field as well.

In the light of its aforementioned conclusions and on the basis of the regular reports that the Commission will submit to it on the progress of the sectoral negotiations, including, as soon as possible, those on transport, the Council will take stock of the progress made on these various dossiers. A final general assessment will also be made before these various negotiations are concluded.'

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

1.3.18. Commission decision establishing a programme to develop Bulgaria's transport infrastructure.

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

Adopted on 27 October. The Decision allocates ECU 12 million for the transport infrastructure programme.

Relations with the associated countries of Central and Eastern Europe

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

Conclusions of the Copenhagen European Council: Bull. 6-1993, points I.13 and I.26

Conclusions of the Corfu European Council: Bull. 6-1994, point I.13

Commission communication entitled 'The Europe Agreements and beyond: A strategy to prepare the countries of Central and Eastern Europe for accession': COM(94) 320; Bull. 7/8-1994, point 1.3.26

Commission communication entitled 'Follow-up to the Commission communication on The Europe Agreements and beyond: A strategy to prepare the countries of Central and Eastern Europe for accession': COM(94) 361; Bull. 7/8-1994, point 1.3.27

1.3.19. Ministerial meeting between representatives of the European Union and the associated countries of Central and Eastern Europe.

The meeting took place in Luxembourg on 31 October and was intended primarily as a follow-up to the conclusions of the Copenhagen and Corfu European Councils (which referred to improved and expanded multilateral dialogue with the countries in question) and as part of the preparation of a pre-accession strategy. It was the first occasion on which the foreign ministers of the Member States, Austria, Finland, Norway and Sweden had a meeting with their Bulgarian, Hungarian, Polish, Romanian, Slovak and Czech counterparts. Mr Delors, Mr Van den Broek and Sir Leon Brittan also attended. A wide-ranging discussion concentrated on the general direction of a strategy to prepare the countries involved for accession; specific points included alignment of their legislation with that of the European Union, particularly with a view to their involvement in the internal market; regional cooperation in Central and Eastern Europe; the future shape of the PHARE programme; and the creation of closer links in culture, education, training, justice and home affairs.

1.3.20. Meeting on the environment with representatives of the associated countries of Central and Eastern Europe.

The meeting took place in Luxembourg on 5 October. In line with the conclusions of the Copenhagen and Corfu European Councils and with the aim of improving dialogue on matters of common interest, the environment ministers

of the Member States and the acceding countries had informal discussions with their Central and Eastern European counterparts. Mr Paleokrassas also attended. The meeting produced conclusions stating the participants' agreement on the need for dialogue, cooperation and an approximation of environmental legislation to bring about sustainable development, protect Europe's natural heritage and cope with the trans-European dimension of environmental issues.

Relations with the Baltic States

1.3.21. Commission communication to the Council on Orientations for a Union Approach towards the Baltic Sea Region.

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 (Euratom, EEC) No 2053/93 on 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

Stability Pact inaugural conference: Bull. 5-1994, point 1.3.2

Adopted on 25 October. The communication sets out the Commission's view that the forthcoming enlargement of the European Union and the move towards closer relations with the countries of the Baltic create a need for an overall Union policy for that region. In the light of the latter's status as an important market and a major centre of economic activity, the greatest advantage to both sides would come from integrating the Baltic into the world and European economies as far as possible. The Commission consequently proposed an approach based on the regional dimension of cooperation with the countries of the Baltic (particularly the Baltic States, Poland, Russia and the Nordic countries). This would seek greater cohesion between existing initiatives and adhere to the following recommendations:

□ on the political front, multilateral cooperation in the areas of justice and home affairs should be stepped up, the region's security and stability should be promoted by improving political dia-

logue on subjects of common interest, the benefit to both sides of the Partnership for Peace, the Conference on Security and Cooperation in Europe and the Stability Pact should be emphasized and the integration of the Baltic States' minorities should be encouraged;

□ on the economic front, cooperation in trade and economic matters between the Baltic States, Poland and Russia should be encouraged, regional cooperation priorities should be identified as candidates for financing under the PHARE and TACIS programmes such as trans-regional infrastructure, telecommunications, nuclear safety or environment projects; relations at various levels of government should be promoted and coherent investment-promotion initiatives for the region should be supported.

1.3.22. Draft Europe (association) Agreements between the European Communities and their Member States and Estonia, Latvia and Lithuania.

References:

Agreements on trade and commercial and economic cooperation with Estonia, Latvia and Lithuania: OJ L 403, 31.12.1992; Bull. 12-1992, point 1.4.9

Conclusions of the Copenhagen European Council: Bull. 6-1993, point 1.14

Council and Commission statement on relations with the Baltic States: Bull. 1/2-1994, point 1.3.40

Draft agreements on free trade and trade-related matters between the European Communities and Estonia, Latvia and Lithuania: Bull. 7/8-1994, points 1.3.32 to 1.3.35

Three recommendations for decisions adopted by the Commission on 25 October. In line with the conclusions of the Copenhagen European Council and the Council and Commission statement of February of this year, the Commission recommended that the Council authorize it to negotiate Europe Agreements with Estonia, Latvia and Lithuania. The Agreements are intended to replace the 1992 trade and commercial and economic cooperation agreements and establish a close and lasting association between the parties. The Agreements are preferential in nature and will govern all trade and economic relations. They will incorporate the free-trade agreements signed in July, and will include provisions on political dialogue and financial and cultural cooperation.

1.3.23. Draft agreement on free trade and trade-related matters between the European Communities and Estonia.

Commission recommendation: Bull. 12-1993, point 1.3.13

Amended Commission recommendation: Bull. 1/2-1994, point 1.3.39

Negotiating directives: Bull. 1/2-1994, point 1.3.39

Proposal for a Council Decision (EC) regarding conclusion of the agreement: COM(94) 330; Bull. 7/8-1994, point 1.3.33

Draft Commission Decision (ECSC and Euratom) regarding conclusion of the agreement: COM(94) 330; Bull. 7/8-1994, point 1.3.33

Initialling of the agreement: Bull. 7/8-1994, point 1.3.33

Council Decision on the signing of the agreement: Bull. 7/8-1994, point 1.3.33

Signing of the agreement: Bull. 7/8-1994, point 1.3.33

ECSC Consultative Committee consulted on the draft Commission Decision (ECSC and Euratom) on 6 October.

1.3.24. Draft agreement on free trade and trade-related matters between the European Communities and Latvia.

Commission recommendation: Bull. 12-1993, point 1.3.13

Amended Commission recommendation: Bull. 1/2-1994, point 1.3.39

Negotiating directives: Bull. 1/2-1994, point 1.3.39

Initialling of the agreement: Bull. 6-1994, point 1.3.24

Proposal for a Council Decision (EC) regarding conclusion of the agreement: COM(94) 326; Bull. 7/8-1994, point 1.3.34

Draft Commission Decision (ECSC and Euratom) regarding conclusion of the agreement: Bull. 7/8-1994, point 1.3.34

Council Decision on the signing of the agreement: Bull. 7/8-1994, point 1.3.34

Signing of the agreement: Bull. 7/8-1994, point 1.3.34

ECSC Consultative Committee consulted on the draft Commission Decision (ECSC and Euratom) on 6 October.

1.3.25. Draft agreement on free trade and trade-related matters between the European Communities and Lithuania.

Commission recommendation: Bull. 12-1993, point 1.3.13

Amended Commission recommendation: Bull. 1/2-1994, point 1.3.39

Negotiating directives: Bull. 1/2-1994, point 1.3.39

Initialling of the agreement: Bull. 6-1994, point 1.3.25

Proposal for a Council Decision (EC) regarding conclusion of the agreement: COM(94) 327; Bull. 7/8-1994, point 1.3.35

Draft Commission Decision (ECSC and Euratom) regarding conclusion of the agreement: Bull. 7/8-1994, point 1.3.35

Council Decision on the signing of the agreement: Bull. 7/8-1994, point 1.3.35

Signing of the agreement: Bull. 7/8-1994, point 1.3.35

ECSC Consultative Committee consulted on the draft Commission Decision (ECSC and Euratom) on 6 October.

Bilateral relations

Slovak Republic

1.3.26. Proposal for a Council Decision providing macrofinancial assistance for the Slovak Republic.

Adopted by the Commission on 4 October. As part of the overall G24 scheme of macrofinancial assistance for Slovakia, the Commission is proposing that a Community contribution be made in the form of a medium-term loan to help the country's balance of payments and bolster its reserves. The loan would total ECU 130 million, payable in two tranches and would be subject to the conclusion of a stand-by arrangement with the IMF and adherence to the government's economic programme.

OJ C 302, 28.10.1994 and COM(94) 410

Independent States of the former Soviet Union

Assistance for the independent States of the former Soviet Union

Technical assistance

Basic Regulation: Council Regulation (Euratom, EEC) No 2053/93 on 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

1.3.27. Commission Decision approving TACIS action programmes for 1994 for the Rus-

sian Federation, South-West Russia, Kaliningrad, Ukraine, Kazakhstan and Tajikistan and a 1994-95 action programme for Mongolia.

Adopted by the Commission on 6 October. The Decision allocates ECU 98 million for the Russian Federation, ECU 42 million for South-West Russia, ECU 10 million for Kaliningrad, ECU 27 million for Ukraine, ECU 14 million for Kazakhstan, ECU 4 million for Tajikistan and ECU 8 million for Mongolia for country-specific programmes in multiple sectors.

1.3.28. Commission Decision approving a TACIS partnership and cooperation programme for 1994.

Adopted by the Commission on 12 October. The Decision allocates ECU 5 million of Community funds (co-financing with the EU Member States) for technical assistance in the Commonwealth of Independent States.

1.3.29. Commission Decision regarding the TACIS inter-State technical assistance programme for the CIS and Mongolia.

Adopted by the Commission on 26 October. The Decision allocates ECU 47 million for various technical assistance projects in the CIS and Mongolia.

Food aid

1.3.30. Council Regulation (EC) No 2621/94 on the free supply of agricultural products to the people of Moldova.

Regulation amended: Council Regulation (CE) No 1999/94 on the supply of agricultural products to the peoples of Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan free of charge: OJ L 201, 4.8.1994; Bull. 7/8-1994, point 1.3.40

Proposal for a Regulation adopted by the Commission on 6 October.

COM(94) 415

Adopted by the Council on 24 October. Because harvests in Moldova had been hit by drought, followed by summer storms and flooding, the Regulation (adopted in July to provide food aid for Georgia, Armenia, Azerbaijan, Kyrgyzstan and Tajikistan) was extended to that country in order to improve its supply situation.

OJ L 280, 29.10.1994

Bilateral relations

Belarus

1.3.31. Draft partnership and cooperation agreement between the European Community and Belarus.

Reference: Council guidelines for a case-by-case approach to the establishment of contractual relations with the countries of the Commonwealth of Independent States (other than the Russian Federation and Ukraine): Bull. 3-1994, point 1.3.49

Commission recommendation: Bull. 7/8-1992, point 1.4.3

Negotiating directives: Bull. 10-1992, point 1.4.19

Amended recommendation for a Decision adopted by the Commission on 25 October.

Kazakhstan

1.3.32. Draft partnership and cooperation agreement between the European Communities and their Member States and Kazakhstan.

Commission recommendation: Bull. 7/8-1992, point 1.4.3

Negotiating directives: Bull. 10-1992, point 1.4.19

Initialling of the Agreement: Bull. 5-1994, point 1.3.35

Proposal for a Council Decision (EC) and a draft Commission Decision (Euratom, ECSC) on the conclusion of the Agreement adopted by the Commission on 5 October.

OJ C 319, 16.11.1994 and COM(94) 411

Kyrgyzstan

1.3.33. Draft partnership and cooperation agreement between the European Communities and their Member States and Kyrgyzstan.

Commission recommendation: Bull. 7/8-1992, point 1.4.3

Negotiating directives: Bull. 10-1992, point 1.4.19

Initialling of the Agreement: Bull. 5-1994, point 1.3.36

Proposal for a Council Decision (EC) and a draft Commission Decision (Euratom, ECSC) on the conclusion of the Agreement adopted by the Commission on 5 October.

OJ C 326, 24.11.1994; COM(94) 412

Mediterranean and Middle East

General

1.3.34. Commission communication to the Council and Parliament on strengthening the Mediterranean policy of the European Union: establishing a Euro-Mediterranean partnership.

References:

Conclusions of the Lisbon European Council: Bull. 6-1992, point 1.34

Conclusions of the Corfu European Council: Bull. 6-1994, point 1.10

Council conclusions on the Commission's opinion on Cyprus' application for accession: Bull. 10-1993, point 1.3.7

Council conclusions on the Commission's opinion on Malta's application for accession: Bull. 10-1993, point 1.3.8

Draft association agreement with Israel: Bull. 12-1993, point 1.3.31

New draft agreement with Morocco: Bull. 12-1993, point 1.3.33

New draft agreement with Tunisia: Bull. 12-1993, point 1.3.38

Visit to the Commission by Mr Aykon Dogan, Turkey's Minister for the Economy: Bull. 6-1994, point 1.3.41

Visit by Mr Van den Broek to Turkey: Bull. 6-1994, point 1.3.42

Adopted by the Commission on 19 October. In the light of the conclusions of the Lisbon and Corfu European Councils, the Commission pointed in its communication to the interdependence between the European Union and the countries of the southern and eastern Mediterranean and presented guidelines for strengthening the Union's Mediterranean policy to help bring about peace, stability, security and the socio-economic development of the region. The communication was also intended to represent the basis for discussions at the Euro-Mediterranean conference scheduled for 1995.

In addition to the prospect of Cypriot and Maltese accession to the Union and the completion of the customs union with Turkey, the Commission suggested working towards a Euro-Mediterranean partnership, involving the Maghreb and Mashreq countries and Israel in particular. This would start with the gradual establishment of free trade, with due regard for international obli-

gations such as those imposed in the context of the World Trade Organization (WTO), supported by substantial financial aid. It would then develop through greater political and economic cooperation towards a closer association. The cornerstone of the partnership would be political dialogue based on respect for democracy, human rights and good governance.

In practical terms the Commission proposed:

- the early conclusion of the ongoing negotiations with Israel, Morocco, Tunisia and Turkey;
- an increase in technical and financial assistance, including the establishment of an overall MED aid programme worth ECU 5 500 million for the period 1995-99 designed to allow the necessary social and economic adjustments;
- encouragement of private-sector investment by the European Union in the Mediterranean countries and between the Mediterranean countries themselves;
- economic policy dialogue;
- measures to promote regional cooperation (intra-regional trade, cumulation of origin rules, Community support for regional groupings).

The communication calls for an EU Mediterranean policy which is multifaceted and embraces the various fields where interdependence exists — economic development, social stability, emigration, trade, investment, energy, environment, security. Initiatives in the economic sphere should take into account the political guidelines, with the eventual aim of establishing a zone of political stability and security and the conditions required to bring about sustainable and rapid development in the Mediterranean countries leading to the creation of a Euro-Mediterranean economic area covering 600 to 800 million people and some 30 to 40 countries.

COM(94) 427

Northern Mediterranean

Slovenia

1.3.35. Visit by Sir Leon Brittan from 29 September to 2 October.

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 Council Regulation (EEC) No 1764/93; OJ L 162, 3.7.1993; Bull. 6-1993, point 1.3.13

Draft Europe Agreement with Slovenia: Bull. 4-1994, point 1.3.33

Sir Leon met Slovenia's President, Mr Milan Kucan, the Prime Minister, Mr Janez Drnovsek, the Foreign Minister, Mr Lojze Peterle, and the Minister for Science and Technology, Mr Rado Bohinc. During their talks they discussed the prospect of negotiations for an association agreement with Slovenia and the operation of the PHARE programme, which was considered to be working well in Slovenia.

Former Yugoslavia

1.3.36. Council Regulation (EC) No 2471/94 concerning the reduction of economic and financial relations between the European Community and the areas of Bosnia-Herzegovina under the control of Bosnian Serb forces; Council Regulation (EC) No 2472/94 suspending certain elements of the embargo on the Federal Republic of Yugoslavia (Serbia and Montenegro).

References:

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

Council Decision 94/366/CFSP on the common position defined by the Council on the basis of Article J.2 of the Treaty on European Union and concerning prohibition of the satisfaction of the claims referred to in paragraph 9 of United Nations Security Council Resolution 757(1992): OJ L 165, 1.7.1994; Bull. 6-1994, point 1.3.5

Council Regulation (EC) No 1733/94 prohibiting the satisfying of claims with regard to contracts and transactions the performance of which was affected by United Nations Security Council Resolution 757(1992) and related resolutions: OJ L 182, 16.7.1994; Bull. 7/8-1994, point 1.3.48

Council Decision 94/672/CFSP on the common position defined on the basis of Article J.2 of the Treaty on European Union and concerning the reduction of economic and financial relations with those parts of the territory of the Republic of Bosnia-Herzegovina under the control of the Bosnian Serb forces; Decision 94/673/CFSP on the common position defined on the basis of Article J.2 of the Treaty on European Union and regarding the suspension of certain restrictions on trade

with the Federal Republic of Yugoslavia (Serbia and Montenegro): OJ L 266, 15.10.1994; point 1.3.5 of this Bulletin

Proposal adopted by the Commission on 5 October.

COM(94) 419

Adopted by the Council on 10 October. Regulation (EC) No 2471/94, which puts into effect UN Security Council Resolution 942(1994), introduces the prohibition of economic activities, freezing of funds or other financial assets or resources and the prohibition of the provision of services in those parts of the territory of the Republic of Bosnia-Herzegovina under the control of the Bosnian Serb forces. Regulation (EC) No 2472/94, which puts into effect UN Security Council Resolution 943(1994), provides for the suspension of certain elements of the embargo on the Federal Republic of Yugoslavia, notably civilian passenger flights, carrying only passengers and personal effects and no cargo, to and from Belgrade airport.

OJ L 266, 15.10.1994

1.3.37. Commission Decision on surveillance of the frontier between Serbia and Bosnia-Herzegovina.

Approved by the Commission on 5 October.

Formally adopted by the Commission on 12 October, this Decision allocates ECU 1.27 million for the provision by the European Union of 20 observers on the Serbia-Bosnia frontier.

Maghreb

1.3.38. Proposal for a Council Regulation in the field of employment creation and support to small and microenterprises in the Maghreb countries.

Commission proposal: OJ C 214, 4.8.1994; COM(94) 289; Bull. 7/8-1994, point 1.3.49

Endorsed by Parliament (first reading) on 28 October subject to various drafting amendments.

OJ C 323, 21.11.1994

Algeria

1.3.39. Proposal for a Council Decision providing further macro-financial assistance for Algeria.

References:

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

Visit to the Commission by the Finance Minister, Mr Ahmed Benbitour: Bull. 5-1994, point 1.3.41

Visit by the troika to Algeria: Bull. 5-1994, point 1.3.42

Visit to the Commission by the Algerian Prime Minister, Mr Mokdad Sifi: Bull. 6-1994, point 1.3.44

Adopted by the Commission on 4 October. The Commission proposes to grant Algeria a further ECU 200 million in macro-financial assistance for the period 1994-95. This sum would be in addition to the release of ECU 150 million as part of the loan granted to Algeria by the Community in 1991 and to the financing provided by donors including the IMF and World Bank following the agreement between Algeria and the IMF in April 1994. The loan should have a maximum maturity of seven years.

OJ C 299, 27.10.1994; COM(94) 409

Middle East

1.3.40. Parliament resolution on the situation in the Gulf.

Adopted by Parliament on 27 October. Parliament condemned the manoeuvres by Iraqi forces on the borders of Kuwait and supported the actions taken by some Member States, acting in cooperation with the United States, to counter this threat. It called on the Iraqi government to comply with all UN Security Council resolutions and stated its support for the full maintenance of UN economic sanctions until Iraq had recognized the frontiers of Kuwait, adding that sanctions could not be totally removed until the human rights clauses of Security Council resolutions had been fulfilled. It also urged the Council, in concert with its partners, to take steps aimed at achieving a permanent settlement in the Gulf.

OJ C 323, 21.11.1994

Financial and technical cooperation

1.3.41. Project financing.

References:

Third EEC-Cyprus Protocol on financial and

technical cooperation: OJ L 82, 29.3.1990; Bull. 1/2-1990, point 1.2.35

Council Regulation (EC) No 1734/94 on financial and technical cooperation with the Occupied Territories: OJ L 182, 16.7.1994; Bull. 7/8-1994, point 1.3.51

Council Regulation (EEC) No 1763/92 concerning financial cooperation in respect of all Mediterranean non-member countries (OJ L 181, 1.7.1992; Bull. 6-1992, point 1.4.17), as last amended by Council Regulation (EC) No 1735/94: OJ L 182, 16.7.1994; Bull. 7/8-1994, point 1.3.51

Commission financing decisions granting aid to the following projects (See Table 5).

Table 5 — *Cooperation with Mediterranean countries*

(million ECU)		
Country	Purpose	Amount (grant)
Cyprus	1.5 % interest-rate subsidy for improving facilities for treating municipal water supplies in Nicosia and Larnaca	2.12
Gaza and Jericho	Palestinian police force	10
	Electoral system	0.1
All countries	Euro-Arab Management School	8.3

Support for the peace process

1.3.42. Peace treaty between Israel and Jordan.

Reference: Communiqué from the presidency concerning the peace treaty between Israel and Jordan: point 1.3.12 of this Bulletin

Signed on the Israel-Jordan border (Eilat/Aqaba) on 26 October. The European Union troika led by Mr Klaus Kinkel, the German Foreign Minister and President of the Council, and including Mrs Simone Veil, France's Minister for Social Affairs and Cities, and Mr Javier Solana, the Spanish Foreign Minister, was present at the signing of the peace treaty by Mr Yitzhak Rabin, Prime Minister of Israel, and His Excellency Dr Abdel Salam Majali, the Prime

Minister of Jordan. Mr Van den Broek represented the Commission. The ceremony was attended by King Hussein of Jordan, Mr Ezer Weizman, President of Israel, and Mr Shimon Peres, the Israeli Foreign Minister, Mr Bill Clinton, President of the United States, accompanied by Secretary of State, Mr Warren Christopher, and Mr Andrei Kozyrev, Russia's Foreign Minister. The participants underlined the importance of the treaty as a first step in the joint endeavour to ensure the region's peace and prosperity.

1.3.43. Parliament resolution on peace in the Middle East.

References:

Agreement between Israel and the PLO: Bull. 5-1994, point 1.3.46

Peace treaty between Israel and Jordan: point 1.3.42 of this Bulletin

Adopted by Parliament on 27 October. Parliament reaffirmed its support for the peace process and condemned extremist elements such as Hamas for attempting to derail it. It welcomed the peace treaty between Jordan and Israel. It also stressed the need to implement the Declaration of Principles agreed between Israel and the PLO, called for the elections originally scheduled for October to go ahead and expressed its belief that responsibility for maintaining law and order in the West Bank and Gaza Strip should rest entirely with the PLO.

OJ C 323, 21.11.1994

United States, Japan and other industrialized countries

South Africa

1.3.44. Draft cooperation agreement between the European Community and the Republic of South Africa.

Commission proposal: OJ C 282, 8.10.1994; COM(94) 402; Bull. 9-1994, point 1.3.16

Agreement signed in Pretoria on 10 October. The draft framework cooperation agreement be-

tween the Community and South Africa was signed by Sir Leon Brittan and Mr Thabo Mbeki, Deputy President of South Africa. It lays the foundations for future relations between the two sides and will be supplemented by subsequent agreements.

1.3.45. Visit by Sir Leon Brittan to South Africa from 7 to 10 October.

During this visit, marked by the signing of the cooperation agreement, Sir Leon Brittan met Mr Nelson Mandela, the country's President, Mr Alfred Nzo, Foreign Minister, and Mr Roelof 'Pik' Botha, Minister for Energy. They welcomed the signing of the agreement and also discussed the progress of the reforms, Community support for South Africa and the new relations between the two sides.

1.3.46. Project financing.

Commission decision adopted on 25 October granting ECU 11 917 849 under the special programme for South Africa for 23 projects concerning, amongst other things, education and vocational training, aimed particularly at disadvantaged sections of the population, the creation of small businesses and rural development.

Asia

Bilateral relations

South Korea

1.3.47. Annual ministerial meeting.

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

Previous meeting: Bull. 11-1993, point 1.3.37

Tenth meeting held in Brussels on 27 October. The two delegations, led by Mr Han Sung Joo, South Korea's Foreign Minister, and Sir Leon Brittan, held a wide-ranging exchange of views on the development of trade and economic relations between the European Community and the

Republic of Korea. The discussions covered sectoral matters, in particular cars, shipbuilding, customs tariffs and financial services. Relations between both parties and the United States and Japan, regional economic cooperation between South Korea and the Asia-Pacific area and the implementation of the agreement which emerged from the Uruguay Round negotiations were also discussed.

Nepal

1.3.48. Draft framework trade and cooperation agreement between the European Community and the Kingdom of Nepal.

The Council adopted negotiating directives, on a recommendation from the Commission, on 24 October.

Vietnam

1.3.49. Visit to the Commission by Mr Nguyen Manh Cam, Vietnamese Foreign Minister, on 24 October.

References:

Draft framework trade and cooperation agreement between the European Community and Vietnam: Bull. 10-1993, point 1.3.41

Commission communication entitled 'Towards a new Asia strategy': COM(94) 314; Bull. 7/8-1994, point 1.3.55

During this visit Mr Nguyen Manh Cam met Mr Marín and Mr Van den Broek. They discussed bilateral relations and in particular stressed the progress made by Viet Nam over the last few years, the development of a dialogue on cooperation and the scale of the trade flows between Viet Nam and the European Union. They considered that it was in their mutual interest to conclude the negotiations leading to a framework trade and cooperation agreement rapidly, and held a positive exchange of views on the Commission communication on a new Asia strategy. They noted the major growth in the European Union's development assistance to Viet Nam and the positive results recorded by the Community programme for the economic re-integration of Vietnamese from the camps. They also mentioned the prospects of the accession of Viet Nam to the Asean and the situation in Cambodia and its possible repercussions on regional stability.

Aid for refugees and displaced persons

1.3.50. Commission decisions: see Table 6.

Table 6 — *Aid for refugees and displaced persons*

<i>(million ECU)</i>		
Country	Number of programmes	Total
Afghanistan	3	4.9
Thailand	1	1.2

Latin America

Relations with regional bodies

Relations with Mercosur

1.3.51. Commission communication to the Council and Parliament: 'The European Community and Mercosur: an enhanced policy'.

References:

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

Conclusions of the Corfu European Council: Bull. 6-1994, point 1.20

Adopted by the Commission on 19 October. Drafted in response to the conclusions of the Corfu European Council, the communication discusses the strategic aspects of EU-Mercosur relations, assesses Mercosur's development, reviews its current relations with the Union and proposes that a framework agreement on trade and economic cooperation be concluded in the short term to provide a framework for relations enabling the establishment, in the long term, of an interregional association between the European Union and Mercosur.

Mercosur, a common market launched in 1991 when Argentina, Brazil, Paraguay and Uruguay signed the Treaty of Asunción, aims at enhancing its members' competitiveness and establish-

ing a customs union in 1995. Since 1992 it has covered numerous other sectors, in particular fiscal, monetary, industrial and agricultural policies. It has already proved to be a magnet for other Latin American countries and the European Union is its principal trading partner. The Commission stresses the fact that Mercosur is a new, world-class growth area and a key strategic region for Europe.

Accordingly, the Commission proposes to strengthen relations between the Union and Mercosur in two stages:

□ an intermediate stage involving the conclusion of an interregional framework agreement on trade and economic cooperation covering the following aspects:

— preparations for the liberalization of trade, along the lines set out in a future association agreement;

— support for Mercosur integration in three areas: trade, and harmonization issues in particular; the economy, with the provision of technical assistance for the establishment of the internal market, and regional integration, involving technical, industrial and financial support for major regional projects;

— intensification of dialogue and coordination between the Union and Mercosur, at ministerial level, on political and cooperation subjects of common interest;

□ ultimately, the establishment of an interregional association between the Union and Mercosur, built on a balanced political, economic and trading partnership in a spirit of solidarity and aimed at:

— fostering interregional flows to the advantage of both partners, particularly when implementing the Uruguay Round Final Act;

— promoting strategic investment by firms;

— strengthening political cooperation at international level, in particular by seeking to reach joint positions in international forums on issues of mutual interest;

— improving the effectiveness of the Union's external activities by establishing a new framework for relations with partners of a similar nature.

The main components of such an association could be the gradual establishment of a free-trade area for industrial products and services, reciprocal and gradual liberalization of agricultural trade; cooperation and dialogue on trade issues; the liberalization of trade in services and movement of capital; joint financing instruments for regional projects; cooperation on information, communications and culture; interinstitutional cooperation; political cooperation and coordination on international issues; cooperation on the information society, information technologies and telecommunications, and industrial cooperation.

COM(94) 428

Relations with Mercosur countries

1.3.52. Visits made by Mr Steichen from 10 to 15 October.

He met the President of Argentina, Mr Carlos Menem, and the President of Uruguay, Mr Luis A. Lacalle, the Agriculture Ministers and several other members of the Governments of the Mercosur member countries (Argentina, Brazil, Paraguay and Uruguay) and Mercosur's Secretary-General. Mr Steichen acknowledged the political significance of Mercosur and its relations with the Union. Discussions with the authorities of the four Member States essentially reviewed trade relations with the Union, particularly in view of the latter's enhanced policy *vis-à-vis* Mercosur and in the context of the implementation of CAP reform and of the agreement reached at the Uruguay Round negotiations. Certain specific cases concerning Brazil and Argentina, and more specifically compliance with GATT rules, were also discussed.

Cooperation with Latin America

1.3.53. 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 decisions to provide assistance for the following projects (see Table 7).

Table 7 — *Cooperation with Latin America*

<i>(million ECU)</i>		
Country	Purpose	Amount (grant)
Chile	Social development project: combating poverty and marginalization	0.99
Guatemala	Education programme using radio broadcasts	0.89
Honduras	Programme to help street children	0.6
Central America (Costa Rica, El Salvador, Honduras, Guatemala, Nicaragua, Panama)	Development programme for makeshift urban settlement areas	0.7

Aid for refugees and displaced persons

1.3.54. Commission financing decision to grant aid worth ECU 500 000 to Mexico.

ACP countries and OCT

Relations with ACP countries

Implementation of the fourth Lomé Convention

Reference: Fourth ACP-EC Convention: OJ L 229, 17.8.1991; Bull. 9-1991, point 1.3.38

1.3.55. Council Regulation (EC) No 2686/94 establishing a special system of assistance to traditional ACP suppliers of bananas.

References:

Council Regulation (EEC) No 404/93 on the common organization of the market in bananas: OJ L 47, 25.2.1993; Bull. 1/2-1993, point 1.2.174

Proposal for a Council Regulation setting up a diversification and development fund for Latin American banana-producing countries: COM (92) 496; Bull. 11-1992, point 1.4.35; Bull. 1/2-1993, point 1.3.39

Commission proposal: OJ C 344, 29.12.1992, COM(92) 465; Bull. 11-1992, point 1.4.44

Economic and Social Committee opinion: OJ C 108, 19.4.1993; Bull. 1/2-1993, point 1.3.44

Parliament opinion (first reading): OJ C 115, 26.4.1993; Bull. 3-1993, point 1.3.42

Amended Commission proposal: OJ C 206, 26.7.1994, COM(94) 249; Bull. 6-1994, point 1.3.59

Council agreement on a common position: Bull. 6-1994, point 1.3.59

Council common position: OJ C 232, 20.8.1994; Bull. 7/8-1994, point 1.3.69

Parliament opinion (second reading): OJ C 305, 31.10.1994; Bull. 9-1994, point 1.3.27

Adopted by the Council on 31 October. The Regulation introduces a special system of financial and technical assistance for traditional ACP banana suppliers to help them adapt to the new market conditions created by the introduction of the common organization of the market for bananas. ACP suppliers will also receive support for income from banana exports to the Community which will be complementary to Stabex transfers.

OJ L 286, 5.11.1994

1.3.56. Commission communication to the Council on Community support for structural adjustment in the ACP countries: towards the consolidation and strengthening of a realistic and concerted approach.

Adopted by the Commission on 27 October. The communication provides a qualitative and quantitative analysis of the structural adjustment measures taken by the Commission in the ACP States with a view to proposing guidelines for the future. The analysis shows that the Commission needs to create tools that will enable each country to give its assessment of the reform programmes and make use of the support instruments. This is because the results of the programmes have been uneven, with the informal sector often the main beneficiary. In the light of its experience the Commission proposes that Community action focus on:

□ consolidation, which will confirm the European Union's key concerns (the long-term implications of the adjustment programmes, integrating them into a regional framework, their social dimension and their acceptance by the recipient countries' authorities);

□ deepening, primarily concerning public finance, regional integration and adapting the pace of reforms;

□ broadening, through adjustment of the instruments and procedures, new types of cooperation, a new approach to conditionality and enhanced coordination at Community level within the IMF and World Bank.

COM(94) 447

1.3.57. Draft application for a derogation from GATT rules in respect of the Lomé Convention.

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

Adopted by the Commission on 5 October. Purpose: to request a derogation under Article XXV.5 of the GATT in respect of the fourth Lomé Convention.

1.3.58. Draft Protocol adapting the fourth ACP-EC Convention signed in Lomé on 15 December 1989 to take account of the accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union.

Reference: Accession to the European Union of the Republic of Austria, the Kingdom of Sweden, the Republic of Finland and the Kingdom of Norway: Bull. 6-1994, point 1.3.15

Recommendation for a decision adopted by the Commission on 7 October. This paves the way for the opening of negotiations with the ACP States on the amendment of the fourth Lomé Convention in the wake of the accession of Austria, Finland, Norway and Sweden to the European Union.

COM(94) 416

Stabex and Sysmin

1.3.59. Commission report to the Council on the operation in 1992 of the export earnings stabilization system under the fourth Lomé Convention.

References:

Fourth Lomé Convention: OJ L 229, 17.8.1991; Bull. 9-1991, point 1.3.38

Commission report pursuant to Article 194(4) of the fourth ACP-EC Convention (Stabex) for 1992: Bull. 7/8-1993, point 1.3.52

Commission decision on Stabex transfers for the 1992 application year: Bull. 7/8-1993, point 1.3.53

Previous report: Bull.4-1992, point 1.4.24

Adopted by the Commission on 14 October. The Commission noted that in the 1992 application year 32 ACP States were eligible for 60 transfers under Stabex totalling ECU 1 033 million. This amount was reduced to ECU 763.2 million, but this still exceeded the system's ordinary resources of ECU 330 million. Coverage of eligible earnings therefore stood at 43.2%.

Protocols

Sugar

1.3.60. Draft agreements in the form of an exchange of letters between the European Community and, on the one hand, Barbados, Belize, the Republic of the Congo, Fiji, the Cooperative Republic of Guyana, the Republic of Côte d'Ivoire, Jamaica, the Republic of Kenya, the Republic of Madagascar, the Republic of Malawi, Mauritius, the Republic of Suriname, Saint Christopher and Nevis, the Kingdom of Swaziland, The United Republic of Tanzania, Trinidad and Tobago, the Republic of Uganda and the Republic of Zimbabwe and, on the other hand, the Republic of India on the guaranteed prices for cane sugar for the 1993/94 delivery period.

Negotiating directives: Bull. 7/8-1993, point 1.3.54

Adoption by the Commission on 18 October of a proposal for a Council Decision concluding the agreements. The Commission proposed that the guaranteed prices for the intervention period from 1 July 1993 to 30 June 1994 be set at ECU 43.37 per 100 kg of raw sugar and ECU 53.54 per 100 kg of white sugar.

COM(94) 426

Institutions

ACP-EU Joint Assembly

1.3.61. Nineteenth session.

Reference: Draft negotiating directives for the partial mid-term review of the fourth Lomé Convention: Bull. 1/2-1994, point 1.3.80

Previous session: Bull. 1/2-1994, point 1.3.83

Session held in Libreville, Gabon, from 3 to 6 October. The co-Presidents were Lord Plumb (United Kingdom) and Mr Rahandi Chambrier

(Gabon). Also present were Mr Omar Bongo, President of Gabon, Ms Ursula Seiler-Albring, President of the Council, and Mr Marín for the Commission.

Discussions centred on the mid-term review and on the link between aid and human rights in the recipient countries. Ms Seiler-Albring stressed the need for trade cooperation and for better use of the current preferential arrangements. Mr Marín said the purpose of the review was to confirm and consolidate the special relationship between the European Union and the ACP States. The participants also highlighted the importance of partnership and underscored the need to streamline existing procedures.

The Joint Assembly discussed at length the situation in Rwanda and called for an international tribunal to be set up to try the perpetrators of genocide for crimes against humanity. A resolution was adopted calling on the ACP-EU Council of Ministers to consider creating a political cooperation mechanism that would enable effective action to be taken to prevent conflicts.

Discussions also touched on economic issues such as banana import quotas, the sugar protocol, the rum market and the consequences of the devaluation of the CFA franc. Resolutions were adopted on the situation in a number of countries, including Sudan — whose government was held responsible for the civil war — Somalia, Haiti, Central Africa, southern Africa (with support being expressed for the South African Government's reconstruction programme) and Nigeria.

Bilateral relations

Burundi

1.3.62. Parliament resolution on the situation in Burundi.

Adopted on 27 October. Parliament welcomed the election of the President and called on the Commission and Member States to lend their full support to the new government's measures to disarm civilians, restore conditions of safety, facilitate the return of refugees, reform the military and rebuild the infrastructure which had been destroyed. It also underlined the need for an international criminal tribunal to be set up under UN auspices.

OJ C 323, 21.11.1994

Haiti

Reference: Council Decision 94/681/CFSP concerning the common position, defined on the basis of Article J.2 of the Treaty on European Union, regarding the termination of the reduction of economic relations with Haiti: OJ L 271, 21.10.1994; point 1.3.3 of this Bulletin

1.3.63. Council Regulation (EC) No 2543/94 repealing Regulation (EC) No 1263/94 introducing the discontinuation of certain economic and financial relations with Haiti.

Regulation repealed: Regulation (EC) No 1263/94 introducing the discontinuation of certain economic and financial relations with Haiti: OJ L 139, 2.6.1994; Bull. 5-1994, point 1.3.60

Proposal adopted by the Commission on 12 October.

COM(94) 433

Adopted by the Council on 19 October. Purpose: to follow up UN Security Council Resolution 944(94) by repealing Regulation (EC) No 1263/94.

OJ L 271, 21.10.1994

1.3.64. Decision 94/680/ECSC of the representatives of the governments of the Member States, meeting within the Council, repealing Decision 94/314/ECSC introducing the discontinuation of certain economic and financial relations with Haiti.

Decision repealed: Decision 94/314/ECSC of the representatives of the governments of the Member States of the ECSC, meeting within the Council, introducing the discontinuation of certain economic and financial relations with Haiti: OJ L 139, 2.6.1994; Bull. 5-1994, point 1.3.60

Adopted by the representatives of the governments of the Member States meeting within the Council on 19 October. Purpose: to follow up UN Security Council Resolution 944(94) by repealing Regulation (EC) No 1263/94.

OJ L 271, 21.10.1994

Rwanda

1.3.65. Visit to the Commission by Mr Faustin Twagiramungu, Prime Minister, on 10 October.

Mr Twagiramungu met Mr Marín with whom he discussed the situation in Rwanda and in southern Africa. Mr Marín stressed the need for more

human rights observers in Rwanda and for rapid deployment of Unamir to protect people against acts of vengeance and witch-hunts. He recalled the Commission's efforts to provide humanitarian aid in Rwanda and said it was preparing a short-term rehabilitation programme for the country.

1.3.66. Parliament resolution on the situation in Rwanda.

Reference: Parliament resolution on the situation in Rwanda: OJ C 276, 3.10.1994; Bull. 9-1994, point 1.3.31

Adopted on 27 October. Parliament stressed the importance it attached to the role of Unamir and called on the Council and the governments of Member States to exert whatever pressure was needed to prevent the ex-government forces and the militias from regrouping. It noted that the refugees' return depended on a return to normality and called on the Rwandan Government to embark on a constructive dialogue with all democratic forces and representatives of civil society. It also called on the European Union and Member States to recognize the new government and urged the Commission to provide any technical assistance required to restore all aspects of the administration, in particular the judicial system. It also called for the appropriations in the country's national indicative programme to be released and for all preconditions to be dropped.

OJ C 323, 21.11.1994

Zaire

1.3.67. Visit to the Commission by Mr Kango Wa Kondo, Prime Minister, on 14 October.

Mr Kango Wa Kondo met Mr Marín with whom he discussed the political and economic situation in Zaire and in Southern Africa. He reported on the worrying economic and social situation in his country and said his government intended to introduce an economic and financial recovery programme. Mr Marín welcomed this while stressing the need for human rights to be upheld. He said the Commission might then resume cooperation in certain fields to help the people of Zaire while continuing to provide humanitarian aid. He also expressed his concern at the presence of Rwandan soldiers and armed militias in the Kivu refugee camps.

Relations with the OCT

1.3.68. Proposal for a Council Regulation on the definition of originating products applicable to certain mineral products and certain products of the chemical or allied industries for the purposes of the preferential tariff arrangements granted by the European Community to the overseas countries and territories.

Reference: Council Decision 91/482/EEC on the association of the overseas countries and territories with the European Economic Community; OJL 263, 19.9.1991; Bull. 7/8-1991, point 1.3.46

Adopted by the Commission on 31 October. Purpose: to ensure, within the single market, uni-

form implementation of the provisions concerning the definition of originating products applicable to mineral products and products of the chemical or allied industries under the preferential tariff agreements granted by the European Community to the OCT.

COM(94) 448

Financial and technical cooperation

1.3.69. Project financing.

Commission decisions allocating a total of ECU 69 552 000 under the seventh EDF (see Table 8).

Table 8 — *Financing of operations under the seventh EDF*

(million ECU)

Country	Project	Amount	
		Grant	Special loan
	<i>Economic infrastructure</i>		
Tanzania	Roads	4.5	
Uganda	Roads		
Region: East Africa	Transport and communications	8.5	
	<i>Rural production</i>		
Côte d'Ivoire	Coastal forests	1.99	—
	Forests	1.75	—
Kiribati	Agriculture	1.1	—
Region: Indian Ocean	Agriculture	1.9	—
	<i>Social development</i>		
PALOP ¹	Health	2.6	—
All ACP countries	Education and training	2	—
All ACP countries	Support for health system reforms	1.85	—
Tanzania	Education and training	1.95	—
	<i>Trade promotion</i>		
Senegal	Development of horticultural exports	1	—
Trinidad and Tobago	Development of trade and services	2	
	<i>Exceptional aid measures</i>		
Seychelles	AIDS	0.139	—
Mauritania	AIDS	0.773	—

Country	Project	Amount	
		Grant	Special loan
Guinea-Bissau	<i>Other</i> General technical cooperation	1.25	—
Congo	Structural adjustment support	14.25	—
	Total	69.552	

¹ Angola, Cape Verde, Guinea-Bissau, Mozambique, São Tomé and Príncipe.

International organizations and conferences

General Agreement on Tariffs and Trade

1.3.70. Commission communication on the Uruguay Round implementing legislation, accompanied by the following proposals:

- proposal for a Council Decision bringing into force simultaneously the acts implementing the results of the Uruguay Round of multilateral trade negotiations;
- proposal for a Council Regulation amending the Combined Nomenclature and the Common Customs Tariff in the light of the results of the Uruguay Round;
- proposal for a Council Directive on pre-shipment inspections for exports from the Community;
- proposal for a Council Regulation amending Council Regulation (EEC) No 3030/93 on common rules for imports of certain textile products from third countries;
- proposal for a Council Regulation on the adjustments and transitional arrangements required in the agriculture sector in order to implement the agreements concluded during the Uruguay Round of multilateral trade negotiations;
- proposal for a Parliament and Council Regulation amending Council Regulation (EEC) No 1576/89 laying down general rules on the definition, description and presentation of spirit drinks and Council Regulation (EEC) No 1601/91 lay-

ing down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails following the Uruguay Round of multilateral trade negotiations;

- proposal for a Council Regulation on protection against dumped imports from countries not members of the European Community;
- proposal for a Council Regulation on protection against subsidized imports from countries not members of the European Community;
- proposal for a Council Regulation on common rules for imports, repealing Regulation (EC) No 518/94;
- proposal for a Council Regulation on the strengthening of the common commercial policy, in particular with regard to protection against illicit commercial practices and adverse trade effects suffered by Community enterprises, and to the exercise of the Community's rights under international trade rules;
- proposal for a Council Regulation amending Council Regulation (EC) No 40/94 on the Community trademark for the implementation of the Agreement on trade-related aspects of intellectual property rights concluded in the framework of the Uruguay Round;
- proposal for a Council Decision concerning certain measures on the extension of the legal protection of topographies of semiconductor products to persons from a member country of the World Trade Organization.

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

Regulations to be amended:

Council Regulation (EEC) No 1576/89 laying down general rules on the definition, description and presentation of spirit drinks (OJ L 160, 12.6.1989; Bull. 5-1989, point 2.1.185), as last amended by Regulation (EEC) No 3280/92: OJ L 327, 13.11.1992; Bull. 11-1992, point 1.3.198

Council Regulation (EEC) No 1601/91 laying down general rules on the definition, description and presentation of aromatized wines, aromatized wine-based drinks and aromatized wine-product cocktails (OJ L 149, 14.6.1991; Bull. 6-1991, point 1.2.167), as last amended by Regulation (EEC) No 3279/92: OJ L 327, 13.11.1992; Bull. 11-1992, point 1.3.197

Council Regulation (EEC) 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

Council Regulation (EC) No 40/94 on the Community trademark: OJ L 11, 14.1.1994; Bull. 12-1993, point 1.2.38

Regulation to be repealed: Regulation (EC) No 518/94 on common rules for imports and repealing Regulation (EEC) No 288/82: OJ L 67, 10.3.1994; Bull. 3-1994, point 1.3.88

Adopted by the Commission on 5 October. The Commission proposed the adjustments and amendments to Community legislation needed to implement the results of the Uruguay Round embodied in the Final Act signed in Marrakesh on 15 April. It stressed the importance of the speedy adoption of the measures in view of the inauguration of the World Trade Organization, scheduled for 1 January 1995. It also felt that the measures should enter into force simultaneously in accordance with the principle of globality that governed the Uruguay Round negotiations.

COM(94) 414

Conference on Security and Cooperation in Europe

1.3.71. Fifth follow-up meeting.

Reference: Opening of fourth follow-up meeting: Bull. 3-1992, point 1.3.78

European Union guidelines adopted by the Council on 4 October in preparation for the meeting.

The meeting opened in Budapest on 10 October. The fifth follow-up meeting was to review the CSCE's activities and adopt measures to ensure stability in Europe. Its conclusions would be submitted to the CSCE's Heads of State or Gov-

ernment at their Budapest summit on 5 and 6 December.

The meeting covered security, economic cooperation, the human dimension and the review of the CSCE's activities in the areas of preventive diplomacy and crisis management. It also had to adopt institutional measures aimed at making the CSCE more effective so that it could hold its own as a regional organization capable of dealing with European security issues. The meeting would also be looking at the CSCE's relations with European and trans-Atlantic organizations.

European Bank for Reconstruction and Development

Financing

Former Yugoslav Republic of Macedonia

Modernization of air transport

1.3.72. The Bank granted FYROM a loan of USD 14.5 million (equivalent to ECU 12.2 million) to enable it to instal new radar and modernize its air transport equipment.

Bulgaria

Caresbac

1.3.73. The Bank took a stake equivalent to ECU 3.3 million in Caresbac-Bulgaria, a non-profit association set up in 1994 for a limited period. The association will make loans to small and medium-sized enterprises, most of them Bulgarian and mainly in the agricultural or the agro-industrial sector. This stake is in addition to a line of credit provided by the World Bank.

Estonia

Estonian Investment Bank

1.3.74. The Bank granted two loans — a total of ECU 8 million — to the Estonian Investment Bank (BEstI), a financial institution set up with the backing of the EBRD-managed Baltic

Investment Fund and the PHARE programme. These loans will help BEStI develop hard-currency lending to local SME.

AS Hansapank

1.3.75. The Bank granted a loan of ECU 8.7 million in the form of a credit line to Hansapank, a commercial bank. These funds will be used to make medium-term loans to private sector firms, and in particular SMEs.

Moldova

Promotion of wine exports

1.3.76. The Bank granted Vininvest, a Moldovan wine producer, a loan of ECU 25.6 million to enable it to improve the quality and presentation of its wines. This first loan to Moldova will enable the country to restructure and privatize its wine industry and help develop SMEs in the agro-industrial sector.

Poland

Ostoja SA and Azur Zycie SA

1.3.77. The Bank took a stake equivalent to ECU 1.5 million in the Ostoja insurance company, a recently founded subsidiary of the French insurance company Azur. The company will develop insurance products for rural customers.

Farm Frites

1.3.78. The Bank made a loan of ECU 11.4 million to Farm Frites Poland, a private firm. The loan will enable the firm to build three warehouses and invest in potato-processing equipment. The output is intended for the Polish market. Part of the loan is to be syndicated, and the NIB (the Netherlands Investment Bank) will be cofinancing the project.

Russia

Business support project

1.3.79. The Bank granted the Russian Federation a loan of USD 100 million (equivalent to

ECU 79 million) to finance SME through a selected group of 36 commercial banks. The World Bank is providing a further USD 200 million. The management and financial soundness of the intermediary banks will be supported under a separate EBRD operation for Russia's financial sector.

Prisco shipping

1.3.80. The Bank granted Prisco Maritime Limited, a Russian shipping company, a loan equivalent to ECU 67.17 million for the purchase of four new freighters from Ukraine's Kherson shipyard.

Slovakia

ZSNP Aluminium

1.3.81. The Bank took a stake of USD 15 million in the aluminium producer Slovalco and granted it a loan of USD 110 million. The funding will enable Slovalco to complete the construction of a more modern, cleaner aluminium plant. The new plant will produce 108 000 tonnes of aluminium a year, most of it for the Central European market.

Common commercial policy

General matters

Operation of the customs union

1.3.82. Proposal for a Council Regulation on the definition of originating products applicable to certain mineral products and certain products of the chemical or allied industries for the purposes of the preferential tariff arrangements granted by the European Community to the OCT (→ point 1.3.68).

Commercial policy instruments

Council anti-dumping measures

1.3.83. Proposal for a Council Regulation extending the provisional anti-dumping duty on imports of furfuraldehyde originating in the People's Republic of China.

Reference: Provisional duty: OJ L 186, 21.7.1994; Bull. 7/8-1994, point 1.3.97

Adopted by the Commission on 18 October.

COM(94) 449

1.3.84. Council Regulation (EC) No 2620/94 extending the provisional anti-dumping duty on imports of urea ammonium nitrate solution originating in Bulgaria and Poland.

Commission proposal: COM(94) 407; Bull. 9-1994, point 1.3.44

Adopted on 24 October.

OJ L 280, 29.10.1994

1.3.85. Council Regulation No 2674/94 imposing a definitive anti-dumping duty on imports of furazolidone originating in the People's Republic of China and collecting definitively the provisional duty imposed.

Reference: Provisional duty: OJ L 174, 8.7.1994; Bull. 7/8-1994, point 1.3.96

Proposal adopted by the Commission on 17 October.

COM(94) 425

Adopted by the Council on 31 October.

OJ L 285, 4.11.1994

1.3.86. Proposal for a Council Regulation imposing a definitive anti-dumping duty on imports of potassium permanganate originating in the People's Republic of China.

References:

Definitive duty: OJ L 138, 3.6.1988; Bull. 5-1988, point 2.2.5

Notice of initiation of a review: OJ C 248, 11.9.1993; Bull. 9-1993, point 1.3.74

Adopted by the Commission on 18 October.

COM(94) 424

1.3.87. Council Regulation (EC) No 2557/94 imposing a definitive anti-dumping duty on imports of calcium metal originating in the People's Republic of China and Russia.

References:

Provisional duty: OJ L 104, 23.4.1994; Bull. 4-1994, point 1.3.80

Extension of provisional duty: OJ L 184, 20.7.1994; Bull. 7/8-1994, point 1.3.87

Adopted by the Council on a proposal from the Commission on 19 October.

OJ L 270, 21.10.1994

1.3.88. Council Regulation (EC) No 2556/94 amending Regulation (EEC) No 2552/93 imposing a definitive anti-dumping duty on imports of artificial corundum originating in the People's Republic of China, the Russian Federation and Ukraine, with the exception of those imports sold for export to the Community by companies whose undertakings have been accepted, and definitively collecting the amounts secured by way of the provisional anti-dumping duty imposed by Commission Regulation (EC) No 1418/94.

Commission proposal: COM(94) 408; Bull. 9-1994, point 1.3.47

Adopted on 19 October.

OJ L 270, 21.10.1994

Commission anti-dumping measures

1.3.89. Notice of initiation of a review of Council Regulation (EEC) No 55/93 imposing a definitive anti-dumping duty on imports of outer rings of tapered roller bearings originating in Japan.

Reference: Definitive duty: OJ L 9, 15.1.1993; Bull. 1/2-1993, point 1.3.67

Published on 20 October.

OJ C 292, 20.10.1994

1.3.90. Notice of the impending expiry of anti-dumping measures applicable to imports of certain welded tubes of iron or non-alloy steel originating in the former Yugoslavia (Serbia and Montenegro).

Reference: Definitive duty: OJ L 91, 6.4.1990; Bull. 4-1990, point 1.2.47

Published on 11 October.

OJ C 283, 11.10.1994

1.3.91. Notice of the impending expiry of anti-dumping measures applicable to imports of methenamine (hexamethylenetetramine) originating in Bulgaria, former Czechoslovakia, Poland and Romania.

Reference: Undertakings: OJ L 104, 24.4.1990; Bull. 4-1990, point 1.2.53

Published on 25 October.

OJ C 297, 25.10.1994

1.3.92. Notice of the impending expiry of an anti-dumping measure applicable to small-

screen colour television receivers originating in the Republic of Korea.

Reference: Definitive duty: OJ L 107, 27.4.1990; Bull. 4-1990, point 1.2.48

Published on 29 October.

OJ C 303, 29.10.1994

1.3.93. Notice of the expiry of an anti-dumping measure applicable to imports of dicumyl peroxide originating in Japan.

Reference: Undertakings: OJ L 317, 31.10.1989

Published on 20 October.

OJ C 292, 20.10.1994

Individual sectors

Textiles

1.3.94. Draft Protocols to the Community's bilateral agreements and arrangements to take into account the accession of Austria, Finland, Norway and Sweden to the European Union.

Commission recommendation: Bull. 9-1994, point 1.3.55

Amended Commission recommendation: Bull. 9-1994, point 1.3.55

Negotiating directives adopted by the Council on 31 October.

1.3.95. Proposal for a Council Regulation amending for 1994 the level of the quantitative limits applicable to imports of certain textile products originating in China and listed in Annex IV to Council Regulation (EC) No 517/94.

Basic Regulation: Council Regulation (EC) No 517/94 on common rules for imports of textile products from certain third countries: OJ L 67, 10.3.1994; Bull. 3-1994, point 1.3.104

Adopted by the Commission on 20 October.

COM(94) 443

1.3.96. Proposal for a Council Regulation establishing provisional quantitative limits on imports into the Community of certain textile products originating in the People's Republic of China, Indonesia and India.

Adopted by the Commission on 20 October.

COM(94) 442

Development policy

Generalized preferences

1.3.97. Proposal for a Council Regulation applying a three-year scheme of generalized tariff preferences (1995-97) in respect of certain industrial products originating in developing countries; proposal for a Council Regulation extending into 1995 the application of Regulations (EEC) Nos 3833/90, 3835/90 and 3900/91 applying generalized tariff preferences in respect of certain agricultural products originating in developing countries.

Commission proposals: COM(94) 337; Bull. 9-1994, point 1.3.59

Endorsed by the Economic and Social Committee on 20 October.

EC Investment Partners financial instrument

1.3.98. Proposal for a Council Regulation on the implementation of the EC Investment Partners financial instrument for the countries of Latin America, Asia, the Mediterranean region, and South Africa.

Commission proposal: OJ C 287, 15.10.1994; COM(94) 358; Bull. 7/8-1994, point 1.3.114

Endorsed by Parliament (first reading) on 28 October subject to, inter alia, budgetary and procedural amendments.

OJ C 323, 21.11.1994

Cooperation via non-governmental organizations

1.3.99. Projects in developing countries.

Commission co-financing: commitment of ECU 3 710 683 for 23 operations.

1.3.100. Campaigns to raise public awareness.

Commission contribution: ECU 633 964 for 10 operations.

Standard food aid

1.3.101. Commission decisions to grant food aid and technical assistance of a total value of ECU 66.763 million (see Table 9).

Table 9 — *Food aid allocations*

Country/organization	<i>(million ECU)</i>				
	Cereals (tonnes)	Milk-powder (tonnes)	Vegetable oil (tonnes)	Sugar (tonnes)	Other products (million ECU)
Cape Verde	5 000	—	1 400	—	—
Eritrea	18 000	—	—	—	—
Peru	35 000	1 000	1 500	—	2.7
Rwanda	—	—	—	—	18
NGOs	65 000	1 200	5 000	1 200	3.455

Support for democratization and human rights

1.3.102. Financing for operations to support democratization and human rights (see Table 10).

Table 10 — *Operations in support of democratization and human rights*

Purpose	<i>(million ECU)</i>
	Amount
Eleven operations to support the peace process and promote democracy in the former Yugoslav republics	0.428
Two operations involving, firstly, infrastructure work in the prison of Yaoundé and, secondly, information campaigns for Tibetan refugees	0.100
Twenty operations in support of democratization and human rights	4.402
Dispatch of a mission to identify and frame projects to promote and protect human rights in Morocco	0.530

Humanitarian aid

1.3.103. Commission decisions: see Table 11.

Table 11 — *Emergency aid*

Country	Purpose	<i>(million ECU)</i>
		Amount
<i>Financing: EDF (ACP countries)</i>		
Rwanda	Emergency rehabilitation of water and power infrastructure	5
<i>Financing: 1994 ECHO budget</i>		
Albania	Medical/nutritional aid	0.55
Haiti	General humanitarian aid plan	12
Pakistan	Floods	0.2
Philippines	Floods	0.15
Ukraine	Aid for vulnerable groups	0.23
	Cholera epidemic	0.2
Viet Nam	Typhoons and floods	0.5
All countries	Disaster preparedness	0.67

1.3.104. Parliament resolution on the floods in the Mekong delta.

Adopted on 27 October. Parliament asked the Commission to mount an emergency aid programme to repair the damage in the affected areas.

OJ C 323, 21.11.1994

Human rights in the world

Terrorism

1.3.105. Parliament resolution on attacks against intellectuals, artists and journalists by fundamentalist terror groups.

Adopted on 27 October. Alarmed at the increasing number of attacks by fundamentalist groups, and at the threats against the novelist Taslima Nasreen, the killings and kidnappings of journalists and intellectuals in Algeria and the attack on the Egyptian writer, Naguib Mafuz, Parliament called on the Council to adopt a common policy on the admission into the Union of individuals threatened by terrorism instigated by a government or by fanatics. It also called on the governments of Mediterranean Arab countries to take the necessary steps to ensure that freedom of expression and creativity were upheld.

OJ C 323, 21.11.1994

China

1.3.106. Parliament resolution on the ill-treatment of a prisoner of conscience, Qin Yongmin, held in Wuhan (China), and concern at his state of health.

Adopted on 27 October. Concerned about the ill-treatment and health of Qin Yongmin, a democracy-wall activist, Parliament urged that he be given immediate medical treatment for the injuries he had sustained and called for an investigation into the allegations of ill-treatment and for those responsible to be brought to justice.

OJ C 323, 21.11.1994

1.3.107. Parliament resolution on the sentences of up to 15 years handed down in China to five Tibetans for 'counter-revolutionary activities'.

Adopted on 27 October. Parliament urged the Chinese authorities to review the heavy sentences imposed on the five men for 'counter-revolutionary propaganda and incitement' and to make public full details of the trials.

OJ C 323, 21.11.1994

Ethiopia

1.3.108. Parliament resolution on human rights in Ethiopia.

Adopted on 27 October. Concerned by the seri-

ous human rights violations in Ethiopia, Parliament urged the Commission and the Council to put pressure on the authorities there to respect fundamental human rights such as freedom of opinion, freedom of association and freedom of movement, to lift the ban on certain political parties and to provide information on the fate of those individuals arbitrarily arrested. It called on the authorities to pursue the path of free, democratic and open elections in conjunction with representative forces in the country and in accordance with internationally recognized electoral procedures.

OJ C 323, 21.11.1994

Equatorial Guinea

1.3.109. Parliament resolution on the situation in Equatorial Guinea.

Reference: Nineteenth meeting of the ACP-EU Joint Assembly; point 1.3.61 of this Bulletin

Adopted on 27 October. Parliament urged the government of Equatorial Guinea to be scrupulous in respecting human rights and to establish democratic institutions. It called for an end to repressive actions against leaders and members of the democratic opposition parties and expressed shock at the news that three representatives of the joint opposition platform who participated in the work of the ACP-EU Joint Assembly in October had been unjustifiably arrested on their return home.

OJ C 323, 21.11.1994

Iran

1.3.110. Parliament resolution on human rights violations in Iran.

Adopted on 27 October. Parliament condemned the continuing human rights violations in Iran, including the summary execution of political prisoners, the arrest of dissidents, the policy of wiping out religious minorities and the use of force against individuals exercising their basic right to free expression. It asked the Council to look into the human rights situation in Iran and to report to it.

OJ C 323, 21.11.1994

1.3.111. Parliament resolution on the depopulation and destruction of Kurdish settlements in Iran.

Adopted on 27 October. Parliament condemned both the policy of forcibly removing Kurds and destroying their settlements in the border area close to Iraq, and the continuing discrimination against ethnic and religious minorities in Iran. It also censured the arrest, imprisonment and murder of individuals from faiths other than Islam, the arrest of thousands of opponents and the persecution of those people abroad.

OJ C 323, 21.11.1994

Diplomatic relations

1.3.112. The following ambassadors, whose appointments took effect on the dates shown, presented their letters of credence to the President of the Council and the President of the Commission:

10 October

□ HE Mr Hor Namhong, Head of Mission of the Kingdom of Cambodia to the European Communities;

17 October

□ HE Mr Ewald C. Leeflang, Head of Mission of the Republic of Surinam to the European Communities;

□ HE Mr Uladzimir Labunou, Head of Mission of the Republic of Belarus to the European Communities;

□ HE Mrs Ursula E. Barrow, Head of Mission of Belize to the European Communities;

□ HE Mr Gebremicael Menghistu, Head of Mission of Eritrea to the European Communities;

24 October

□ HRH Princess Maria-Pia of Liechtenstein, Head of Mission of the Principality of Liechtenstein to the European Communities;

□ HE Mr Zoran Jasic, Head of Mission of the Republic of Croatia to the European Communities;

□ HE Mr Douglas A. C. Saunders, Head of Mission of Jamaica to the European Communities;

□ HE Mr Reuben Ryanga, Head of Mission of the Republic of Kenya to the European Communities;

□ HE Mr Jacques Roy, Head of Mission of Canada to the European Communities.

1.3.113. The Heads of Mission of the Kingdom of Cambodia, the Republic of Belarus and Eritrea are the first ambassadors from their countries to be accredited to the European Communities. This brings the number of diplomatic missions to 162.

4. Justice and home affairs cooperation

Fight against racism and xenophobia

1.4.1. Parliament resolution on racism, xenophobia and anti-semitism.

References:

Conclusions of the Corfu European Council:
Bull. 6-1994, point I.23

Council resolution on limitations on admission
of third-country nationals to the Member States
for employment: Bull. 6-1994, point 1.4.5

Adopted on 27 October. Concerned at the electoral success of racist parties in Europe and convinced that incitement to racism and the promotion of any type of revisionist thesis on the holocaust should be considered a criminal offence at Union level, Parliament called on the Member States to condemn all racist or xenophobic declarations and acts. In line with the

conclusions of the Corfu European Council on racism and xenophobia it would also like the Union to implement a global non-discrimination policy grounded on the principle of equality and functioning as a useful adjunct to the policy of the Member States. It called on the Commission to draw up a proposal for a Directive laying down measures to reinforce the relevant legal instruments in the Member States and to urge them, in cooperation with the organizations active in the field, to heighten public awareness and prevent racism, discrimination and intolerance. Parliament also expressed concern at the restrictive nature of the Council resolution on immigration adopted in June and stressed that immigration policy and asylum policy each required a different solution.

OJ C 323, 21.11.1994

5. Financing Community activities

Budgets

General budget

Financial perspective

1.5.1. Commission communication to the Council and Parliament relating to the adjustment of the financial perspective with a view to enlargement of the European Union, accompanied by a proposal for the adjustment of the financial perspective annexed to the Interinstitutional Agreement on budgetary discipline and improvement of the budgetary procedure.

Commission approval: Bull. 9-1994, point 1.5.1

Adopted on 4 October.

COM(94) 398

Budgetary procedures

1994 financial year

Reference: Budget 1994: OJ L 34, 7.2.1994; Bull. 12-1993, point 1.6.1

1.5.2. Draft supplementary and amending budget No 2 for the 1994 financial year.

Commission preliminary draft: Bull. 9-1994, point 1.5.2

Letter of amendment No 1 to the preliminary draft adopted by the Commission on 5 October. Since the likely outturn for the 1994 budget will leave significant margins below the own resources ceiling (particularly in the agricultural sector, where savings could amount to ECU 1 678 million by comparison with the budget adopted), and 1993 ended with a surplus of around ECU 970 million, the purpose of this letter of amendment is to use the funds available to ease the burden on the 1995 budget by bringing forward the entry in the budget of some of the repayments of the negative VAT/GNP balances

for 1993 (estimated at 4 100 million) and to finance some of the pre-enlargement expenditure. It also contains a number of changes to the nomenclature, creating, in particular, an item for the programme of modernization of the textile and clothing industry in Portugal, and draws on the additional resource in order to offset the lower yield from traditional own resources.

First reading by the Council on 24 October. The Council followed the Commission proposal except for the item for the programme of modernization of the textile and clothing industry in Portugal.

First reading by Parliament on 27 October. Parliament adopted amendments to provide ECU 20 million for the European Union's joint action in Mostar and ECU 2 million for the textile industry in Portugal and set up new headings to guarantee loans to Slovakia, Romania, Algeria and Moldova.

OJ C 323, 21.11.1994

1995 financial year

1.5.3. Draft budget for 1995.

Commission preliminary draft: Bull. 4-1994, point 1.5.5

Council first reading: Bull. 7/8-1994, point 1.4.2

Letter of amendment No 1: Bull. 9-1994, point 1.5.4

First reading by Parliament on 27 October. Parliament decided to impose two restrictions in its draft: certain amounts were frozen pending ratification of the own resources Decision by the Member States and the amounts it felt at this stage would be necessary to take account of enlargement were entered in a reserve. Overall, Parliament voted commitment appropriations of ECU 75 775 million and payment appropriations of ECU 71 318 million (see Tables 12 and 13). These totals include the ECU 777 million in commitment appropriations and ECU 1 200 million in payment appropriations which have been frozen and the ECU 5 525 million in commit-

ment appropriations and ECU 4 491 million in payment appropriations which have been entered in the reserve.

In particular, Parliament made the following changes to the Council draft:

□ agriculture: increase of ECU 600 million in the 'negative expenditure' for the clearance of previous years' accounts; increase in appropriations for Chapters B1-30 (refunds on agricultural products) and B1-36 (measures to combat fraud); appropriations for former accompanying measures now differentiated;

□ structural actions: establishment of a separate budget heading for each Community initiative; creation of a new initiative (MEDA) for the countries of southern Europe with an allocation of ECU 8 million; rebalancing of appropriations between Objectives 3 and 4, with the financing of ADAPT being delayed in favour of NOW, Horizon and Youthstart;

□ internal policies: freezing of ECU 128 million allocated to the programme of research into controlled thermonuclear fusion; restoration, in most of the other headings, of the allocations contained in the preliminary draft budget which had been reduced by the Council; substantial increase for social operations (ECU 20 million);

□ external action: establishment of new operations (external aspects of the MEDA initiative); increase in allocations for cooperation with South Africa and with non-governmental organizations; redeployment of PHARE appropriations in favour of cross-frontier cooperation with the countries of Central and Eastern Europe; creation of a new subsection containing the Community's financing of the common foreign and security policy, with an allocation of ECU 160 million, including ECU 100 million dependent on the adjustment of the financial perspective with a view to enlargement; the total allocation for the external action heading exceeds that of the preliminary draft budget by ECU 17 million;

□ administrative expenditure: increase in Commission appropriations (ECU 2 134 million) compared with the Council draft, but not to the level provided for in the preliminary draft.

OJ C 323, 21.11.1994

Table 12 — Budget 1995 — Parliament first reading: summary

(million ECU)

	Commitments	Payments
Preliminary draft	76 386	72 407
Council draft	75 745	71 955
Parliament draft	75 775	71 318
of which: 'frozen'	777	1 200
+ enlargement-related appropriations entered in the reserve	5 525	4 491

ECSC operating budget

1.5.4. Draft ECSC operating budget for 1995.

Commission draft: COM(94) 291; Bull. 7/8-1994, point 1.4.4

ECSC Consultative Committee resolution adopted on 6 October. The Committee approved the priority given to social measures, but also considered that the allocation for research should not be reduced. Instead, it suggested that the allocation for conversion aid be cut. While not questioning the levy rate proposed, it also suggested that revenue be increased by other means, in particular by releasing more funds from the reserves.

OJ C 308, 4.11.1994

Parliament opinion delivered on 26 October. Parliament expressed its agreement with the proposed levy rate (0.21%) and with the priority which the Commission is giving to social expenditure. However, it asked for ECU 17 million to be transferred from conversion aid, which, it suggested, should be covered by the Regional Fund, to coal and steel research. It also recommended a comprehensive discussion of the incorporation of ECSC activities in the general budget.

OJ C 323, 21.11.1994

Table 13 — 1995 budget — Parliament first reading: details of draft adopted

(1 000 ecu)

Heading FP 95	Budget heading	Budget for 1994	Finan- cial perspec- tive for 1995	Preliminary draft budget for 1995	Diffe- rence (3)/(1) (%)	Council first reading	Diffe- rence (5)/(1) (%)	Parliament first reading	Diffe- rence (7)/(1)	Difference (7)-(3)	Difference (7)-(5)
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	<i>Common agricultural policy</i>										
	Markets (B1-1 to B1-3)	35 862 000 000		35 593 000 000	-0.75	35 593 000 000	-0.75	35 047 000 000	-2.27	-546 000 000	-546 000 000
	Accompanying measures (B1-4 and B1-5)	603 000 000		1 401 000 000	132.34	1 401 000 000	132.34	1 401 500 000	132.42	500 000	500 000
	Total 1	36 465 000 000	36 994	36 994 000 000	1.45	36 994 000 000	1.45	36 448 500 000	-0.05	-545 500 000	-545 500 000
	Margin			0.000		0.000		545 500 000			
2	<i>Structural operations</i>										
	EAGGF-Guidance (B2-10)	3 343 000 000		3 316 000 000	-0.81	3 316 000 000	-0.81	3 316 000 000	-0.81		
	FIFG (B2-11)	419 000 000		439 000 000	4.77	439 000 000	4.77	439 000 000	4.77		
	ERDF (B2-12)	9 030 000 000		10 593 000 000	17.31	10 593 000 000	17.31	10 593 000 000	17.31		
	ESF (B2-13)	6 457 000 000		6 444 000 000	-0.20	6 444 000 000	-0.20	6 444 000 000	-0.20		
	Community initiatives (B2-14)	1 706 000 000		2 078 000 000	21.81	2 078 000 000	21.81	2 078 000 000	21.81		
	Transitional measures and innovation schemes (B2-18)	368 000 000		242 000 000	-34.24	242 000 000	-34.24	242 000 000	-34.24		
	Other structural operations (B2-2)										
	Cohesion Fund (B2-3)	1 853 000 000		2 152 000 000	16.14	2 152 000 000	16.14	2 152 000 000	16.14		
		Structural Funds — Subtotal	21 323 000 000	23 112	23 112 000 000	8.39	23 112 000 000	8.39	23 112 000 000	8.39	
	Cohesion Fund — Subtotal	1 853 000 000	2 152	2 152 000 000	16.14	2 152 000 000	16.14	2 152 000 000	16.14		
	Total 2	23 176 000 000	25 264	25 264 000 000	9.01	25 264 000 000	9.01	25 264 000 000	9.01		
	Total margin			0.000		0.000		0.000			
3	<i>Internal policies</i>										
	Research (B6)	2 622 423 000		2 818 646 000	7.48	2 818 646 000	7.48	2 690 696 000	2.60	-127 950 000	-127 950 000
	Other agricultural operations (B2-5)	205 825 000		199 500 000	-3.07	196 900 000	-4.34	207 700 000	0.91	8 200 000	10 800 000
	Other regional operations (B2-6)	31 000 000		31 300 000	0.97	15 000 000	-51.61	46 300 000	49.35	15 000 000	31 300 000
	Transport (B2-7)	16 000 000		14 500 000	-9.38	6 000 000	-62.50	24 000 000	50.00	9 500 000	18 000 000
	Fisheries and the sea (B2-9)	25 640 000		26 000 000	1.40	26 000 000	1.40	26 100 000	1.79	100 000	100 000
	Education, vocational training, youth (B3-1)	287 500 000		323 700 000	12.59	278 100 000	-3.27	321 450 000	11.81	-2 250 000	43 350 000
	Culture and audiovisual sector (B3-2)	151 900 000		129 000 000	-15.08	101 000 000	-33.51	137 700 000	-9.35	8 700 000	36 700 000
	Information and communication (B3-3)	47 500 000		58 000 000	22.11	26 000 000	-45.26	57 000 000	20.00	-1 000 000	31 000 000
	Other social operations (B3-4)	156 630 000		154 447 000	-1.39	97 275 000	-37.90	174 645 000	11.50	20 198 000	77 370 000
	Energy (B4-1)	83 000 000		60 000 000	-27.71	21 000 000	-74.70	62 000 000	-25.30	2 000 000	41 000 000

Heading FP 95	Budget heading	Budget for 1994	Finan- cial perspec- tive for 1995	Preliminary draft budget for 1995	Diffe- rence (3)/(1) (%)	Council first reading	Diffe- rence (5)/(1) (%)	Parliament first reading	Diffe- rence (7)/(1)	Difference (7) - (3)	Difference (7) - (5)
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
	Euratom nuclear safeguards (B4-2)	19480.000		17000.000	-12.73	14000.000	-28.13	18800.000	-3.49	1800.000	4800.000
	Environment (B4-3)	133450.000		135500.000	1.54	130950.000	-1.87	137000.000	2.66	1500.000	6050.000
	Consumer protection (B5-1)	16000.000		16000.000	0.00	8200.000	-48.75	20750.000	29.69	4750.000	12550.000
	Aid for reconstruction (B5-2)	9250.000		6300.000	-31.89	6300.000	-31.89	6300.000	-31.89		
	Internal market (B5-3)	170800.000		169600.000	-0.70	162950.000	-4.60	152530.000	-10.70	-17070.000	-10420.000
	Industry (B5-4)	38450.000		38500.000	0.13	30800.000	-19.90	37700.000	-1.95	-800.000	6900.000
	Information market (B5-5)	12000.000		13000.000	8.33	10000.000	-16.67	13000.000	8.33		3000.000
	Statistical information (B5-6)	30000.000		33000.000	10.00	33000.000	10.00	33000.000	10.00		
	Trans-European network (B5-7)	289800.000		356800.000	22.84	299000.000	3.17	351000.000	21.12	-5000.000	52000.000
	Cooperation in the field of justice (B5-8)	2000.000		5000.000	150.00	5000.000	150.00	5000.000	150.00		
	Exploitation of results of research (B5-9)							PM			
	Research — Subtotal	2622423.000		2818646.000	7.48	2818646.000	7.48	2690696.000	2.60	-127950.000	-127950.000
	Network — Subtotal	289800.000		356000.000	22.84	299000.000	3.17	351000.000	21.12	-5000.000	52000.000
	Other policies — Subtotal	1436425.000		1430347.000	-0.42	1168475.000	-18.65	1480975.000	3.10	50628.000	312500.000
	Total 3	4348648.000	4652	4604993.000	5.89	4286121.000	-1.44	4522671.000	4.00	-82322.000	236550.000
	Margin			47007.000		365879.000		129329.000			
4	<i>External action</i>							PM			
	EDF (B7-1)										
	Food and humanitarian (B7-2)	925100.000		902900.000	-2.40	902900.000	-2.40	907900.000	-1.86	5000.000	5000.000
	Cooperation — Latin American countries and Asia (B7-3)	578700.000		610500.000	5.50	605500.000	4.63	610500.000	5.50		5000.000
	Cooperation — Mediterranean countries (B7-4)	399850.000		440000.000	10.04	403000.000	0.79	437400.000	9.39	-2600.000	34400.000
	Other cooperation measures (B7-5)	594500.000		601283.000	1.14	469150.000	-21.08	646783.000	8.79	45500.000	177633.000
	Cooperation — Central and Eastern Europe (B7-6)	1463000.000		1597600.000	9.20	1582600.000	8.17	1582600.000	8.17	-15000.000	
	Cooperation — Other third countries (B7-7)	50000.000		52000.000	4.00	50000.000	0.00	52000.000	4.00		2000.000
	External aspects of certain Community policies (B7-8)	294190.000		300200.000	2.04	300200.000	2.04	274200.000	-6.79	-26000.000	-26000.000
	Common foreign and security policy (B7-0 and B8-1)	1000.000		5000.000	490.00	5000.000	490.00	6000.000	590.00	10000.000	10000.000
	Total 4	4306340.000	4605	4554483.000	5.76	4363350.000	1.32	4571383.000	6.15	16900.000	208033.000
	Margin			50517.000		241650.000		33617.000			

Heading FP 95	Budget heading	Budget for 1994	Finan- cial perspec- tive for 1995	Preliminary draft budget for 1995	Diffe- rence (3)/(1) (%)	Council first reading	Diffe- rence (5)/(1) (%)	Parliament first reading	Diffe- rence (7)/(1)	Difference (7)-(3)	Difference (7)-(5)
		(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
5	<i>Administrative expenditure of institutions</i>										
	Commission (Part A not including pensions)	2 093 962 000		2 207 250 879	5.41	2 125 431 453	1.50	2 133 920 356	1.91	- 73 330 523	8 488 903
	Pensions	334 761 000		357 127 000	6.68	351 147 000	4.89	351 147 000	4.89	- 5 980 000	
	Commission — Total	2 428 723 000		2 564 377 879	5.59	2 476 578 453	1.97	2 485 067 356	2.32	- 79 310 523	8 488 903
	Other institutions — Total	1 189 600 263		1 257 918 370 ¹	5.74	1 214 621 900 ¹	2.10	1 337 699 717	12.45	79 781 347	123 077 817
	Total 5	3 618*323 263	3 852	3 822 296 249	5.64	3 691 200.353	2.01	3 822 767.073	5.65	470.824	131 566 720
	Margin			29 703.751		160 799 647		29 232.927			
6	<i>Reserves</i>										
	Monetary reserve (B1-6)	1 000 000 000		500 000 000	-50.00	500 000 000	-50.00	500 000 000	-50.00		
	Guarantee (B0-23)	318 000 000		323 000 000	1.57	323 000 000	1.57	323 000 000	1.57		
	Emergency aid reserve (B7-91)	212 000 000		323 000 000	52.36	323 000 000	52.36	323 000 000	52.36		
	Total 6	1 530 000 000	1 146	1 146 000 000	-25.10	1 146 000 000	-25.10	1 146 000 000	-25.10		
	Margin			0 000		0 000		0 000			
	Grand Total — Appropriation for commitments										
	Compulsory	38 910 094 000		38 971 209 000	0.16	38 961 970 000	0.13	38 376 470 000	-1.37	-594 739 000	-585 500 000
	Non-compulsory	34 534 217 263		37 414 563 249	8.34	36 782 701 353	6.51	37 398 851 073	8.30	-15 712 176	616 149 720
	Total compulsory + non-compulsory	73 444 311 263	76 513	76 385 772 249	4.01	75 744 671 353	3.13	75 775 321 073	3.17	-610 451 176	30 649 720
	Margin			127 227.751		768 328.647		737 678.927			
	Grand Total — Appropriation for payments										
	Compulsory	38 891 484 567		38 943 009 000	0.13	38 936 770 000	0.12	38 358 270 000	-1.37	-584 739 000	-578 500 000
	Non-compulsory	31 122 040 139		33 464 270 249	7.53	33 018 434 353	6.09	32 959 910 073	5.91	-504 360 176	-58 524 280
	Total compulsory + non-compulsory	70 013 524 706	72 924	72 407 279 249	3.42	71 955 204 353	2.77	75 318 180 073	1.86	-1 089 099 176	-637 024 280
	Margin			516 720.751		958 795.647		1 605 819.927			

¹ The amount recorded for the other institutions is the aggregate of the statements of estimates of each of these institutions. It is ECU 57 918 370 higher than the amount entered in the Commission's preliminary draft budget.

Financial Regulation

Reference: Conclusions of the Edinburgh European Council: Bull. 12-1992, points I.45 to I.72

1.5.5. The Council adopted all the instruments giving legal shape to the conclusions of the Edinburgh European Council as regards finance: the Decision on the system of the Communities' own resources (→ point 1.5.6), the Regulation establishing a Guarantee Fund for external actions (→ point 1.5.8), the Decision on budgetary discipline (→ point 1.5.7), the amendment of the Regulation implementing the Decision on the own resources system (→ point 1.5.9) and the amendment of the Financial Regulation applicable to the general budget of the Communities (→ point 1.5.10).

1.5.6. Council Decision 94/728/EC, Euratom on the system of the European Communities' own resources.

Decision replaced: Council Decision 88/376/EEC, Euratom: OJ L 185, 15.7.1988; Bull. 6-1988, point 2.3.5

Commission proposal: OJ C 300, 6.11.1993; COM(93) 438; Bull. 9-1993, point 1.5.3

Economic and Social Committee opinion: OJ C 52, 19.2.1994; Bull. 12-1993, point 1.6.5

Parliament opinion: OJ C 61, 28.2.1994; Bull. 1/2-1994, point 1.5.6

Amended Commission proposal: OJ C 88, 25.3.1994; COM(94) 71; Bull. 3-1994, point 1.5.10

Council agreement on a common position: Bull. 3-1994, point 1.5.10

Common position adopted on 21 October.

Adopted on 31 October. This Council Decision fixes the level of own resources available for the period 1995-99 and the structure of the Community financing system. In accordance with the conclusions of the Edinburgh European Council, it raises the budget ceiling from 1.20% of gross domestic product to 1.21% in 1995, and then gradually to 1.27% in 1999.

OJ L 293, 12.11.1994

1.5.7. Council Decision 94/729/EC on budgetary discipline.

Commission proposal: OJ C 68, 11.3.1993; COM(93) 20; Bull. 1/2-1993, point 1.5.2

Court of Auditors opinion: OJ C 170, 21.6.1993; Bull. 4-1993, point 1.6.17

Parliament opinion: OJ C 329, 6.12.1993; Bull. 11-1993, point 1.6.7

Amended Commission proposal: OJ C 68, 5.3.1994; COM(93) 706; Bull. 1/2-1994, point 1.5.1

Council common position: Bull. 3-1994, point 1.5.9

Results of the conciliation procedure approved by Parliament on 26 October.

OJ C 323, 21.11.1994

Adopted on 31 October. This Council Decision confirms the principle that budgetary discipline applies to all policies financed by the Community budget. For the agricultural sector, it lays down an expenditure ceiling (the 'agricultural guideline'), which must be adhered to every year. To help ensure that this guideline is respected, a monthly monitoring system for expenditure in each chapter has been introduced so that any measures needed to redress the situation can be taken. The Decision also implements the conclusions of the Edinburgh European Council on the monetary reserve, the entry of agrimonetary costs resulting from monetary realignments since 1 September 1992 and the temporary reduction or suspension of advances. Finally, it provides a legal basis for the incorporation of reserves in the budget for loan guarantees and emergency aid.

OJ L 293, 12.11.1994

1.5.8. Council Regulation (EC) No 2728/94 establishing a Guarantee Fund for external actions.

Commission proposal: OJ C 68, 11.3.1993; COM(93) 20; Bull. 1/2-1993, point 1.5.3

Court of Auditors opinion: OJ C 170, 21.6.1993; Bull. 4-1993, point 1.6.17

Parliament opinion (first reading): OJ C 315, 22.11.1993; Bull. 10-1993, point 1.5.5

Amended Commission proposal: OJ C 68, 5.3.1994; COM(93) 706; Bull. 1/2-1994, point 1.5.2

Council common position: Bull. 6-1994, point 1.5.4

Results of the conciliation procedure approved by Parliament on 26 October.

OJ C 323, 21.11.1994

Adopted on 31 October. This Regulation establishes a Guarantee Fund to cover the risks related to loans and guarantees covering loans granted to third countries or for projects executed in third countries.

OJ L 293, 12.11.1994

1.5.9. Council Regulation (EC) No 2729/94 amending Regulation (EEC) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources.

Regulation amended: Council Regulation (EEC) No 1552/89 (OJ L 155, 7.6.1989; Bull. 5-1989, point 2.5.1), as last amended by Regulation (Euratom, EC) No 3464/93: OJ L 317, 18.12.1993; Bull. 12-1993, point 1.6.3

Commission proposal: OJ C 68, 11.3.1993; COM(93) 20; Bull. 1/2-1993, point 1.5.5

Court of Auditors opinion: OJ C 170, 21.6.1993; Bull. 4-1993, point 1.6.17

Parliament opinion: OJ C 329, 6.12.1993; Bull. 11-1993, point 1.6.10

Council common position: adopted on 20 December 1993

Amended Commission proposal: OJ C 68, 5.3.1994; COM(93) 706; Bull. 1/2-1994, point 1.5.4

Results of the conciliation procedure approved by Parliament on 26 October.

OJ C 323, 21.11.1994

Adopted on 31 October. The purpose of this Regulation is to incorporate in the Regulation implementing the Decision on own resources the provisions needed for the transfer to the general budget of own resources to finance the reserves for external actions.

OJ L 293, 12.11.1994

1.5.10. Council Regulation (EC) No 2730/94 amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities.

Council Regulation amended: Financial Regulation of 21 December 1977 (OJ L 356, 31.12.1977), as last amended by Regulation (Euratom, ECSC, EC) No 1923/94: OJ L 198, 30.7.1994; Bull. 7/8-1994, point 1.4.7

Commission proposal: OJ C 68, 11.3.1993; COM(93) 20; Bull. 1/2-1993, point 1.5.4

Court of Auditors opinion: OJ C 170, 21.6.1993; Bull. 4-1993, point 1.6.17

Parliament opinion: OJ C 329, 6.12.1993; Bull. 11-1993, point 1.6.9

Council common position: adopted on 20 December 1993

Amended Commission proposal: OJ C 68, 5.3.1994; COM(93) 706; Bull. 1/2-1994, point 1.5.3

Results of the conciliation procedure approved by Parliament on 26 October.

OJ C 323, 21.11.1994

Adopted on 31 October. The purpose of this amendment of the Financial Regulation is to take account of the establishment and implementation of the Guarantee Fund for external actions and the inclusion in the general budget of the European Communities of a reserve relating to Community loans and loan guarantees to non-member countries and a reserve for emergency aid for non-member countries (→ points 1.5.8 and 1.5.9).

OJ L 293, 12.11.1994

1.5.11. Proposal for a Council Regulation amending Regulation (EEC) No 1552/89 implementing Decision 88/376/EEC, Euratom on the system of the Communities' own resources.

Commission proposal: OJ C 26, 29.1.1993; COM(92) 519; Bull. 12-1992, point 1.6.2

Court of Auditors opinion: OJ C 170, 21.6.1993; Bull. 4-1993, point 1.6.16

Parliament opinion: OJ C 329, 6.12.1993; Bull. 11-1993, point 1.6.12

Amended proposal adopted by the Commission on 28 October in line with the opinions of the Court of Auditors and of Parliament. The changes made to the initial proposal are mainly technical.

COM(94) 458

Financial operations

ECSC

General matters

1.5.12. Draft Commission Decision amending Decision No 2-52 determining the mode of assessment and collection of the levies provided for in Articles 49 and 50 of the ECSC Treaty.

Decision to be amended: Decision 2-52 of 23 December 1952 (OJ of ECSC No 1, 30.12.1952), as last amended by Commission Decision 3565/83/ECSC: OJ L 355, 17.12.1983

Adopted by the Commission (first reading) on 10 October. Purpose: to reduce the frequency of declarations and payments and raise the thresh-

old for collection of the ECSC levy with a view to the gradual reduction of this levy and its full elimination when the ECSC Treaty expires.

Loans raised

1.5.13. In October the Commission contracted a number of private placings in DM, LIT and BFR on behalf of the ECSC for the equivalent of ECU 18.7 million.

Loans granted

1.5.14. Acting under Articles 54 and 56 of the ECSC Treaty, the Commission granted loans totalling ECU 60.4 million.

Industrial loans

1.5.15. Industrial loans (Article 54) totalling ECU 23.9 million were made to Italy and Spain.

Conversion loans

1.5.16. Conversion loans (Article 56) totalling ECU 36.1 million were made to Germany, France and Italy.

Workers' housing

1.5.17. Loans totalling ECU 0.4 million were granted for steelworkers and mineworkers in Germany, Belgium, France, Italy and Spain.

6. Statistical system

Policy aspects

1.6.1. Proposal for a Council Decision adopting a four-year programme (1994-97) to develop regular official statistics on the environment.

Commission proposal: OJ C 209, 22.8.1990; COM(90) 319; Bull. 7/8-1990, point 1.7.1

Economic and Social Committee opinion: OJ C 332, 31.12.1990; Bull. 9-1990, point 1.6.2

Parliament opinion: OJ C 67, 16.3.1992; Bull. 1/2-1992, point 1.3.5

Amended Commission proposal: OJ C 328, 12.12.1992; COM(92) 483; Bull. 11-1992, point 1.3.10

Council agreement on a common position: Bull. 3-1994, point 1.6.2

Council common position: OJ C 213, 3.8.1994; Bull. 6-1994, point 1.6.2

Endorsed by Parliament (second reading) on 26 October.

OJ C 323, 21.11.1994

Results

Education in the European Union 1991/92

Beyond compulsory schooling

1.6.2. An analysis of the participation rates of persons aged 16 to 18 in education or training (see Table 14) reveals the scale of post-compulsory schooling in the various Member States. On average, 80% of those aged 16 to 18 in the European Union were still in education or training in 1991/92. The percentage varied considerably from one Member State to the next, however, ranging from just over 50% in Portugal to 94% in Germany (excluding the new *Länder*). Belgium, the Netherlands and France showed figures close to 90%. In contrast, the rates in Spain and the United Kingdom were well below average, at around 70%. The minimum school-leaving age is not the only determining factor;

labour-market conditions and government incentives also have a significant influence. These factors clearly come into play when regional variations occur within a country. The gap between the highest and lowest regional participation rates was 14 percentage points in Germany, 17 in Spain and 23 in the United Kingdom. France and the Netherlands showed differences of only 5 and 6 percentage points respectively.

Equal opportunities in education

1.6.3. In the European Union, girls are more likely to remain in education after the end of compulsory schooling (See Table 15). Similarly, there has been an increase in the number of females per 100 males in higher secondary education across the European Union from 97 in 1985/86 to 101 in 1991/92. Females at this level tend to continue in general education rather than opt for vocational education or training (see Table 16).

In higher education there were 95 females per 100 males in the European Union as a whole in 1991/92, with significant differences between countries. The extremes were Portugal, where females are over-represented in higher education (153 per 100 males) and Germany, where they are under-represented (71 per 100 males).

Foreign-language learning in general secondary education

1.6.4. Of pupils enrolled in general secondary education in the European Union in 1991/92, 83% were learning English as a foreign language, 32% French and 16% German. English is the most widely-taught modern foreign language in the whole of the European Union except the Flemish Community in Belgium. In four Member States (Denmark, Germany, Spain and the Netherlands), over 90% of pupils were learning English. In general, the second most 'popular' language is French. In the United Kingdom, French was by far the most widely-taught foreign language; in Denmark and Spain, on the

other hand, only 10% of pupils or fewer were learning French in 1991/92.

More than half of all pupils in Denmark and the Netherlands were learning German in 1991/92, compared with no more than 5% in the Mediterranean countries.

Crossing educational frontiers

1.6.5. In 1991/92, 115 000 students enrolled in higher education in the European Union were citizens of a different Member State — 1.3% of the total number of students and 35 000 more than in 1985-86. European Union programmes promoting student mobility have undoubtedly had a positive effect.

Belgium took by far the largest percentage of foreign students (4.8%), followed by the United Kingdom (2.5%). In absolute terms, Germany, France and the United Kingdom accommodated 80% of all students from other Member States.

Greek students (10% enrolled in another Member State), Irish (6.2%), Luxembourgish and Portuguese students are most likely to study abroad. The five Member States with the largest populations — Germany, Spain, France, Italy and the United Kingdom — had very similar percentages (from 0.7% to 1.0%) of their students enrolled in another Member State.

Table 14 — *Participation rates in education and training of persons aged 16 to 18 years in 1991/92*

%	Age		
	16	17	18
EUR 12	90	83	67
Belgium	97	94	80
Denmark	93	80	69
Germany	97	95	89
Greece	85	65	—
Spain	76	68	54
France	95	91	81
Ireland	91	75	53
Luxembourg	74	68	56
Netherlands	98	94	82

%	Age		
	16	17	18
Portugal	60	52	41
United Kingdom	94	70	43

NB: EUR 12: except Italy.
 Germany: including Berlin; excluding the new *Länder*.
 Greece: 1989/90 data; no figures available for students aged 18.
 Italy: no statistics available.
 Luxembourg: the figures do not include the large number of students enrolled in neighbouring countries or pupils of the European School in Luxembourg.

Table 15 — *Participation rates in education and training of persons aged 16 to 18 years by sex in 1991/92*

	Girls (%)	Boys (%)	Difference (%) points)
EUR 12	82	78	4
Belgium	90	90	0
Denmark	82	80	2
Germany	92	95	— 3
Spain	70	62	8
France	93	85	8
Ireland	76	69	7
Luxembourg	67	65	2
Netherlands	90	92	— 2
Portugal	60	42	18
United Kingdom	71	72	— 1

NB: EUR 12: except Greece and Italy; see also notes to Table 14.

Table 16 — *Number of girls per 100 boys in higher secondary education by type of education (1991/92)*

	Vocational	General
EUR 12	94	114
Belgium	96	114
Denmark	81	145
Germany	79	109
Greece	52	125
Spain	105	114
France	79	128
Ireland	89	106
Italy	92	124
Luxembourg	83	116
Netherlands	78	116
Portugal	60	130
United Kingdom	129	98

7. Community institutions

Parliament

Internal provisions

1.7.1. Parliament decision on the number and composition of interparliamentary delegations.

Adopted on 27 October. Parliament set at 287 the total number of members responsible for representing it outside the European Union. This will help contribute to the 50% reduction in expenditure on missions by the delegations and joint parliamentary committees but will none the less be sufficient to ensure regular interparliamentary dialogue.

OJ C 323, 21.11.1994

Strasbourg, 24 to 28 October

1.7.2. Budgetary matters were high on the agenda for the October part-session, with Parliament completing its first reading of the 1995 budget. It also debated the White Paper on social policy, the restructuring of the steel industry, and poverty and exclusion.

In the budgetary field, Parliament debated and voted on the 1995 budget (first reading) (→ point 1.5.3). It also delivered an opinion on the draft ECSC operating budget (→ point 1.5.4) and approved the results of the conciliation procedure paving the way for adoption of the Council Decision on budgetary discipline (→ point 1.5.7), the Regulation establishing a Guarantee Fund (→ point 1.5.8), the Regulation amending the Financial Regulation (→ point 1.5.10) and the Regulation amending Regulation (EEC) No 1552/89 on the system of own resources (→ point 1.5.9). In addition, it voted on the draft supplementary and amending budget No 2 for the 1994 financial year (first reading) (→ point 1.5.2) and adopted a resolution on the financing of the common foreign and security policy (→ point 1.3.1).

During a question and answer session with Mr Flynn, Member of the Commission, Parliament welcomed the White Paper on European social policy. It also adopted two resolutions, one on employment and social rights in the European Union, the other on an action programme to combat exclusion (→ points 1.2.110 and 1.2.111).

In the field of human rights, Parliament adopted seven resolutions on attacks by fundamentalist terror groups, the violation of human rights and the depopulation and ruin of Kurdish settlements in Iran, the ill-treatment of a prisoner of conscience and the sentencing of five Tibetans in China, the situation in Equatorial Guinea, and human rights in Ethiopia (→ points 1.3.105 to 1.3.111).

On the institutional front, Parliament adopted a decision on the composition of interparliamentary delegations (→ point 1.7.1) and approved amendments to the Statute of the Court of Justice (→ point 1.7.14).

In the legislative field, under the consultation procedure Parliament adopted opinions on a proposal for a Directive on the right to vote and stand in municipal elections (→ point 1.1.1), two proposals for Regulations extending the Protocol on Privileges and Immunities to the European Investment Fund, a proposal for a Regulation adjusting the system of aid for cotton (→ point 1.2.86) and, in the field of fisheries, three proposals for Regulations, the first on the Pilot Observer Scheme operating in the Regulatory Area of the Northwest Atlantic Fisheries Organization (→ point 1.2.98), the second on the characteristics of fishing vessels (→ point 1.2.94), and the third on the conclusion of the Protocol on fishing off Angola (→ point 1.2.95).

Under the cooperation procedure Parliament adopted opinions at first reading on a proposal for a Directive on the enforcement of international standards for ship safety (→ point 1.2.66)

and two proposals for Regulations on employment creation in the Maghreb countries (→ point 1.3.38) and implementation of the EC Investment Partners financial instrument (→ point 1.3.98). It adopted opinions at second reading on common positions on four proposals for Decisions concerning a four-year programme for the development of Community statistics (→ point 1.6.1), the Leonardo da Vinci programme (→ point 1.2.114), the rules for the dissemination of the results from specific research programmes (→ point 1.2.58) and the rules for participation in research (→ point 1.2.59) and on the common position on the proposal for a Directive on the investigation of civil aviation accidents (→ point 1.2.70).

And lastly, under the co-decision procedure Parliament approved at second reading the Council common positions on the proposal for a Decision introducing a Community system of information on home and leisure accidents (→ point 1.2.125) and the proposal for a Directive on the marketing and use of dangerous substances (→ point 1.2.9); it formulated amendments to the common positions on the proposals for Decisions on the 'Youth for Europe' programme (→ point 1.2.116) and the Socrates action programme (→ point 1.2.113) and to the common position on the proposal for a Directive on prudential supervision (→ point 1.2.12).

Parliament adopted resolutions on the Commission communications on the taxation of, and the implementation of, an integrated programme for small and medium-sized enterprises (→ points 1.2.55 and 1.2.54), safety at sea (→ point 1.2.67), the restructuring of the steel industry (→ point 1.2.50), racism, xenophobia and anti-semitism (→ point 1.4.1), concentration of the media and pluralism (→ point 1.2.14), peace in the Middle East and the situation in the Gulf (→ points 1.3.43 and 1.3.40), the situation in Rwanda and Burundi (→ points 1.3.66 and 1.3.62), the fisheries agreement with Morocco (→ point 1.2.97) and the energy element of the Poseima programme (→ point 1.2.82). Finally, in the field of disasters, it adopted seven resolutions on the accident to the tanker 'Cercal' in northern Portugal (→ point 1.2.68), the floods in Catalonia (→ point 1.2.119), in Greece (→ point 1.2.123) and in the Mekong delta (→ point 1.3.104), the drought in Guadeloupe and the

cyclone in Martinique (→ point 1.2.121), the fires in the summer (→ point 1.2.109) and the accident at a chemical reactor in Italy (→ point 1.2.103).

Report of proceedings:

OJ Annex 448

Full text of opinions and resolutions:

OJ C 323, 21.11.1994

Council

1790th meeting

1.7.3. General affairs (Luxembourg, 4 October).

Previous meeting: Bull. 7/8-1994, point 1.6.5

President: Mr Kinkel, German Minister for Foreign Affairs.

Commission: Mr Delors, Sir Leon Brittan and Mr Van den Broek.

Main item

□ Northern Ireland: proposal agreed (→ point 1.2.80).

Other business

□ Relations with the associated countries of Central and Eastern Europe — strategy for the preparation of accession: exchange of views.

□ Ukraine: global policy examined.

□ Partnership and cooperation agreements with Belarus, the Caucasian Republics (Georgia, Armenia and Azerbaijan), Uzbekistan, Turkmenistan and Tajikistan: general discussion.

□ Slovenia: negotiating brief examined.

□ New macro-financial assistance for Albania: examined.

□ Former Yugoslavia: discussed.

□ Mediterranean policy: progress report on negotiations.

□ Ratification of the Uruguay Round: draft Decision approved.

□ Textiles: amended proposal examined.

□ Illegal trafficking in radioactive substances and materials — procedure in preparation for the Essen European Council: examined.

□ EU-ASEAN Conference: briefing.

- Relations with Parliament: report.
- New Decision on own resources: carried over.
- South Africa: cooperation agreement examined.
- Shipbuilding: report.
- Rwanda: exchange of views.

1791st meeting

1.7.4. Environment (Luxembourg, 4 October).

Previous meeting: Bull. 6-1994, point 1.7.10

President: Mr Töpfer, German Minister for the Environment.

Commission: Mr Paleokrassas.

Main items

- Groundwater protection: resolution adopted (→ point 1.2.108).
- European eco-label: conclusions adopted (→ point 1.2.99).

Other business

- Council meeting with Environment Ministers of the associated countries of Central and Eastern Europe: preparations.
- Climate change — Community strategy to reduce CO₂ emissions and improve energy efficiency: exchange of views.
- Integrated pollution prevention and control: general discussion.
- Placing on the market of biocidal products: general discussion.
- Disposal of PCBs/PCTs: general discussion.
- Environment and transport: policy debate.
- Possession of and trade in specimens of species of wild fauna and flora: exchange of views.
- Packaging and waste packaging: exchange of views.

1792nd meeting

1.7.5. Economic and financial affairs (Luxembourg, 10 October).

Previous meeting: Bull. 9-1994, point 1.7.5

President: Mr Waigel, German Minister for Finance.

Commission: Mr Delors and Mr Christophersen.

Main items

- Revised Spanish convergence programme (1995-97): conclusions adopted (→ point 1.2.4).
- Excessive public deficit procedure: draft recommendations agreed (→ point 1.2.3).

Other business

- White Paper on growth, competitiveness and employment — improvement of the employment situation: exchange of views.
- New Decision on own resources: discussed.
- Definitive VAT arrangements: carried over.

Extraordinary meeting

1.7.6. Economic and financial affairs (Brussels, 21 October).

Previous meeting: point 1.7.5 of this Bulletin

President: Mr Waigel, German Minister for Finance.

Commission: Mr Steichen.

Main items

- New Decision on own resources: common position adopted (→ point 1.5.6).
- Milk quotas: conclusions adopted (→ point 1.2.88).

1793rd meeting

1.7.7. Agriculture (Luxembourg, 24 and 25 October).

Previous meeting: Bull. 9-1994, point 1.7.6

President: Mr Borchert, German Minister for Food, Agriculture and Forestry.

Commission: Mr Steichen.

Main items

- Adjustment of agricultural structures: proposal for a Regulation agreed (→ point 1.2.79).
- Set-aside rate: policy approach agreed (→ point 1.2.85).

Other business

- Protection of animals during transport: examined.
- Reform of the common organization of the market in wine: discussed.
- Fruit and vegetables: general discussion.
- Simplification of the common agricultural policy — memoranda from the German, French, United Kingdom and Italian delegations: exchange of views.
- European apiculture: exchange of views.
- Environment — agreements on the surveillance and control of shipments of waste: negotiations.

1796th meeting

1.7.8. General affairs (Luxembourg, 31 October).

Previous meeting: point 1.7.3 of this Bulletin

President: Mr Kinkel, German Minister for Foreign Affairs.

Commission: Mr Delors, Mr Marín, Sir Leon Brittan and Mr Van den Broek.

Main item

- Support for the administration of the town of Mostar: joint action approved (→ point 1.3.2).

Other business

- Ministerial meeting with the associated countries of Central and Eastern Europe: exchange of views.
- Strategy to prepare for the accession of the countries of Central and Eastern Europe: exchange of views.
- White Paper on growth, competitiveness and employment: progress report.
- Former Yugoslavia: exchange of views.
- Croatia — extension of the PHARE programme: discussed.
- Slovenia: progress report.
- Implementation of the strategy towards Ukraine: examined.

- Negotiations with the Baltic States: discussed.
- Stability Pact: report.
- Mediterranean policy: examined.
- Turkey: report.
- Relations with Parliament: progress report.
- OECD — shipbuilding: progress report.
- Mercosur: exchange of views.
- Members of the Commission: nomination.

Commission

Nomination of Members

1.7.9. Decision of the representatives of the Governments of the Member States of the European Communities nominating the persons they intend to appoint as Members of the Commission of the European Communities.

Reference: Decision 94/503/ECSC, EC, Euratom of the representatives of the Governments of the Member States of the European Communities nominating the person they intend to appoint as President of the Commission of the European Communities: OJ L 203, 6.8.1994; Bull. 7/8-1994, point 1.6.9

Adopted on 31 October. After consulting Mr Santer, the nominee for President of the new Commission, the representatives of the Governments of the Member States nominated, by common accord, the persons their Governments intend to appoint Members of the Commission. The representatives of the Governments of the acceding States announced the names of the persons their Governments intend to appoint as soon as the Treaty of Accession enters into force. The representatives of the Governments of the Member States duly took note and gave their political assent. All the persons nominated, including Mr Santer, will be subject as a body, to a vote of approval by Parliament in accordance with Article 158(2) of the EC Treaty. After approval by Parliament the President and the other Members of the Commission will be appointed by common accord by the Governments of the Member States.

The nominees are:

- Jacques Santer, President,
- Manuel Marín,
- Martin Bangemann,
- Sir Leon Brittan,
- Karel Van Miert,
- Hans Van den Broek,
- João de Deus Pinheiro,
- Pádraig Flynn,
- Marcelino Oreja,
- Edith Cresson,
- Ritt Bjerregaard,
- Monika Wulf-Mathies,
- Neil Kinnock,
- Mario Monti,
- Emma Bonino,
- Yves-Thibault de Silguy,
- Christos Papoutsis,

and as soon as the Treaty of Accession enters into force and their countries become members of the European Union:

- Thorvald Stoltenberg,
- Anita Gradin,
- Franz Fischler,
- Ekki Liikanen.

Proposals adopted

1.7.10. The Commission approved a proposal for a Parliament and Council Directive on cross-border transfers (→ point 1.2.11). On the competition front it approved a draft block exemption Regulation for selective motor vehicle distribution agreements (→ point 1.2.20). Finally, it approved a proposal for a Council and Parliament Decision adopting a programme of Community action on the prevention of AIDS and certain other communicable diseases (→ point 1.2.117).

Communications, Green Papers and reports

1.7.11. The Commission approved a communication entitled 'EU funds transfers: transparency, performance and stability' and adopted a

draft notice on the application of the EC competition rules to cross-border transfer systems (→ point 1.2.11). It adopted two communications on industrial policy, one on restructuring the Community steel industry (→ point 1.2.49) and the other on strengthening the competitiveness of the European machinery construction industry (→ point 1.2.52). It also adopted a communication entitled 'Achieving coordination through cooperation' (→ point 1.2.57) and a Green Paper on the liberalization of telecommunications infrastructure and cable television networks (Part One) (→ point 1.2.71). It also adopted a communication setting out orientations for a Union approach towards the Baltic Sea region (→ point 1.3.21). It adopted a communication on strengthening the Mediterranean policy of the European Union and establishing a Euro-Mediterranean partnership (→ point 1.3.34) and a communication entitled 'The European Community and Mercosur: an enhanced policy' (→ point 1.3.51). Finally, it adopted a communication on the Uruguay Round implementing legislation (→ point 1.3.70).

Other decisions

1.7.12. The Commission approved single programming documents for regions in Spain, France, Italy, the Netherlands, the United Kingdom and Luxembourg under Objective 5(b) (→ point 1.2.77) and the single programming documents for Denmark and Luxembourg under Objective 5(a) (→ points 1.2.75 and 1.2.76).

Community lawcourts

Court of Justice

General matters

1.7.13. Election of the President.

On 7 October the judges of the Court of Justice of the European Communities elected Judge Gil Carlos Rodríguez Iglesias President of the Court

for the period 7 October 1994 to 6 October 1997.

OJ C 304, 29.10.1994

1.7.14. Draft amendment of the Statute of the Court of Justice.

Reference: Agreement on the European Economic Area: Bull. 10-1992, point 1.4.1

Endorsed by the Commission on 20 October.

Endorsed by Parliament on 28 October. The Court, acting under the second paragraph of Article 188 of the EC Treaty, had asked the Council to amend its Statute to determine the procedure applicable to cases referred under the Agreement on the European Economic Area and to define the rights of EFTA States and of lawyers from those countries. The Commission and Parliament were consulted and have now endorsed the proposed amendment.

OJ C 323, 21.11.1994

1.7.15. 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

Customs union

Article 177 of the EC Treaty

□ 9.8.1994: Joined Cases C-363/93 and C-407/93 to C-411/93 *René Lancry v Direction générale des douanes; Dindar Confort and Others v Conseil régional de la Réunion and Direction régionale des douanes de la Réunion*

1. A charge proportional to the customs value, levied by a Member State on all goods entering a region within that State, constitutes a charge having equivalent effect to a customs duty on imports not only in so far as it is levied on goods entering that region from other Member States, but also in so far as it is levied on goods entering that region from another part of the same State.

2. Council Decision 89/688/EEC of 22 December 1989 concerning the dock dues in French overseas departments is invalid in so far as it authorizes France

to maintain until 31 December 1992 the dock dues arrangements that were in force when the Decision was adopted.

OJ C 275, 1.10.1994

Agriculture

Article 177 of the EC Treaty

□ 14.7.1994: Case C-352/92 *Milchwerke Köln/Wuppertal v HZA Köln-Rheinau*

Article 12(4) of the original version of Commission Regulation (EEC) No 1371/84 of 16 May 1984 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68, Article 12(2), now Article 12(4), of the same Regulation, as amended by Commission Regulation (EEC) No 3005/85 of 29 October 1985, and Article 15(4) of Commission Regulation (EEC) No 1546/88 of 3 June 1988 laying down detailed rules for the application of the additional levy referred to in Article 5c of Regulation (EEC) No 804/68 must be interpreted as meaning that, under formula A, only the producer and not the purchaser are liable for payment of the balance payable by way of the additional levy on milk, even where the balance is due as a result of the retroactive reduction of the producers' reference quantities and the initial miscalculation of those quantities was attributable to the misconduct of the purchaser or his agents.

OJ C 275, 1.10.1994

Free movement of persons, companies and services

Article 177 of the EC Treaty

□ 9.8.1994: Case C-43/93 *Vander Elst v Office des migrations internationales*

Articles 59 and 60 of the EC Treaty must be interpreted as precluding a Member State from requiring undertakings which are established in another Member State and enter the first Member State in order to provide services, and which lawfully and habitually employ nationals of non-member countries, to obtain work permits for those workers from a national immigration authority and to pay the attendant costs, with the imposition of an administrative fine as the penalty for infringement.

OJ C 275, 1.10.1994

Social policy and free movement of workers

Article 177 of the EC Treaty

□ 28.9.1994: Case C-200/91 *Coloroll Pension Trustees v Russell and Others*

1. The direct effect of Article 119 of the EC Treaty may be relied on by both employees and their dependants against the trustees of an occupational pension scheme, who are bound, in the exercise of their powers and performance of their obligations as laid down in the trust deed, to observe the principle of equal treatment.

2. In so far as national law prohibits employers and trustees from acting beyond the scope of their respective powers or in disregard of the provisions of the trust deed, they are bound to use all the means available under domestic law, such as recourse to the national courts, in order to eliminate all discrimination in the matter of pay.

3. As regards periods of service completed after the Court's finding of discrimination but before the entry into force of the measures designed to eliminate it, correct implementation of the principle of equal pay requires that the disadvantaged employees should be granted the same advantages as those previously enjoyed by the other employees. However, as regards periods of service subsequent to the entry into force of those measures, Article 119 does not preclude equal treatment from being achieved by reducing the advantages which the advantaged employees used to enjoy. Finally, as regards periods of service prior to 17 May 1990, the date on which the judgment in Case C-262/88 *Barber v Guardian Royal Exchange Assurance Group* was delivered, Community law imposed no obligation which would justify retroactive reduction of the advantages enjoyed by the favoured employees.

4. The national court is bound to ensure correct implementation of Article 119, taking due account of the respective liabilities of the employers and trustees under the rules of domestic law.

5. Any problems arising because the funds held by the trustees are insufficient to equalize benefits must be resolved on the basis of national law in the light of the principle of equal pay and such problems cannot affect the answers to the previous questions.

6. By virtue of the *Barber* judgment the direct effect of Article 119 of the Treaty may be relied upon, for the purpose of claiming equal treatment in the matter of occupational pensions, only in relation to benefits payable in respect of periods of service subsequent to 17 May 1990, subject to the exception in favour of workers or those claiming under them who have, before that date, initiated legal proceedings or raised an equivalent claim under the applicable national law.

7. The limitation of the effects in time of the *Barber* judgment applies to survivors' pensions, and consequently equal treatment in this matter may be claimed only in relation to periods of service subsequent to 17 May 1990.

8. The limitation of the effects in time of the *Barber* judgment is applicable to benefits not linked to the

length of actual service only where the operative event occurred before 17 May 1990.

9. The principles laid down in the *Barber* judgment, and more particularly the limitation of its effects in time, concern not only contracted-out occupational schemes but also non-contracted-out occupational schemes.

10. The use of actuarial factors varying according to sex in funded defined-benefit occupational pension schemes does not fall within the scope of Article 119 of the Treaty. Consequently, inequalities in the amounts of capital benefits or substitute benefits whose value can be determined only on the basis of the arrangements chosen for funding the scheme are likewise not struck at by Article 119.

11. The principle of equal treatment laid down in Article 119 applies to all pension benefits paid by occupational schemes, without any need to distinguish according to the kind of contributions to which those benefits are attributed, namely employers' contributions or employees' contributions. However, in so far as an occupational pension scheme does no more than provide the membership with the necessary arrangements for management, additional benefits stemming from contributions paid by employees on a purely voluntary basis are not covered by Article 119.

12. In the event of the transfer of pension rights from one occupational scheme to another owing to a worker's change of job, the second scheme is obliged, on the workers reaching retirement age, to increase the benefits it undertook to pay him when accepting the transfer so as to eliminate the effects, contrary to Article 119, suffered by the worker in consequence of the inadequacy of the capital transferred, this being due in turn to the discriminatory treatment suffered under the first scheme, and it must do so in relation to benefits payable in respect of periods of service subsequent to 17 May 1990.

13. Article 119 of the Treaty is not applicable to schemes which have at all times had members of only one sex.

OJ C 304, 29.10.1994

□ 28.9.1994: Case C-408/92 *Smith and Others v Avdel Systems*

1. Article 119 of the EC Treaty precludes an employer who adopts measures necessary to comply with the judgment in Case C-262/88 *Barber v Guardian Royal Exchange Assurance Group* [1990] ECR I-1889 from raising the retirement age for women to that for men in relation to periods of service completed between 17 May 1990, the date of that judgment, and the date on which those measures come into force. On the other hand, as regards periods of service completed after the latter date, Article 119 does not prevent an employer from taking that step. As regards periods of service prior to 17 May 1990, Community law impo

sed no obligation which would justify retroactive reduction of the advantages which women enjoyed.

2. The step of raising the retirement age for women to that of men, which an employer decides to take following the *Barber* judgment in order to remove discrimination in relation to occupational pensions as regards benefits payable in respect of future periods of service, cannot be accompanied by measures, even if only transitional, designed to limit the adverse consequences which such a step may have for women.

3. Article 119 of the Treaty precludes an occupational scheme, relying on its own difficulties or on those of the undertaking concerned, from retrospectively raising the retirement age for women in relation to periods of service completed between 17 May 1990 and the date of entry into force of the measures by which equality is achieved in the scheme in question.

OJ C 304, 29.10.1994

□ 28.9.1994: Case C-28/93 *van den Akker and Others v Stichting Shell Pensioenfondsen*

1. Article 119 of the EC Treaty does not allow an occupational pension scheme which, following the judgment in Case C-262/88 *Barber v Guardian Royal Exchange Assurance Group* [1990] ECR I-1889, sets a uniform retirement age for all its members to maintain in favour of women, as regards benefits payable in respect of periods of service completed after the entry into force of the new rule, a retirement age lower than that for men, even if such a difference is due to an election made by women before the *Barber* judgment. As regards periods of service completed between 17 May 1990 (the date of the *Barber* judgment) and the date of entry into force of the rule by which the scheme imposes a uniform retirement age, Article 119 does not allow a situation of equality to be achieved otherwise than by applying to male employees the same arrangements as those enjoyed by female employees.

2. The reply to the first question is not affected by the fact that, in a case such as this, the female employees concerned were deemed, in the absence of an express election on their part, to have opted to maintain their retirement age at the level prior to equalization.

OJ C 304, 29.10.1994

□ 28.9.1994: Case C-57/93 *Vroege v NCIV Instituut voor Volkshuisvesting and Stichting Pensioenfondsen*

1. The right to join an occupational pension scheme falls within the scope of Article 119 of the Treaty and is therefore covered by the prohibition of discrimination laid down by that Article.

2. The limitation of the effects in time of the *Barber* judgment does not apply to the right to join an occupational pension scheme and in this context there is no scope for an analogous limitation.

3. The Protocol concerning Article 119 of the Treaty establishing the European Community, annexed to the Treaty on European Union, does not affect the right to join an occupational pension scheme, which continues to be governed by the judgment of 13 May 1986 in Case 170/84 *Bilka-Kaufhaus GmbH v Hartz*.

OJ C 304, 29.10.1994

□ 28.9.1994: Case C-128/93 *Fisscher v Voorhuis Hengelo and Stichting Bedrijfspensioenfondsen voor de Detailhandel*

1. The right to join an occupational pension scheme falls within the scope of Article 119 of the Treaty and is therefore covered by the prohibition of discrimination laid down by the Article.

2. The limitation of the effects in time of the judgment of 17 May 1990 in Case C-262/88 *Barber v Guardian Royal Exchange Assurance Group* does not apply to the right to join an occupational pension scheme.

3. The administrators of an occupational pension scheme must, like the employer, comply with the provisions of Article 119 of the Treaty and a worker who is discriminated against may assert his rights directly against those administrators.

4. The fact that a worker can claim retroactively to join an occupational pension scheme does not allow the worker to avoid paying the contributions relating to the period of membership concerned.

5. The national rules relating to time limits for bringing actions under national law may be relied on against workers who assert their right to join an occupational pension scheme, provided that they are not less favourable for that type of action than for similar actions of a domestic nature and that they do not render the exercise of rights conferred by Community law impossible in practice.

6. The Protocol concerning Article 119 of the Treaty establishing the European Community, annexed to the Treaty on European Union, does not affect the right to join an occupational pension scheme, which is governed by the judgment of 13 May 1986 in Case 170/84 *Bilka-Kaufhaus GmbH v Hartz*.

OJ C 304, 29.10.1994

State aid

Article 177 of the EC Treaty

□ 9.8.1994: Case C-44/93 *Namur-Les assurances du crédit v Office national du du croire and Belgian State*

1. Article 93(3) of the EC Treaty is to be interpreted as meaning that enlargement, in circumstances such as those described in the judgment making the reference,

of the field of activity of a public establishment which is in receipt of aid granted by the State under legislation predating the entry into force of the Treaty cannot, where it does not affect the system of aid established by that legislation, be regarded as constituting the granting or alteration of aid which is subject to the obligation of prior notification and the prohibition on putting aid into effect laid down by that provision.

2. It is not necessary to reply to the second question referred by the national court.

OJ C 275, 1.10.1994

External relations

Article 173 of the EC Treaty and Article 33 of the ECSC Treaty

□ 9.8.1994: Case C-327/91 *France v Commission*

1. The Court declares void the act whereby the Commission of the European Communities sought to conclude the Agreement with the United States of America regarding the application of the competition laws of the European Communities and the United States, which was signed and entered into force on 23 September 1991.

2. The Commission is ordered to pay its own costs and those of France.

3. Spain and the Netherlands are ordered to bear their own costs.

OJ C 275, 1.10.1994

Other decisions

Free movement of goods

Article 177 of the EC Treaty

□ 9.8.1994: Case C-51/93 *Meyhui v Schott Zwiesel Glaswerke*

OJ C 275, 1.10.1994

□ 15.9.1994: Case C-293/93 *Houtwipper*

OJ C 304, 29.10.1994

Customs union

Article 177 of the EC Treaty

□ 9.8.1994: Case C-340/93 *Klaus Thierschmidt v HZA Essen*

OJ C 275, 1.10.1994

□ 9.8.1994: Case C-393/93 *Walter Stanner v HZA Bochum*

OJ C 275, 1.10.1994

□ 9.8.1994: Case C-395/93 *Neckermann Versand v HZA Frankfurt am Main-Ost*

OJ C 275, 1.10.1994

Agriculture

Article 173 of the EC Treaty

□ 9.8.1994: Case C-413/92 *Germany v Commission*

OJ C 275, 1.10.1994

Article 177 of the EC Treaty

□ 14.7.1994: Case C-186/93 *Unaprol v AIMA and Ministero dell'agricoltura e delle foreste*

OJ C 275, 1.10.1994

□ 9.8.1994: Case C-347/93 *Belgium v Boterlux*

OJ C 275, 1.10.1994

Free movement of persons, companies and services

Article 177 of the EC Treaty

□ 9.8.1994: Case C-447/93 *Dreessen v Conseil national de l'ordre des architectes*

OJ C 275, 1.10.1994

Social policy and free movement of workers

Article 177 of the EC Treaty

□ 9.8.1994: Case C-406/93 *Reichling v INAMI*

OJ C 275, 1.10.1994

□ 20.9.1994: Case C-12/93 *Bestuur van de Nieuwe Algemene Bedrijfsvereniging v Drake*

OJ C 304, 29.10.1994

□ 22.9.1994: Case C-301/93 *Bettaccini v FNROM*

OJ C 304, 29.10.1994

Competition

Article 177 of the EC Treaty

□ 9.8.1994: Case C-378/93 *La Pyramide*

OJ C 288, 15.10.1994

State aid*Article 173 of the EC Treaty*

- 14.9.1994: Joined Cases C-278/92, C-279/92 and C-280/92 *Spain v Commission*
OJ C 304, 29.10.1994
- 14.9.1994: Case C-42/93 *Spain v Commission*
OJ C 288, 15.10.1994

Industrial policy*Article 177 of the EC Treaty*

- 28.9.1994: Case C-144/93 *Pfanni Werke Otto Eckart v Landeshauptstadt München*
OJ C 304, 29.10.1994

Consumers*Article 173 of the EC Treaty*

- 9.8.1994: Case C-359/92 *Germany v Council*
OJ C 275, 1.10.1994

Environment*Article 177 of the EC Treaty*

- 14.7.1994: Case C-379/92 *Peralta*
OJ C 275, 1.10.1994
- 9.8.1994: Case C-396/92 *Bund Naturschutz in Bayern, Stahnsdorf and Others v Freistaat Bayern*
OJ C 275, 1.10.1994

Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters*Protocol of 3 June 1971 and Convention of 27 September 1968*

- 15.9.1994: Case C-318/93 *Brenner and Noller v Dean Witter Reynolds*
OJ C 304, 29.10.1994

Infringements*Article 169 of the EC Treaty*

- 9.9.1994: Case C-102/94 *Commission v Luxembourg*
OJ C 304, 29.10.1994
- 12.9.1994: Case C-331/93 *Commission v Italy*
OJ C 304, 29.10.1994
- 12.9.1994: Case C-78/94 *Commission v France*
OJ C 304, 29.10.1994
- 20.9.1994: Case C-249/92 *Commission v Italy*
OJ C 304, 29.10.1994

Court of First Instance*Other decisions***Agriculture***Articles 178 and 215 of the EC Treaty*

- 10.6.1994: Case T-570/93 *Synetairismos Voo-trofon Verias v Council and Commission*
OJ C 275, 1.10.1994
- 15.7.1994: Cases T-281/93 to T-284/93, T-286/93 to T-293/93, T-295/93 to T-315/93, T-317/93 to T-327/93, T-330/93 to T-342/93, T-345/93, T-346/93, T-348/93 to T-350/93, T-352/93 to T-354/93, T-358/93 to T-360/93, T-362/93, T-364/93, T-369/93 to T-374/93, T-377/93, T-378/93, T-380/93 to T-383/93, T-385/93, T-386/93, T-396/93 to T-400/93, T-402/93 to T-404/93, T-407/93 to T-409/93, T-414/93, T-417/93, T-419/93, T-420/93 and T-422/93 to T-424/93 *Walsh and Others v Council and Commission*
OJ C 275, 1.10.1994
- 15.7.1994: Cases T-343/93, T-344/93, T-347/93, T-351/93, T-356/93, T-361/93, T-363/93, T-365/93 to T-368/93, T-375/93, T-376/93, T-379/93, T-387/93 to T-389/93, T-391/93, T-393/93 to T-395/93, T-401/93, T-405/93, T-406/93, T-410/93 to T-412/93, T-415/93, T-418/93, T-421/93 *McCullough and Others v Council and Commission*
OJ C 275, 1.10.1994

Competition

Article 173 of the EC Treaty

□ 14.7.1994: Case T-66/92 *Herlitz v Commission*

OJ C 275, 1.10.1994

□ 14.7.1994: Case T-77/92 *Parker Pen v Commission*

OJ C 275, 1.10.1994

□ 15.7.1994: Case T-17/93 *Matra Hachette v Commission*

OJ C 275, 1.10.1994

Articles 185 and 186 of the EC Treaty

□ 15.6.1994: Case T-88/94R *Société commerciale des potasses et de l'azote and Entreprise minière et chimique v Commission*

OJ C 275, 1.10.1994

State aid

Article 39 of the ECSC Treaty

□ 15.7.1994: Case T-239/94R *EISA v Commission*

OJ C 304, 29.10.1994

Taxation

Article 175 of the EC Treaty

□ 4.7.1994: Case T-13/94 *Century Oils Hellas v Commission*

OJ C 275, 1.10.1994

Structural Funds and instruments

Article 173 of the EC Treaty

□ 20.6.1994: Case T-446/93 *Frinil-Frio Naval e Industrial and Others v Commission*

OJ C 275, 1.10.1994

Institutional matters

Article 173 of the EC Treaty

□ 14.7.1994: Case T-584/93 *Roujansky v Council*

OJ C 275, 1.10.1994

□ 14.7.1994: Case T-179/94 *Bonnamy v Council*

OJ C 275, 1.10.1994

External relations

Articles 185 and 186 of the EC Treaty

□ 7.7.1994: Case T-185/94R *Geotronics v Commission*

OJ C 275, 1.10.1994

Analysis of judgments delivered between 1 July and 30 September 1994

Free movement of goods and customs union

1.7.16. Judgment of 9 August 1994, Joined Cases C-363/93 and C-407/93 to 411/93 *René Lancry* — Free movement of goods — Fiscal rules applicable to French overseas departments — Validity of Decision 89/688/EEC.

The Court held that the dock dues charged when goods enter the French overseas departments from other regions of France, in other words when they cross a regional boundary, constitute a tax equivalent to a customs duty, prohibited by the Treaty.

Such taxes undermine the unity of the Community customs territory and free movement of goods within it; intranational borders cannot be established within a Member State to take over from interstate borders as barriers to free movement of goods.

The Court annulled Council Decision 89/688/EEC authorizing France to maintain the dues until 31 December 1992. It excluded all possibilities of exceptions from the rules governing free movement of goods from and to the overseas departments (Article 227(2) of the EC Treaty).

Freedom of establishment and freedom to provide services

1.7.17. Judgment of 9 August 1994, Case C-43/93, *Vander Elst v OMI* — Freedom to provide services — Nationals of non-member countries.

A demolition firm established in Belgium, which for several years had regularly employed Moroccan nationals who were lawfully resident in Belgium and held Belgian work permits, was prosecuted in France for putting some of its employees on a site in Reims without applying for French work permits for them.

The Court of Justice held that the freedom to provide services secured by Treaty Articles 59 and 60 precluded Member States from requiring firms based in another Member State and performing services in their territory, and lawfully and habitually employing non-member country nationals for the purpose, to obtain work permits from immigration authorities and pay the attendant costs.

Competition — State aid

1.7.18. Judgment of 9 August 1994, Case C-44/93, *Namur — Les assurances du crédit v Office national du ducroire and Belgian State* — State aid — New or existing aid — Widening of activities of a public undertaking in receipt of State aid.

Article 93(3) of the EC Treaty provides that the Commission is to be informed, in sufficient time to enable it to submit its comments, of any plans to grant or alter State aid. New forms of aid are thus subject to preventive checks by the Commission and may not, as a rule, be put into effect until the Commission has found them to be compatible with the common market. In respect of this obligation on the Member State concerned, Article 93(3) is directly applicable.

In this particular case the Court had been asked to rule whether the extension of the activities of Belgium's Office national du ducroire was to be regarded as constituting the introduction or alteration of an aid scheme, i.e. a new form of aid, and was therefore subject to the obligation of prior notification and the prohibition on implementation laid down by Article 93(3).

Since the national legislation itself had not been amended and the aid scheme introduced by it had consequently not been affected, the Court held that the measure in question, which was intended to implement a general policy of making more widely available what was essentially an existing form of aid, could not be regarded as the granting or alteration of aid within the mean-

ing of Article 93(3). To take the contrary view would make for uncertainty in the law, placing firms and Member States under the obligation to give advance notice of a wide variety of measures which could not be put into effect even if they could hardly be described as new aid. In so far as the measures in question formed part of an existing aid scheme they would have to be kept under constant review as provided in Article 93(1), responsibility for such review lying with the Commission.

Equal treatment of men and women

1.7.19. Judgments of 28 September 1994, Case C-200/91 *Coloroll Pension Trustees v Russell and Others*; Case C-408/92 *Smith v Avdel Systems*; Case C-7/93 *Algemeen burgerlijk pensioenfonds v Beune*; Case C-28/93 *van den Akker v Stichting Shell Pensioenfonds*; Case C-57/93 *Vroege v NCIV*; Case C-128/93 *Fisscher v Voorhuis Hengelo* — Equal treatment in respect of occupational pensions — Consequences of the *Barber* judgment.

Article 119 of the EC Treaty imposes the principle of equal pay for men and women. In Case C-262/88 *Barber*, the Court of Justice held that pensions paid by private occupational schemes were within the definition of remuneration for the purposes of the Article; but it also decided that for the sake of certainty as to the law (risk of seriously disrupting the financial balance of occupational schemes) there should be limits on the periods to which the rule applied, and Article 119 could not be relied on for that purpose in respect of pensions relating to service prior to the judgment unless proceedings were already in hand by then.

This case raised a whole series of questions. In Cases C-109/91 *Ten Oever* and C-110/91 *Moroni* the Court answered some of them, notably as regards the effects in time of the *Barber* judgment.

On 28 September it gave judgment in a further six cases confirming and clarifying its earlier rulings and settling the issues that were still outstanding.

The Protocol concerning Article 119, annexed to the EC Treaty by the Treaty on European Union, made the principle of equal treatment, which the *Barber* judgment had already laid down in re-

spect of occupational pension schemes, applicable to all benefits under occupational social security schemes on or after 17 May 1990 (the date of the *Barber* judgment). This time limit applies only to benefits, however, and not to the right to join a scheme.

Where entitlement to benefit is accumulated gradually throughout working life, as is the case with pensions, equal treatment applies solely in respect of benefits due by reason of employment after 17 May 1990. But where benefits are not related to the duration of employment, as is the case with lump-sum death benefits, what matters is the date of the event giving rise to the entitlement; if it is after 17 May 1990, the equal treatment principle applies without any distinction being made for periods of employment before and after the *Barber* judgment.

Occupational social security schemes that applied discriminatory treatment must adjust their rules in line with the equal treatment principle. For all periods between *Barber* and the entry into operation of the new rules, persons in the category less well catered for must be given the benefits payable to the better-off category. After the new rules putting an end to the discrimination come into operation, it is legitimate under Article 119 for the measures establishing equal treatment to do so by levelling down rather than up. Article 119 requires only that men and women receive the same pay for the same work: it does not set levels of pay.

For periods of employment before 17 May 1990, employers are not bound (because of the time limit on the effects of the *Barber* judgment) to ensure equal treatment. The Community rules cannot, however, be invoked as grounds for a retrospective reduction in benefits payable to women before that date.

Article 119 calls for equal treatment under all types of occupational social security schemes, irrespective of whether such schemes are the outcome of negotiations between employers and workers (or their representatives) or have been unilaterally introduced by the employer and whether they are financed solely by the employer or by both the employer and the workers (i.e. contributory or non-contributory) without any government assistance. In so far as they exhibit the same features, pension schemes for civil servants are considered to be occupational

schemes covered by Article 119. On the other hand, Article 119 does not apply to additional contributions paid on a voluntary basis with a view to acquiring extra benefits calculated separately.

Lastly, the obligation to ensure equal treatment is placed not only on the employer but also on the pension-scheme administrators, even if the latter are formally independent of the employer, as in the case of pension funds established in the form of a trust. Trusts must exhaust the remedies available under domestic law, such as applications to national courts for a ruling that the employer should pay additional sums into the scheme.

Institutional matters

1.7.20. Judgment of 14 July 1994, Case C-91/92 *Faccini Dori v Recreb* — Consumer protection in the case of contracts negotiated away from business premises — horizontal effect of directives.

Directive 85/577/EEC concerning protection of the consumer in respect of contracts negotiated away from business premises requires Member States to adopt certain rules to govern legal relations between traders and consumers.

In this case the Court held that the Directive's provisions on the consumer's right of cancellation were unconditional and sufficiently precise and that individuals could therefore rely on them before the national courts.

Another issue, however, was whether the provisions could be invoked in proceedings between individual consumers and traders. The Court had consistently ruled (for example, in Case 152/84 *Marshall*) that where a directive had not been transposed within the prescribed time limit it was not binding on individuals and could not therefore be invoked against an individual (no direct 'horizontal' effect).

The Court reaffirmed the rule in *Marshall* to the effect that, although a directive was binding within the meaning of Article 189 of the Treaty, it was binding only upon each Member State to which it was addressed. The aim was to prevent Member States from taking advantage of their own failure to comply with Community law. The effect of extending this to relations between individuals would be to recognize that the Community had the power to enact obligations for individuals with immediate effect, whereas in

fact it had competence to do so only where it was empowered to adopt regulations.

The Court nevertheless recalled its holding in Case C-106/89 *Marleasing* that, since Member States have a duty under Article 5 to facilitate the achievement of the Community's tasks, national courts interpreting any provisions of national law must do so, as far as possible, in the light of the wording and the purpose of the directive so as to achieve the result it had in view and thereby comply with Article 189. If the result prescribed by a directive could not be achieved by way of interpretation, the Court had ruled in Joined Cases C-6 and 9/90 *Francovich* that in certain circumstances Community law required Member States to make good damage caused to individuals through their failure to transpose a directive, particularly where the aim was to grant rights to individuals. The Court found that such was the aim of Directive 85/577/EEC.

1.7.21. Judgment of 9 August 1994, Case C-327/91, *France v Commission* — Agreement between the Commission and the United States regarding the application of their competition laws — Competence.

On 9 August the Court of Justice annulled as *ultra vires* the Commission Decision concluding the agreement with the United States for the application of their competition laws, which entered into force on 23 September 1991. The Court referred to Article 228 of the EC Treaty as an autonomous, general provision of constitutional status designed to preserve equilibrium as between the institutions. The Article confers on the Council the power to conclude international agreements. A specific treaty-making power vested in the Commission cannot be deduced from existing practice or from the Commission's executive powers in competition policy, for they are of a purely internal nature and are not such as to modify the distribution of powers between the Community institutions as regards the conclusion of international agreements determined by Article 228.

Court of Auditors

Annual reports

1.7.22. Seventeenth annual report (1993).

Reference: Observations: Bull. 7/8-1994, point 1.6.16

Adopted on 27 October at the Court's 486th meeting. Pursuant to Article 88(4) of the Financial Regulation the report, together with the institutions' replies, has been sent to the discharge authorities and to the other institutions.

OJ C 327, 24.11.1994

1.7.23. 1993 ECSC annual report.

Reference: Observations: Bull. 7/8-1994, point 1.6.17

Adopted on 27 October at the Court's 486th meeting. Pursuant to Article 88(4) of the Financial Regulation and Article 45c of the ECSC Treaty the report, together with the Commission's replies, has been sent to the discharge authorities and to the other institutions. It will be published in the Official Journal.

Specific annual reports

1.7.24. Report on the 1993 accounts of the European Schools.

Adopted on 26 October at the Court's 485th meeting. Pursuant to Article 79 of the Financial Regulation applying to the general budget of the European Schools the report has been sent to the Board of Governors, which is responsible for giving discharge, and to Parliament, the Council and the Commission.

Special reports

1.7.25. Special Report No 3/94 on the implementation of the intervention measures provided for by the common organization of the market in beef and veal.

Adopted on 6 October at the Court's 482th meeting. The report has been sent to the other institutions and will be published in the Official Journal.

European Investment Bank

Financing

1.7.26. In October the European Investment Bank, the European Union's financial institution, granted loans totalling ECU 1 785.1 mil-

lion, of which ECU 154.7 million went outside the European Union.

European Union

Links with Union policies

1.7.27. Loans were made for the following measures:

- ECU 1 287.8 million for the economic development of disadvantaged regions;
- ECU 342 million for the improvement of transport and telecommunications infrastructures of benefit to the Community;
- ECU 598.5 million for the protection of the environment and improvement of the quality of life;
- ECU 410 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 1 294.1 million has been granted in global loans since the beginning of the year. In many cases individual loans come under several Union policies; some are therefore counted more than once in the above amounts.

Geographical breakdown

Germany

1.7.28. ECU 31.2 million was lent for the building of a plant producing newsprint from recycled paper and ECU 70.3 million for the building of a plant for the production of engine blocks and cylinderheads in cast aluminium. Global loans totalling ECU 51.8 million were granted for the financing of small and medium-scale projects by small businesses and environmental protection projects, with priority being given to the new *Länder*. A further ECU 38.8 million was allocated in the form of global loans for the financing of regional infrastructure projects and infrastructure projects of Community value as well as environmental protection and energy conservation projects.

Spain

1.7.29. ECU 6.3 million was lent for the extension, modernization and upgrading of the

electricity grid and ECU 20.7 million for the extension of the Valencia underground railway and the purchase of rolling stock.

France

1.7.30. A loan of ECU 114.4 million was made available for the technological upgrading of the production processes and the improvement of environmental protection in six factories belonging to the Rhône-Poulenc chemicals group.

Ireland

1.7.31. ECU 31.5 million was granted for the extension and modernization of the telecommunications network.

Italy

1.7.32. ECU 10.3 million was granted for environmental protection projects in the Veneto, in particular for the prevention of erosion and landslides, the collection and treatment of waste water and the controlled disposal of solid waste. ECU 25.9 million was granted for the exploitation of natural gas deposits and the building of a pipeline in the regions of Marche and Abruzzi. A loan of ECU 10.3 million was provided for the extension and modernization of the Candella natural gas deposit in Apulia. A loan of ECU 19.1 million was made available for waste water collection and treatment projects in Cagliari and Oristano, Sardinia, and in Sicily and for the improvement of the drinking water supply system in Alcamo, near Palermo. ECU 10.4 million was allocated for the building of a factory producing feed regulator pumps for pharmaceutical, cosmetic and food products in Novaledo, Trento. ECU 7.8 million was lent to finance the extension of the natural gas distribution network and improvements to the drinking water supply system in Trentino-Alto Adige. ECU 31.1 million was provided for the modernization and expansion of telecommunications services and ECU 82.8 million for the modernization of the telecommunications network and the development of its switching capacity. ECU 15.5 million was granted for the modernization of two refineries in Sannazzaro, Lombardy, and in Taranto, Apulia, to reduce the production of heavy fuel oil and to produce low-sulphur gas

oils in order to meet market demand and comply with future legislation. A total of ECU 19.1 million was made available in the form of global loans to finance small and medium-scale projects in a wide range of sectors.

Portugal

1.7.33. ECU 135.7 million was lent for the construction of three sections of motorway — Penafiel-Amarante (A4), Marateca-Montemor (A6) and Malveira-Torres Vedras (A8). ECU 240.1 million (including 17.9 million under the Edinburgh lending facility) helped to finance the extension and modernization of the Lisbon underground railway. A loan of ECU 153.2 million (including ECU 46 million under the Edinburgh lending facility) was provided for the development of a natural gas supply network in the west of the country. ECU 61.3 million was allocated to 11 road improvement projects country-wide. ECU 10.2 million was granted in the form of global loans to finance small and medium-scale job-creating projects by small businesses and environmental protection and energy conservation projects.

United Kingdom

1.7.34. A loan of ECU 127.3 million was made available for the construction of a light railway system in Sheffield, South Yorkshire, and the purchase of 25 sets of coaches. ECU 31.8 million was lent to finance various infrastructure projects in South Glamorgan, South Wales, including roadworks connected with the Cardiff ring road, the upgrading of industrial zones, and an aerospace engineering training centre. ECU 50.9 million went towards improvements to the water supply and waste water treatment systems in Wales. ECU 31.8 million was granted in the form of global loans to finance small and medium-scale job-creating projects by small businesses.

Project of Community interest located outside the territory of the European Union

1.7.35. A loan of ECU 161.2 million was granted for the construction of a natural gas pipeline (the 'Maghreb-Europe' pipeline) from the Algerian-Moroccan border to the Moroccan coast of the Strait of Gibraltar, near Tangier.

EIB lending activities in the EFTA countries

Norway

1.7.36. A loan of ECU 29.7 million went towards improvements to the electricity grid (Salten-Svartisen line) between the north (Lofoten) and the south (Nedre Røssåga) of the country.

Cooperation and development policy

ACP countries

General

1.7.37. A global loan amounting to ECU 35 million was made available for the financing of small and medium-scale private-sector projects in agriculture, industry, agro-industry, mining, tourism and the services sector in the ACP countries as a whole.

Botswana

1.7.38. ECU 3.4 million was granted towards the cost of modernizing the Lobatse slaughterhouse.

Belize

1.7.39. ECU 3.7 million went towards the development of the electricity sector.

Zimbabwe

1.7.40. ECU 0.6 million was lent to part-finance a feasibility study on methane in coal deposits.

Cooperation with Central and Eastern Europe

Bulgaria

1.7.41. ECU 30 million was granted to improve the efficiency and capacity of the air traffic control system.

Cooperation with Latin America and Asia

Argentina

1.7.42. ECU 46 million was provided to modernize and extend the natural gas distribution system in the northern part of the province of Buenos Aires.

Pakistan

1.7.43. ECU 36 million went towards extending the transport network and setting up a control system in the Greater Karachi area.

Economic and Social Committee

Inaugural session

1.7.44. The inaugural session of the Economic and Social Committee was held in Brussels from 18 to 20 October, chaired in turn by Mr Kazazis and Mr Ferrer and attended by Mr Delors, President of the Commission, Mrs Pery, Vice-President of the European Parliament, and Mr von Kyaw, Chairman of the Permanent Representatives Committee.

Mr Ferrer was elected Chairman and Mr Nielsen and Mr Laur were elected Vice-Chairmen. The Committee also elected its Bureau.

In his inaugural speech Mr Ferrer outlined the three major challenges confronting the European Union: maintaining its competitiveness in the face of changing world structures, increasing internal cohesion while at the same time adapting to the aspirations of the Member States, and increasing the involvement of ordinary citizens and of economic and social organizations. He stressed that economic progress must go hand in hand with social progress. He then went on to list some of the special strengths of the Economic and Social Committee: its socioprofessional consultative function, its multinational approach, its ability to take a long-term view, its cooperative approach towards the other institutions, its role as representative of a civil society, especially through the 'Citizens' Europe' conference, and the support it receives from the organizations behind its various groups. Mr Ferrer called for a clear definition of priority objectives in readiness for the 1996 review of the Treaties. He undertook to strive for the attainment of five objectives:

- increasing the effectiveness and impact of the Committee's opinions by making judicious use of the own-initiative procedure and by enhancing their value among the institutions;
- raising the external profile of the Committee;
- preparing for the 1996 deadline by launching a process of internal deliberations designed to ensure that the Committee makes a significant contribution;
- building up contacts with non-member countries.

Mr Delors then addressed the Committee, referring firstly to the main objectives set out in the White Paper on growth, competitiveness and employment, namely consolidation of the internal market, improvement of the position of European small businesses in the world context, concentration of research efforts and establishment of the trans-European networks. He also stressed the importance of making swift progress in setting up the machinery for the information society so as to place Europe in an advantageous position compared with its major Japanese and American competitors. He went on to raise the concerns of workers in the current climate of change and underlined the role which the social dialogue and the Economic and Social Committee itself have to play in this respect. Mr Delors then turned his attention to other aspects of the Treaty on European Union. He welcomed the fact that credibility had been restored to economic and monetary union but observed that the means available for the common foreign and security policy did not measure up to expectations; support for the third pillar had been more positive. He highlighted two areas of external relations which should be given priority: relations with the East European countries as they prepare for future membership and relations with the Mediterranean countries through association agreements. He stressed that Europe must continue to be guided by the three principles of competition, cooperation and solidarity. Lastly, in the run-up to the 1996 Intergovernmental Conference, Mr Delors expressed the need for vigilance on three levels: political — the countries of the Union must share the same ambitions; economic — steps must be taken to ensure that differing national sensitivities did not result in paralysis and institutional — attention must be focused on procedural simplicity, efficient decision-making and democratic accountability. The Commission President ended his address by

- improving the status of Committee members;

expressing the hope that the solutions chosen by the European Union at this crossroads in its history would guarantee its survival rather than trigger its decline.

Mrs Pery then took the floor, placing cooperation between Parliament and the Economic and Social Committee in the context of the changes currently taking place in the Union, with particular reference to enlargement, the fight against unemployment and the single currency, a context in which Parliament and the Economic and Social Committee, both by nature close to the citizen, should be more involved in the decision-making process, particularly in matters of social policy. As a practical improvement to what was already very positive cooperation between the two institutions, Mrs Pery suggested that the rapporteurs of the European Parliament and the Economic and Social Committee should meet as early on in the process as possible.

Lastly, Mr von Kyaw, speaking on behalf of the Council Presidency, underlined the Committee's contribution to the decision-making process, welcomed its new guidelines on a Citizens' Europe and on the further development of the internal market, and expressed appreciation for all it had done to enable the Committee of the Regions to hold its first meetings. He then gave a rundown of the priorities of the German Presidency: strengthening growth, combating structural unemployment, speeding up the industrial application of research results, promoting investment, improving labour-market flexibility, developing European transport networks, consolidating the internal market, liberalizing the gas and electricity markets, and establishing closer links with the countries of Eastern European and the Mediterranean.

1.7.45. The Economic and Social Committee debated and adopted opinions on the following:

- excise duties on mineral oils (→ point 1.2.17);

- the scheme of generalized preferences (1995-97) (→ point 1.3.97).

ECSC Consultative Committee

315th meeting (ordinary)

1.7.46. Luxembourg, 6 October.

Chairman: Mr Detaille.

Main items

- Free-trade agreements with Estonia, Latvia and Lithuania: consultation (→ points 1.3.23 to 1.3.25).
- Review of outlook for Community solid fuels market in 1994: consultation (→ point 1.2.60).
- Commission communication on the signing and provisional application by the European Communities of the European Energy Charter Treaty: consultation (→ point 1.2.61).
- Draft ECSC operating budget for 1995: exchange of views and adoption of a resolution (→ point 1.5.4).
- Restructuring of the Community steel industry: exchange of views.
- Report on the application of Community rules for aid to the steel industry in 1993: examination.
- Monitoring of certain aids authorized under Article 95 of the ECSC Treaty: oral statement.
- Commission report on ECSC activities in respect of readaptation aid for workers in the ECSC industries in 1993: exchange of views.

PART TWO

DOCUMENTATION

1. The ecu

Values in national currencies of ECU 1

October 1994 ¹		
BFR/ LFR	Belgian franc and Luxembourg franc	39.4401
DKR	Danish krone	7.50204
DM	German mark	1.91672
DR	Greek drachma	293.745
ESC	Portuguese escudo	195.865
FF	French franc	6.56108
HFL	Dutch guilder	2.14734
IRL	Irish pound	0.794364
LIT	Italian lira	1952.62
PTA	Spanish peseta	159.294
UKL	Pound sterling	0.785086
AUD	Australian dollar	1.70833
CAD	Canadian dollar	1.70257
FMK	Finnish markka	5.89503
ISK	Icelandic króna	84.5405
NKR	Norwegian krone	8.34456
NZD	New Zealand dollar	2.07060
OS	Austrian schilling	13.4902
SFR	Swiss franc	1.59428
SKR	Swedish krona	9.15188
USD	United States dollar	1.26091
YEN	Japanese yen	124.138
ZAR	South African rand	4.46072

¹ Average for the month: OJ C 307, 1.11.1994.

NB: Explanatory notes on the ecu and 'green' rates can be found in Bull. 7/8-1982, points 3.1.1 to 3.1.3, and Bull. 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

October 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	346.469	LIT	Italian lira All products	2339.97
ESC	Portuguese escudo All products	239.331	PTA	Spanish peseta All products	192.319
			UKL	Pound sterling All products	0.953575

2. Infringement proceedings

Reasoned opinions

Failure to communicate any measures incorporating Directives into national law

2.2.1. In October the Commission delivered reasoned opinions in the following cases:

Industry

Directive 91/155/EEC (OJ L 76, 22.3.1991)
System of specific information relating to dangerous preparations
Denmark

Directive 91/338/EEC (OJ L 186, 12.7.1991)
Restrictions on the marketing and use of certain dangerous substances and preparations
Belgium

Directive 91/659/EEC (OJ L 363, 31.12.1991)
Restrictions on the marketing and use of certain dangerous substances (asbestos)
Belgium

Agriculture

Directive 90/642/EEC (OJ L 350, 14.12.1990)
Maximum levels for pesticide residues in and on certain products of plant origin
Germany

Directive 91/414/EEC (OJ L 230, 19.8.1991)
Placing on the market of plant protection products
Germany, Netherlands

Directive 92/88/EEC (OJ L 321, 6.11.1992)
Undesirable substances and products in feedingstuffs
Germany

Directive 92/89/EEC (OJ L 344, 26.11.1992)
Community methods of analysis for the official control of feedingstuffs
Spain

Directive 92/95/EEC (OJ L 327, 13.11.1992)
Community methods of analysis for the official control of feedingstuffs
Spain

Directive 93/48/EEC (OJ L 250, 7.10.1993)

Conditions to be met by fruit plant propagating material
Germany, Spain

Directive 93/49/EEC (OJ L 250, 7.10.1993)
Conditions to be met by ornamental plant propagating material
Germany, Spain

Directive 93/50/EEC (OJ L 205, 17.8.1993)
Plants in respect of which producers, warehouses and dispatching centres must be listed in an official register
Netherlands

Directive 93/51/EEC (OJ L 205, 17.8.1993)
Movements of certain plants, plant products and other objects through a protected zone
France, Netherlands, United Kingdom

Directive 93/57/EEC (OJ L 211, 23.8.1993)
Maximum levels for pesticide residues
Germany, Spain

Directive 93/58/EEC (OJ L 211, 23.8.1993)
Fixing of maximum levels for pesticide residues in and on fruit and vegetables
Germany

Directive 93/61/EEC (OJ L 250, 7.10.1993)
Conditions to be met by vegetable propagating and planting material
Germany, Spain

Directive 93/85/EEC (OJ L 259, 18.10.1993)
Control of potato ring rot
Germany

Directive 91/629/EEC (OJ L 340, 11.12.1991)
Minimum standards for the protection of calves
Netherlands

Directive 91/630/EEC (OJ L 340, 11.12.1991)
Minimum standards for the protection of pigs
Netherlands

Directive 92/45/EEC (OJ L 268, 14.9.1992) Killing of wild game and placing on the market of wild-game meat
Denmark, Germany, Spain, Netherlands, United Kingdom

Directive 92/46/EEC (OJ L 268, 14.9.1992)
Production and placing on the market of raw milk, heat-treated milk and milk-based products
Denmark, Germany, Spain, France

Directive 92/65/EEC (OJ L 268, 14.9.1992)
Trade in, and imports into the Community of, animals' semen, ova and embryos
Denmark, Netherlands

Directive 92/66/EEC (OJ L 260, 5.9.1992)
Control of Newcastle disease
Germany, United Kingdom

Directive 92/102/EEC (OJ L 355, 5.12.1992)
Identification and registration of animals
United Kingdom

Directive 92/110/EEC (OJ L 394, 31.12.1992)
Requirements for the production of, and trade in, minced meat
Germany, Portugal

Directive 92/116/EEC (OJ L 62, 15.3.1993)
Health problems affecting trade in fresh poultrymeat
Germany, Spain, United Kingdom

Directive 92/117/EEC (OJ L 62, 15.3.1993)
Protection measures against specified zoonoses and specified zoonotic agents
Denmark, Germany

Directive 92/118/EEC (OJ L 62, 15.3.1993)
Trade in, and imports into the Community of, products not subject to specific Community rules
Denmark, Spain, Netherlands

Directive 92/119/EEC (OJ L 62, 15.3.1993)
Specific measures relating to swine vesicular disease
France, Netherlands

Directive 93/52/EEC (OJ L 175, 19.7.1993)
Intra-Community trade in, and importation of, embryos of domestic animals of the bovine species
United Kingdom

Environment, nuclear safety and civil protection

Directive 92/37/EEC (OJ L 154, 5.6.1992)
Classification, labelling and packaging of dangerous substances
Spain

Directive 93/86/EEC (OJ L 264, 23.10.1993)
Batteries and accumulators containing certain dangerous substances
United Kingdom

Directive 93/90/EC (OJ L 277, 10.11.1993)
List of substances in Article 13 of Directive 67/548/EEC
Spain

Directive 93/105/EC (OJ L 294, 30.11.1993)
Information required for technical dossiers
Spain

Internal market and financial services

Directive 91/371/EEC (OJ L 205, 27.7.1991)
Agreement between the EEC and Switzerland concerning direct insurance other than life assurance

Greece, Spain, Ireland, Luxembourg

Directive 91/674/EEC (OJ L 374, 31.12.1991)
Annual accounts and consolidated accounts of insurance undertakings
Belgium, Germany, Greece

Directive 92/49/EEC (OJ L 228, 11.8.1992)
Coordination of provisions relating to direct insurance other than life assurance
Spain

Directive 92/96/EEC (OJ L 360, 9.12.1992)
Coordination of provisions relating to direct life insurance
Greece, Spain

Directive 90/658/EEC (OJ L 353, 17.12.1990)
Amendment of certain Directives on the recognition of professional qualifications consequent upon the unification of Germany
Belgium

Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice

2.2.2. In October the Commission delivered reasoned opinions in the following cases:

Agriculture

Article 30 of the EC Treaty and Directive 91/497/EEC (OJ L 268, 24.9.1991)

Barriers to imports of boars from Denmark
Germany

Directives 83/189/EEC (OJ L 109, 26.4.1983) and 88/182/EEC (OJ L 81, 26.3.1988)

Control of bivalve mollusc parts or waste and ban on molluscs in Dutch waters
Netherlands

Internal market and financial services

Articles 30 and 36 of the EC Treaty
Preparations containing foie gras
France

Articles 30 and 36 of the EC Treaty
Barriers to the introduction of leavened bread
France

Directives 77/62/EEC (OJ L 13, 15.1.1977) and 88/295/EEC (OJ L 127, 20.5.1988)

Public supply contracts — prison mattresses
Spain

Customs and indirect taxation

Directive 77/388/EEC (OJ L 145, 13.6.1977)
Exemption from VAT for sports clubs
Spain

Cases referred to the Court of Justice

Failure to communicate any measures incorporating Directives into national law

2.2.3. In October the Commission referred the following cases to the Court of Justice:

Industry

Directive 92/31/EEC (OJ L 126, 12.5.1992)
Electromagnetic compatibility
Belgium

Competition

Directive 90/388/EEC (OJ L 192, 24.7.1990)
Markets for telecommunications services
Greece

Infringements of the Treaties or of Regulations; failure properly to apply Directives in practice

2.2.4. In October the Commission referred the following cases to the Court of Justice:

Industry

Directives 83/189/EEC (OJ L 109, 26.4.1983) and 88/182/EEC (OJ L 81, 26.3.1988)
Pharmaceutical products made from bovine organs and tissue
Italy

Directives 83/189/EEC (OJ L 109, 26.4.1983) and 88/182/EEC (OJ L 81, 26.3.1988)
Ban on the use of asbestos
Italy

Employment, industrial relations and social affairs

Article 45 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)

Equal treatment in access to employment — discrimination against children of migrant workers
Belgium

Article 48 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)
Access to employment — posts and telecommunications, and radio and TV broadcasting
Greece

Article 48 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)
Access to employment — sea and air transport
Greece

Article 48 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)
Access to employment — land transport
Greece

Article 48 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)
Access to employment — civil research
Greece

Article 48 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)
Discrimination on grounds of nationality in access to employment
Greece

Article 48 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)
Discrimination on grounds of nationality — access to employment in the public electricity utility
Greece

Article 48 of the EC Treaty and Regulation (EEC) No 1612/68 (OJ L 257, 19.10.1968)
Discrimination on grounds of nationality — access to employment in the public service — doctors in public hospitals
Greece

Agriculture

Directive 88/182/EEC (OJ L 81, 26.3.1988)
Technical standards — Decrees Nos 256 of 1 August 1990 and 257 of 14 September 1990 — health rules for molluscs
Italy

3. Additional references

2.3.1. 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. 6-1994

Points 1.7.60 and 1.7.61

Opinions adopted by the Economic and Social Committee at its 317th meeting on 1 and 2 June 1994
OJ C 295, 22.10.1994

Bull. 7/8-1994

Point 1.2.96

Commission Decision 94/698/EC of 6 July 1994 concerning increase in capital, credit guarantees and tax exemption in favour of TAP
OJ L 279, 28.10.1994

Point 1.2.139

Proposal for a Council Regulation (EC) amending Regulation (EEC) No 3508/92 establishing an integrated administration and control system for certain Community aid schemes ('integrated system')
OJ C 294, 22.10.1994

Point 1.2.149

Commission Decision 94/725/EC of 27 July 1994 on measures adopted by the French Government concerning pigmeat
OJ L 289, 10.11.1994

Point 1.2.159

Common position (EC) No 37/94 of 27 July 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 substances that deplete the ozone layer
OJ C 301, 27.10.1994

Point 1.2.178

Proposal for a European Parliament and Council Decision establishing a programme to support artistic and cultural activities having a European dimension (Kaleidoscope 2000)

Proposal for a European Parliament and Council Decision establishing a support programme in the field of books and reading (Ariane)
OJ C 324, 22.11.1994

Point 1.4.18

Council conclusions of 11 July 1994 concerning the fight against fraud
OJ C 292, 20.10.1994

Bull. 9-1994

Point 1.2.136

Proposal for a Council Regulation (EC) amending Council Regulation (EC) No 1657/93 temporarily suspending the autonomous customs tariff duties on certain industrial products intended to equip the free zones of the Azores and Madeira
OJ C 322, 19.11.1994

Point 1.2.164

Proposal for a Council Regulation (EC) amending Regulation (EEC) No 3759/92 on the common organization of the market in fishery products and aquaculture
OJ C 322, 19.11.1994 (annuls and replaces the text published in OJ C 298, 26.10.1994)

4. Index

A

Accession: 1.3.16; 1.3.58; 1.3.94
ACP States: 1.3.55 to 1.3.67; 1.3.69; 1.3.103; 1.7.37
ACP-EU Joint Assembly Meetings: 1.3.61
Action programme for the development of continuing vocational training: see FORCE
Action programme for the implementation of a Community vocational training policy: see Leonardo da Vinci
Afghanistan: 1.3.50
Agreement on free trade: 1.3.23 to 1.3.25
Agricultural products: 1.2.75; 1.2.76
Agricultural structures: 1.2.79
Aid for refugees: 1.3.50; 1.3.54
AIDS: 1.2.117; 1.3.69
Air pollution: 1.2.103
Air transport: 1.2.69; 1.2.70
Albania: 1.3.103
Algeria: 1.3.39
Angola: 1.2.95; 1.3.69
Annual report of the Court of Auditors: 1.7.22 to 1.7.24
Anti-dumping: 1.3.83 to 1.3.93
Anti-Semitism: 1.4.1
Arable crops: 1.2.84; 1.2.85
Arable land set-aside: 1.2.85
Argentina: 1.3.51; 1.3.52; 1.7.42
Asia: 1.3.47 to 1.3.50; 1.3.98
Association agreements: 1.3.22
Audiovisual policy: 1.2.134
Austria: 1.3.58; 1.2.83; 1.3.94

B

Baltic Sea: 1.3.21
Baltic States: 1.3.21 to 1.3.25
Banana trade: 1.3.55
Barbados: 1.3.60
Beef/veal: 1.2.89
Belarus: 1.3.31
Belgium: 1.2.3; 1.2.78; 1.5.17
Belize: 1.3.60; 1.7.39
Borrowing activities: 1.5.13
Bosnia-Herzegovina: 1.3.2; 1.3.5; 1.3.36; 1.3.37
Botswana: 1.7.38
Brazil: 1.3.51; 1.3.52

Budgetary discipline: 1.5.7
Budgetary procedures: 1.5.2; 1.5.3
Bulgaria: 1.3.18; 1.3.73; 1.3.84; 1.3.91; 1.7.41
Burundi: 1.3.7; 1.3.62

C

Canada: 1.2.18; 1.2.48
CAP (orientation): 1.2.83
CAP (reform): 1.2.79
CAP (State aid): 1.2.91; 1.2.92
Cape Verde: 1.3.69; 1.3.101
Carriage of dangerous goods: 1.2.68
Central and Eastern Europe: 1.3.18 to 1.3.26
CFSP: 1.3.1
CFSP (common positions): 1.3.3 to 1.3.5
CFSP (joint action): 1.3.2
CFSP (statements): 1.3.6 to 1.3.15
Chile: 1.3.53
China: 1.3.83; 1.3.85 to 1.3.88; 1.3.95; 1.3.96; 1.3.106; 1.3.107
Civil aviation: 1.2.69; 1.2.70
Civil protection: 1.2.107
Cohesion Fund: 1.2.74
Common foreign and security policy: see CFSP
Commonwealth of Independent States (CIS): 1.3.27 to 1.3.33
Communicable diseases: 1.2.117
Community patent: 1.2.21
Community programme of technical assistance for the Commonwealth of Independent States: see TACIS
Company taxation: 1.2.55
Competition rules: 1.2.47; 1.2.48
Computer industry: 1.2.46
Concentrations: 1.2.22; 1.2.27 to 1.2.35
Conference on Security and Cooperation in Europe: see CSCE
Congo: 1.3.60; 1.3.69
Consumer information: 1.2.124; 1.2.127
Consumer protection: 1.2.125 to 1.2.127
Conversion of steel areas: see Resider
Cooperation agreements: 1.3.28; 1.3.31 to 1.3.33; 1.3.44; 1.3.48
Coordination of policies: 1.2.3; 1.2.4
Costa Rica: 1.3.53
Cotton: 1.2.86
Craft industry: 1.2.54; 1.2.56
Credit institutions: 1.2.12
CSCE: 1.3.71
Cultural heritage: 1.2.128; 1.2.129
Culture: 1.2.128; 1.2.129
Cyprus: 1.3.41
Czechoslovakia (former): 1.3.91

D

Dangerous substances: 1.2.8; 1.2.9; 1.2.68
 Denmark: 1.2.3; 1.2.75; see State aid
 Desertification: 1.2.100
 Developing countries: 1.3.97; 1.3.99; 1.3.100
 Disasters (Community aid): 1.2.118 to 1.2.123
 Dominant positions: 1.2.22
 Driving licences: 1.2.63

E**EAGGF**

- Guarantee Section: 1.2.90
- Guidance Section: 1.2.75; 1.2.78

EBRD: 1.3.72 to 1.3.81
 EC Investment Partners financial instrument (ECIP): 1.3.98
 ECHO: 1.3.103
 Economic and monetary union: see EMU
 Economic convergence: 1.2.4
 Economic conversion of coal-mining areas: see Rechar
 ECSC operating budget: 1.5.4
 EDF: 1.3.69; 1.3.103
 Education: 1.2.113; 1.6.2 to 1.6.5
 EEA: 1.3.17
 EFTA: 1.3.16; 1.3.17
 Ehlass: 1.2.125
 EIB: 1.2.5; 1.2.53; 1.7.26 to 1.7.43
 El Salvador: 1.3.53
 Electronic data interchange (EDI): 1.2.73
 Emergency aid: 1.3.103; 1.3.104
 Employment: 1.2.110
 EMU: 1.2.3; 1.2.4
 Enlargement: 1.3.16
 Environment: 1.2.42; 1.2.43; 1.6.1
 Environment (economic, tax and legal instruments): 1.2.99
 Environment (international cooperation): 1.2.100 to 1.2.102; 1.3.20
 Environmental label: 1.2.99
 Equatorial Guinea: 1.3.109
 ERDF: 1.2.78; 1.2.81
 Eritrea: 1.3.101
 ESF: 1.2.77
 Estonia: 1.3.22; 1.3.23; 1.3.74; 1.3.75
 Ethiopia: 1.3.108
 European Agricultural Guidance and Guarantee Fund: see EAGGF
 European Bank for Reconstruction and Development: see EBRD
 European citizenship: 1.1.1
 European Community Humanitarian Office: see ECHO
 European Development Fund: see EDF
 European Economic Area: see EEA
 European Energy Charter: 1.2.61

European Free Trade Association: see EFTA
 European home and leisure accident surveillance system: see Ehlass
 European Investment Bank: see EIB
 European Investment Fund: 1.2.53
 European Regional Development Fund: see ERDF
 European Social Fund: see ESF
 Excise duties: 1.2.17
 Export revenue stabilization system: see Stabex

F

Federal Republic of Yugoslavia (Serbia and Montenegro): 1.3.5
 Fiji: 1.3.60
 Financial and technical assistance: 1.3.27 to 1.3.29
 Financial and technical cooperation: 1.3.41; 1.3.69
 Financial perspective: 1.5.1
 Financial regulations: 1.5.5 to 1.5.11
 Financial services: 1.2.11; 1.2.12
 Fines: 1.2.26
 Finland: 1.2.83; 1.3.16; 1.3.58; 1.3.94
 Fisheries (external aspects): 1.2.95 to 1.2.98
 Fisheries (internal aspects): 1.2.93; 1.2.94
 Food aid: 1.3.30; 1.3.101
 Foodstuffs: 1.2.10
 FORCE programme (development of continuing vocational training): 1.2.115
 Framework programme for R&TD 1994-98: 1.2.58; 1.2.59
 France: 1.2.3; 1.2.77; 1.2.78; 1.2.81; 1.2.120; 1.2.121; 1.5.16; 1.5.17; 1.7.30; see State aid
 Free movement of goods: 1.2.7 to 1.2.10
 Free movement of services: 1.2.11 to 1.2.14
 Fundamental social rights: 1.2.111

G

Gambia: 1.3.8
 GATT: 1.3.57; 1.3.70
 Gaza Strip: 1.3.41
 General budget: 1.5.1 to 1.5.3
 Generalized tariff preferences: 1.3.97
 Germany: 1.2.3; 1.2.78; 1.5.16; 1.5.17; 1.7.28; see State aid
 Government deficits: 1.2.3
 Greece: 1.2.78; 1.2.122; 1.2.123
 Green Paper: 1.2.13
 Growth initiative: 1.2.5
 Guarantee Fund: 1.5.8
 Guatemala: 1.3.53
 Guinea-Bissau: 1.3.69
 Guyana: 1.3.60

H

Haiti: 1.3.3; 1.3.9; 1.3.63; 1.3.64; 1.3.103
HDTV: see High-definition television
High-definition television (HDTV): 1.2.134
Honduras: 1.3.53
Hops: 1.2.87
Horizontal agreements: 1.2.22; 1.2.24
Housing programme: 1.5.17
Human rights: 1.3.102; 1.3.105 to 1.3.111
Humanitarian aid: 1.3.103; 1.3.104

I

IMF: 1.2.6; 1.3.39
India: 1.3.60; 1.3.96
Indirect taxation: 1.2.15 to 1.2.17
Indonesia: 1.3.96
Industrial accidents: 1.2.103
Industrial policy: 1.2.49 to 1.2.52
Industry and environment: 1.2.103 to 1.2.106
Information policy: 1.2.131 to 1.2.133
Inland transport: 1.2.63 to 1.2.65
Inland waterway transport: 1.2.66 to 1.2.68
Intellectual property: 1.2.18
International Fund (for Ireland): 1.2.80
International Monetary Fund: see IMF
Investment undertakings: 1.2.12
Iran: 1.3.110; 1.3.111
Iraq: 1.3.10; 1.3.40
Ireland: 1.2.74; 1.2.80; 1.7.31
Israel: 1.3.11; 1.3.12; 1.3.42; 1.3.43
Italy: 1.2.3; 1.2.77; 1.2.78; 1.2.109; 1.5.15 to 1.5.17;
1.7.32; see State aid
Ivory Coast: 1.3.60; 1.3.69

J

Jamaica: 1.3.60
Japan: 1.2.20; 1.2.112; 1.2.127; 1.3.89; 1.3.93
Jordan: 1.3.12; 1.3.42; 1.3.43
Journalism Prize: 1.2.132
Justice and home affairs: 1.4.1

K

Kazakhstan: 1.3.27; 1.3.32
Kenya: 1.3.60
Korea: 1.3.47; 1.3.92
Kurds: 1.3.111
Kuwait: 1.3.40
Kyrgyzstan: 1.3.33

L

Latin America: 1.3.51 to 1.3.54; 1.3.98
Latvia: 1.3.22; 1.3.24
Leonardo da Vinci: 1.2.114
Life insurance: 1.2.12
Lithuania: 1.3.22; 1.3.25
Loans: 1.5.14 to 1.5.17
Lomé Convention: 1.3.55 to 1.3.59
Luxembourg: 1.2.76 to 1.2.78

M

Madagascar: 1.3.60
Maghreb: 1.3.38; 1.3.39
Malawi: 1.3.60
Mauritania: 1.3.69
Mauritius: 1.3.60
Mechanical engineering: 1.2.52
Media: 1.2.13; 1.2.14
Mediterranean countries: 1.3.34 to 1.3.37; 1.3.98
Mediterranean policy: 1.3.34
Mercosur Group: 1.3.51; 1.3.52
Merger control: 1.2.22
Mexico: 1.3.54
Middle East: 1.3.40 to 1.3.43
Milk and milk products: 1.2.88
Milk quotas: 1.2.88
Moldova: 1.3.30; 1.3.76
Mongolia: 1.3.29
Morocco: 1.2.96; 1.2.97
Motor industry: 1.2.41
Motor vehicles: 1.2.7; 1.2.20
Mozambique: 1.3.13; 1.3.69

N

NAFO: 1.2.98
Nepal: 1.3.48
Netherlands: 1.2.3; 1.2.77; 1.2.78; see State aid
NGOs: 1.3.99 to 1.3.101
Nicaragua: 1.3.53
Niger: 1.3.14
Non-governmental organizations: see NGOs
Non-life insurance: 1.2.12
Northern Ireland: 1.2.80
Northwest Atlantic Fisheries Organization: see NAFO
Norway: 1.2.83; 1.3.58; 1.3.94; 1.7.36

O

OCT: 1.3.68
Originating products: 1.3.68
Overseas countries and territories: see OCT
Own resources: 1.5.6; 1.5.9; 1.5.11

P

Packaging: 1.2.105
 Pakistan: 1.3.103; 1.7.43
 Panama: 1.3.53
 Paraguay: 1.3.51; 1.3.52
 Peace in the Middle East: 1.3.12; 1.3.42; 1.3.43
 Permissible forms of cooperation: 1.2.25
 Peru: 1.3.101
 Petrochemicals industry: 1.2.38
 PHARE: 1.3.18 to 1.3.21
 Philippines: 1.3.103
 Poland: 1.3.77; 1.3.78; 1.3.84; 1.3.91
 Portugal: 1.2.3; 1.2.68; 1.2.78; 1.7.33
 Poseima: 1.2.82
 Programme of options specific to the remote and insular nature of Madeira and the Azores: see Poseima
 Public access to the institutions' documents: 1.1.2
 Public health: 1.2.117

R

Racism: 1.4.1
 Rechar programme: 1.2.78
 Research: 1.2.57
 Research (international cooperation): 1.2.57
 Research and Development: 1.2.44
 Resider programme: 1.2.78
 RETEX (Community action in favour of regions heavily dependent on the textile industry): 1.2.78
 Right to vote: 1.1.1
 Road transport: 1.2.63; 1.2.64
 Romania: 1.3.91
 Rules applying to businesses: 1.2.19 to 1.2.22
 Russia: see Russian Federation
 Russian Federation: 1.3.27; 1.3.79; 1.3.80; 1.3.87; 1.3.88
 Rwanda: 1.3.4; 1.3.65; 1.3.66; 1.3.101; 1.3.103

S

São Tomé and Príncipe: 1.3.69
 Satellite communications: 1.2.19
 Semiconductor products: 1.2.18
 Senegal: 1.3.69
 Seychelles: 1.3.69
 Shipbuilding: 1.2.37; 1.2.40
 Shipping safety: 1.2.66; 1.2.67
 Slovak Republic: 1.3.26; 1.3.81
 Slovenia: 1.3.35
 Small and medium-sized enterprises: see SMEs
 SMEs: 1.2.5; 1.2.53 to 1.2.56; 1.3.38
 Social exclusion: 1.2.111
 Social policy: 1.2.110 to 1.2.112
 Socrates: 1.2.113
 Solid fuels: 1.2.60

Solidarity: 1.2.112; 1.2.118 to 1.2.123
 South Africa: 1.2.102; 1.3.44 to 1.3.46; 1.3.98
 Southern Africa: 1.3.69
 Spain: 1.2.3; 1.2.4; 1.2.77; 1.2.78; 1.2.118; 1.2.119; 1.5.15; 1.5.17; 1.7.29; see State aid
 Sport: 1.2.133
 Stabex: 1.3.59
 State aid: 1.2.37 to 1.2.46

- Denmark: 1.2.42
- France: 1.2.46
- Germany: 1.2.38; 1.2.40; 1.2.44; 1.2.45
- Italy: 1.2.39; 1.2.91; 1.2.92
- Netherlands: 1.2.43
- Spain: 1.2.41

 Statistics (policy aspects): 1.6.1
 Statistics (results): 1.6.2 to 1.6.5
 Steel industry: 1.2.39; 1.2.45; 1.2.49 to 1.2.51
 Steel products: 1.2.51
 Stendhal Prize: 1.2.132
 Structural Funds: 1.2.53; 1.2.75 to 1.2.77
 Sudan: 1.3.15
 Sugar: 1.3.60
 Sugar Protocol: 1.3.60
 Supplementary and amending budget: 1.5.2
 Suriname: 1.3.60
 Swaziland: 1.3.60
 Sweden: 1.3.94
 Switzerland: 1.3.17
 Sysmin: 1.3.59

T

TACIS: 1.3.27 to 1.3.29
 TACs and quotas: 1.2.93
 Tajikistan: 1.3.27
 Tanzania: 1.3.60; 1.3.69
 Telecommunications: 1.2.71
 Telematique initiative: 1.2.62; 1.2.73
 Television: 1.2.71; 1.2.134
 Terrorism: 1.3.105
 Textile products: 1.3.94 to 1.3.96
 Thailand: 1.3.50
 Tobacco: 1.2.16
 Town twinning: 1.2.130
 Transparency: 1.1.2
 Transport infrastructure: 1.2.62; 1.3.18
 Trinidad and Tobago: 1.3.60; 1.3.69

U

Uganda: 1.3.60; 1.3.69
 Ukraine: 1.3.27; 1.3.88; 1.3.103
 United Kingdom: 1.2.3; 1.2.77; 1.2.78; 1.7.34
 United States: 1.2.47
 Uruguay: 1.3.51; 1.3.52
 Uruguay Round: 1.3.70

V

Value-added tax: see VAT
VAT: 1.2.15
Very remote regions: 1.2.82
Viet Nam: 1.3.49; 1.3.103; 1.3.104
Vocational training: 1.2.114; 1.2.115

W

Waste: 1.2.105; 1.2.106
Water pollution: 1.2.66; 1.2.68
Water quality: 1.2.108
Wild fauna and flora: 1.2.109
Workplace health and safety: 1.2.66
World Bank: 1.3.39

X

Xenophobia: 1.4.1

Y

Young people: 1.2.116
Youth exchange scheme for Europe: 1.2.116
Yugoslav Republic of Macedonia (former): 1.3.72
Yugoslavia (former): 1.3.5; 1.3.36; 1.3.37; 1.3.90

Z

Zaire: 1.3.67
Zimbabwe: 1.3.60; 1.7.40